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Oath Formulas in the *Poetic Edda*

APPROVED BY

SUPERVISING COMMITTEE:

Supervisor:

_____

Marc Pierce

_____

Sandra Straubhaar

Oath Formulas in the *Poetic Edda*

by

Jacob Robert Reis, B.A.

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Abstract

Oath Formulas in the *Poetic Edda*

Jacob Robert Reis, M.A.

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Supervisor: Marc Pierce

This study examines oaths in the ON *Poetic Edda* primarily from a linguistic and rhetorical standpoint with the aim of deducing syntactic-rhetorical formulas for oath swearing. As J. Grimm (1816) said and Hibbitts (1992) reiterated, poetic formulations in oral performance cultures may have had mnemonic functions and likely closely resembled real performance, which lends further validity and benefit to this project. This report begins with an examination of the relevant scholarly literature on oaths from Indo-European through ON. Four examples of oaths from the *Poetic Edda* are then presented, compared, and read with rhetorical and syntactic strategies to discover the formulas. A discussion section presents three evident conclusions on the structure of oath formulas: oaths are indeed formulaic, formula pieces can be optional but ordering does not change, and certain morpho-syntactic choices are intricately tied to the setting of oaths. Finally, directions for future research are suggested.

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Introduction

"Wir besitzen bis jetzt jedoch keine historisch-systematischen Abhandlungen über den Eid; dies gilt für seinen verfassungsgeschichtlichen Aspekt ebenso wie für die theologische und politische Eideslehre und für seine rechtsgeschichtliche Bedeutung" (Prodi 1993:XIII). In the nearly quarter of a century since Prodi's statement, a number of other scholars from various disciplines ranging from legal studies (e.g. Brink 2002), to sociology (e.g. Cattaneo 2010), to literature (e.g. Raudvere 2005) have made great strides in uncovering the historical, social, political and linguistic aspects of the oath throughout history. Oaths have been studied through the lens of speech-act theory (Raudvere 2005), from poetic-rhetorical perspectives (Riisoy 2015), and in conjunction with gendered theories of culture (Exell 2015). However, a "theory of the oath" that bridges these disciplines and questions assumptions about an oath's nature remains a desideratum.

Before investigating historical oaths, it is productive to deconstruct the idea of "the oath." An oath, in some forms, can be considered synonymous to a promise, a vow, and a verbal contract, in the sense that an oath reaches beyond the moment of speaking into the future or the past in order to make a pledge either that something has been done or that something will be done (Prodi 1992). In this way the "oath" is connected with a concept of truth and falsehood. Since different cultures and languages throughout history have had different ways of dealing with truth and falsehood (Campbell 2001), investigating oath-equivalents in different languages bears the fruit of a larger understanding of a legal and sociological construct that would appear, at least initially, to

transcend cultural and historical boundaries (Hirzel 1902). In the Germanic languages the evidence is divisive. On the one hand, linguistic, especially etymological evidence through various European languages would indicate that oath-words were established based on idiosyncratic practices from within the speaker group (Benveniste 1923). On the other hand, historical and textual similarities in the extant primary texts indicate a large degree of external influence (Haudry 1993), especially from the spread of the Roman Empire and subsequently, Christianity (Bellows 1969).

Oaths, as an English/Germanic-speaking audience knows them, must also be considered distinctly related to language. Oaths are linguistic acts whether written or spoken. Since language is inherently social, it would be a difficult to speak of oaths without speaking of the relationships and social structures present in and created by oaths, which in turn are informed by the surrounding culture and language in which the oath is performed in a recursive sociolinguistic manner. Part of "the social" in an oath is the physical ritual or ceremony, often implicated by a prepositional relationship to the act of making or swearing an oath, i.e. to swear by, to swear on something, i.e. rings,[1] weapons or animals or to promise *with* a handshake, etc. The social also presents itself in case and sentence structure—the swearer becomes the nominative subject, the oath optionally becomes the accusative direct object, and the person to whom the oath is being sworn is the dative indirect object, also rendered occasionally via the preposition "to."

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[1] E.g. *Eyrbyggja saga* §4. Also interestingly, see Katz (1998) on the connection between a common Latin root for "testify" and "testicle" and a discussion on the ritual swearing practice from which this etymology is derived.

Where absent, cultural and religious considerations on the part of speaker and audience form implied intention, i.e. "I swear to God..."

In addition to a prepositional relationship of ceremony and syntactic relationship of speaker and audience, subordination of the oath content is also an important feature. "I swear (to you) (an oath), *that*..." This feature in English (and Germanic languages in general) is essentially impossible to remove without changing the act from the swearing of an oath to something entirely different. Within the hierarchy of linguistic units, subordinated elements play ideational second-fiddle to superordinate elements: in other words, oaths are necessarily and primarily social.

Within the scholarship on the historical Germanic languages, oaths have largely been investigated for either what they can reveal about the social structures of the cultures or for what they can reveal about pre-Christian rites and rituals (Enochs 2004, Eriksen 2014, Riisoy 2015, Stein-Wilkeshuis 2002). The latter has been especially difficult and misleading, as many of the texts depicting pre-Christian civilization were written post-Christianization, and the line between what was carried over from oral tradition and what was rewritten and moralized by Christians is impossible to locate. As such, and in keeping with the way that scholarship for these purposes has historically been done, oaths have been looked at on the sentential or discourse level for meaning, and rarely at the morphological, word level.

A morphological study of oaths would only be so interesting, however. The most productive manner of investigating the concept of the oath would be to look at oaths on every level, from phonology to discourse. Tracing the ideas in this way and avoiding

overreaching generalizations about pre-Christian society will give the most valuable

conclusions from the largest amounts of data.

For this paper, I present a case study of this methodology with oaths in Old Norse.

Reasons include the varieties of text types, geographical spread of composition locations,

a large corpus of widely available text, and the (albeit occasionally poorly) documented

social histories of the "Vikings."[2] The first section of this paper reviews the literature

available on the oaths of Old Norse as well as the larger academic and ideological

frameworks within which these scholars operate. Then a selection of oaths from the

Poetic Edda is analyzed as linguistic entities operating across multiple levels of

representation and meaning. Finally, I attempt to draw a new picture of the oath in Old

Norse, and suggest future directions for research in this vein.

Literature Review

While much of the historiography of oaths centers on its relationship to Judaism

and Christianity,[3] the distance to Germanic is too great to be directly bridged, so a better

starting place for this project is a broad view of the Indo-European language family and

its ancestor civilizations. A large section of Benveniste (1973) is devoted to "Law." It is

subdivided into chapters including those on Roman and Greek oaths, both of which

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[2] The word "Vikings" takes various meanings depending on the age of the scholarship and the expertise of the writer, but generally refers to some group (or the whole group) of ON speakers.

[3] The Bible not only includes oaths, but gives various moral lessons about the usage of oaths—how to swear them (Numbers 5), what you may swear by (Deuteronomy 10), and eventually, that one should not swear them at all (Matthew 5:33-37). As such, some of the scholarship on oaths exists generally outside the direct line of descent of the Germanic languages, rather centering on Biblical Hebrew. In fact, oath "formulas" for Biblical Hebrew have been derived (Conklin 2011).

contain important etymological, literary and practical descriptions of oaths, and both of which are preceded and informed by chapters on *thémis* 'family law, rule established by the gods' and *díkê* 'interfamily law'. The chapter on the Roman oath (Benveniste 1973:389-398) questions the connection between *ius* 'law, formula of conformity' (parallel to *díkê*) and *iurare* 'to swear', and finds this connection in oaths, giving evidence of the *ius iurandum* 'formula to be formulated, oath', so called because of the necessary verbatim repetition of the oath formula.[4] Benveniste (1973:393) uses this opportunity also to trace to swear- and oath-words through the IE language family, discovering that "we have almost as many expressions as there are languages." The short paragraph of Celtic and Germanic details the same etymology that is presented in Kluge (1899: s.v. *Eid*), except for Benveniste's assertion that the root of NHG. *Eid* and En. *oath* are "literally a verbal substantive from the root 'to go'" (393), later defined as **oito-* (433), which survives as *Eidegang* 'the fact of going to the oath'.[5] These seemingly difficult to relate words in *ius iurandum* and *Eid* lead Benveniste to suggest the primacy of cultural and practical differences in the naming of the practice between Indo-European languages.

Benveniste's chapter on the oath in Greece (1973:432-442) deals primarily with the matter of perjury and how the gods were invoked, which is what made the oath inherently powerful speech. This matter is explored also by scholars of Old Norse and the negative consequences that may befall an oath-breaker. The chapter also looks at the

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[5] This etymology is corroborated by Schmidt-Wiegand (1977), saying that "*Eid* ist an die idg. Wz. **-ei* »gehen« anzuschließen" (16).

difference between the noun and verb for 'oath' and 'swear', *hórkos* and *omnúnai* respectively, and compares this to Germanic with NHG *Eid* and *schwören*. The swear-verb Benveniste connects to Icelandic *svara* 'reply' and OHG *andsvara* 'to answer', as with Lat. *re-spondeo* 'respond' but *spondeo* 'guarantee' (434).

Some of Benveniste's work in this area is corroborated by Mallory & Adams (2006): "the vocabulary of law... is not extensive in [PIE] and much of the concept of 'law' derives from that of 'order' or 'what is fitting' ... Closely associated with ritual propriety is the Italic-Indo-Iranian isogloss that yields **yew(e)s-* (Lat iús 'law, right, justice, duty' ...)" Fortson (2010) takes an equivocal stance towards oaths, mentioning only that "we cannot reconstruct a word for the central construct of the 'oath', the swearing of which was both a religious and legal act..." (Fortson 2010:95). This failure to reconstruct the word is very likely for the reasons Benveniste mentions: there are too many idiosyncratic oath words for the descended languages. Recent scholars in Indo-European have made relatively scant mentions of oaths, certainly referring to the construct less often than one might hope.

While the Indo-Europeanist scholarship tends to take a primarily linguistic aim at oaths, medievalists have largely focused on the religious, political, and legal aspects. In the broad European and narrower Germanic context, Paulo Prodi has been highly influential in his studies on oaths in his various publications in the 1990s. Specifically, his 1992 publication *Der Eid in der europäischen Verfassungsgeschichte* presents a brief overview of the oath as an institution that he asserts was central to European law and society. *Glaube und Eid: Treueformeln, Glaubensbekenntnisse und Sozialdiziplinierung*

zwischen Mittelalter und Neuzeit (1993) is a collection of papers edited by Prodi that includes articles relating primarily to Central and Western Europe in German and Italian by a number of authors in the field, looking at the varieties of oaths from university oaths to oaths of vassalage, etc.

Narrowing the focus slightly, Schmidt-Wiegand's chapter in Peter Classen's *Recht und Schrift im Mittelalter* (1977) looks at German oaths specifically in Old High and Middle High German. The chapter, "Eid und Gelöbnis: Formel und Formular im mittelalterlichen Recht" forms a basis for questioning and investigating the formulas behind Germanic oaths, offering the following possible answers to their formulaic nature: "so können sie entweder in der althergekommenen Rechtssprache verwurzelt sein – dies vermutet man vor allem bei den mit Stabreim oder Allteration ausgestatteten Formeln --, oder sie können aus der lateinischen Urkundensprache kommen, die ebenfalls Wortpaare in reiche Fülle kennt" (Schmidt-Wiegand 1977:60). As shown below, the question of formulaity also plays a large role (albeit with a different conclusion) in the literature specifically relating to oaths in Old Norse.

Also relating to medieval Germany, Ebel (1958) looks at a specific genre of oath, the *Bürgereid*, and establishes an understanding of the oath not only as a performative speech of promising, but also as a sort of *effective speech*, that is, by performing a citizen's oath, the swearer's status is fundamentally changed from *other* to *member*. This

is a change also evidenced in oaths of vassalage—another topic that will be revisited in the discussions of oaths in Old Norse.[6]

The scholarship relevant to this project for Old Norse is divided into two topic areas: legal studies and literary studies. Those works concerning law are often broader than those on literary texts. For example, von See (1964) and von Mauerer & Hertzberg (1908) both present broad overviews wherein oaths play a partial role in building a sociological and legal-historical picture of Old Norse culture. These pieces contain useful information for the identification of oaths in the primary sources but ultimately fall short of a focused synthesis on the place, value, and formulation of oaths linguistically.

The pieces within the legal-historical framework examined for this report are often informed by works relating to law in performance cultures, and provide useful methods of conceptualizing the interplay between poetry and legal language. Jakob Grimm's *Von der Poesie im Recht* (1816) is often cited in the more recent instantiations of this claim, e.g. Hibbitts (1992) and Mees (2013). Essentially, Grimm and his scholarly descendants argue for the mnemonic value of verse poetry for legal formulations—a poem is easier to remember than a piece of prose – and thus formulations like oaths present in poetic texts may actually reflect oath formulations in "real life." This claim is made specifically for oaths present in ON Eddic poetry by Riisoy (2015).

The scholarly works on ON oaths that operate in the literature- and cultural-studies paradigms often take a more linguistic approach to the study of oaths than most

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[6] The *Bürgereid* is only one of many genres of Germanic oaths, a category which also includes the Baptismal oaths of OS and OHG, oaths of alliance and friendship (especially in ON sagas) and midwinter oaths (forerunner to New Year's resolutions)

legal-studies works, deriving their theoretical backgrounds from speech-act theory (on which see Austin 1962) and the idea of performative language. Bredsdorff (1997) looks at speech acts in the Icelandic sagas while Cattaneo (2010) examines Icelandic fidelity oaths as performative language. Raudvere (2005) studies "powerful" language as both literary motif and ritual practice in ON literature. These three works, considered together, offer insight into ritualized speech acts like oaths and their representation in literary works. The extent to which the conclusions drawn from the texts are considered of idiosyncratic versus ethnographic value varies from work to work, with Cattaneo's most recent work taking the most conservative approach to applying any conclusion from one text onto society at large.

What this scholarship ultimately lacks, and what this paper attempts to do, is to define the syntactic and rhetorical elements which emerge as characteristics of the oath. As mentioned, oaths exist in a class of performative and legal language that has unique standing culturally and linguistically among various groups and in various time frames. Understanding the ON formula's discrete elements, how they fit together, what each of them do and why they are included there will help us understand the oath and other discursive acts in ritual formats.

Method

The *Poetic Edda* (NHG *Lieder-Edda, Ältere Edda*) is the name commonly given to a collection of poems written in Old Norse, based on the *Codex Regius*. Though the

Codex Regius was written in the 13th century, it was lost and not rediscovered until 1643 (Bellows 1969:xlv). The *Poetic Edda* contrasts with the *Prose Edda* (NHG *Snorra-Edda, Prosa-Edda, Jüngere Edda*), the latter of which was composed by Snorri Sturluson in an attempt to clarify and expound on Norse mythological concepts.[7]

This study focuses on oaths in the *Poetic Edda* because of its immense historical and linguistic value and the attention it has received throughout scholarly history. As a literary text with origins in a culture of oral transmission, the poems are largely communally composed, and though the scribes certainly played an interpretive role, most of the content and language of verse-form texts has a stable quality that resists much reinterpretation in transcription (Bellows 1969:xiii). Similarities in content and form from the *Poetic Edda* to the *Prose Edda* and other period texts lends further credence to the idea that the *Poetic Edda* has legitimate value as a source of mythological and anthropological history as well as period-specific linguistic features. A similar project with focus on prose texts like the sagas would also have tremendous, if different, value.

Oaths in several sections of the *Poetic Edda*, from several different poems, are compared here. By resisting the urge to do a close reading of oaths within a single poem or a single instance and instead drawing (rhetorical rather than anthropological) generalizations from a collection of various oath instances, it can be hoped that the findings may better apply to our concept of ON oaths in general. Namely, the nature and

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[7] Though the *Eddas* are commonly referred to as *Younger* and *Elder*, the names may be misleading. Scholars of the *Eddas* (Bellows 1969; Hildebrand 1904) have shown that Snorri's *Edda* was likely composed before the *Codex Regius* and that the two probably share a common source text or myth.

structure of oath formulas can be used to discuss larger or similar contexts of discourse in ON and related languages.

      To locate the instances of oath-words in the *Poetic Edda*, I refer firstly to Riisoy (2015), whose work on oaths in ON Eddic poetry is valuable, but which places the historical and social aspects of the oaths above their linguistic content. Additionally, for this project, corpus searches were used to locate further instances of oath-words and to verify context of syntactic and lexico-grammatical features. For this project, I compiled a 1.3 million word corpus of Old Norse texts in the public domain including, among others, both *Eddas*, the Icelandic sagas and the *Heimskringla* and employed the AntConc concordancer[8] to query the corpus. Hildebrand's (1904) critical edition of the *Poetic Edda* is also compared to the ensure accuracy of the ON transcriptions. Where in doubt, images of the *Codex Regius* manuscript, as hosted on the website of Stofnun Árna Magnússonar í íslenskum fræðum (http://www.am.hi.is:8087/) are compared. Passage translations into English come from Bellows (1969), whose sources include, primarily, Hildebrand (1904). After the location of relevant passages in the text, morphological and syntactic elements are compared based on similarities and differences from instance to instance. The results are then summarized and further directions for research are suggested.

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[8] Version 3.4.4w. Available at http://www.laurenceanthony.net/software/antconc/.

The Oaths

The poems in the *Poetic Edda* are not always connected by an overarching narrative. Some editions (e.g. Bellows 1969) are divided into two sections: the lays of the gods and the lays of the heroes. Other editions (Hildebrand 1904) omit a distinguishing division, but the order remains the same: the texts follow from the gods to the heroes, as in the *Codex Regius*. The following examples are cited by poem with their stanza locations, according to Bellows (1969) and Hildebrand (1904).

Example 1: *Völundarkvitha* 35. In the lay of Völund, before Völund admits to the killing of Nithuth's sons, Völund makes Nithuth swear an oath.

Vœlundr kvaþ:	Völund spake:
'Eiþa skalt áþr alla vinna	"First shalt thou all the oaths now swear,
at skips borþi ok at skjaldar rond,	By the rail of ship, and the rim of shield
at mars bøgi ok at mækis egg:	By the shoulder of steed, and the edge of sword
at þú kveljat kvón Vølundar	That to Völund's wife thou wilt work no ill,
né brúþi minni at bana verþir,	Nor yet my bride to her death wilt bring,
þót kvón eigim þás ér kunnuþ,	Though a wife I should have that well thou knowest
eþa jóþ eigim innan hallar.	And a child I should have within thy hall.
(Hildebrand 1902:222-223)	(Bellows 1969:266)

This oath has often been examined for its conditions of oath swearing. The practice of swearing on weapons, boats and horses has been examined by Brink (2002),

Riisoy (2015), Stein-Wilkeshuis (2002) and others. One recurring interpretation among these scholars is that, for the perjurer, the weapons will turn against them and strike them down. The idea of weapons turning on their wielder finds parallels in other Indo-European myths as well (Haudry 1993:447-449).

The line following the "by"-statements begins in the English translation with the subordinating conjunction "that" – indicating that after this word, the promise of the oath is spoken. This makes sense—that neither harm nor death befall Völund's wife is a suitable promise for an oath.[9] That said, in the ON text, the word *at* is used where English uses both "by" and "that". These homographs may be used by the poet for ease of memorization, but it bears noting that the former uses of *at* are as a multi-use preposition often rendered into NHG as *an*, *bei*, *gegen*, *nach*, or *zu*.[10] Use of the German-language scholarship of ON for English translations is common[11] and rendering translations of prepositions especially in Germanic is notoriously difficult. Ultimately this means that the supposition in the scholarship that one places his hand or hands on the object to be sworn "on" or "by" cannot be known for certain – translation may well have failed – and this instance alone should not be used as justification for an argument regarding specific ritualistic performances, movements or local relationships.

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[9] Or no harm to the speaker's wife and no death to Völund's wife: Bellows (1969:266) says "the manuscript does not name the speaker" and goes on to elucidate the various interpretations of the stanza preceding this one, which would appear to be missing two lines as a scribal error (judging from the metric structure of the poem and the lack of expected transitional phrases)—the manuscript itself is complete in this section.

[10] From Gerhard Köbler's 2014 A*ltnordisches Wörterbuch (4. Auflage)*, hereafter AnWb, available digitally at http://www.koeblergerhard.de/anwbhinw.html.

[11] E.g. Bellows (1969) bases his translation mainly on Hildebrand (1904) and Neckel & Kuhn (1962), both German-language scholars.

The first promise features yet another meaning of *at*, that of a negation clitic[12] attached to the ending of the preceding verb *kvelj-* 'quell, kill, harm'.

(1) *at*   *þu*   *kvelj-at*   *kvón*   *Vølund-ar*

     CONJ   you.PL quell-NEG   wife   Volund-POSS

     'that you shall not kill Volund's wife'

Then, the next line has

(2) *at*   *bana*   *verþ-ir*

     PREP   death   bring_about-2PL.SBJV

     '(nor to my bride) would you bring to death'

This would explain the <a> (*bani*, *an*-stem weak masculine nouns take -*a* in all cases except nominative) as a result of the *at* preposition earlier discussed: this kind of multiplicity of meanings may have eluded translators and scholars alike.

Another option for *at* is to negate *verþ-*,where the prepositional relationship of death to the verb is implicit in the case marking -*a*, as in:

(3) *at*   *bana*   *verþir*

     NEG   death   bring-about-2PL.SBJV

     '(nor to my bride) you would not bring about (her) death'

This type of double-negation is a common practice in Germanic languages, including Old Norse. The negated verb immediately following the topic is also an obligatory move in ON topicalizations (Eythórsson 2002:209). This translation possibility has been ignored

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12 See Noreen (1923:§465): "Enklitischer anschluss von pronominalformen an das vorhergehende verbum kommt in vielen fällen vor..." Digital version available at http://www.arnastofnun.is/solofile/1016380; this work is hereafter referred to as AnGr.

in Bellows (1969) and may be indicative of a larger systematic issue affecting translations of ON texts into English or German.

As a final option, *at bana* can be read as an infinitive phrase.

(4) *at*   *bana*   *verþ-ir*

      to   kill   bring_about-2PL.SBJV

      '(nor to my bride) would you bring about (her) killing'

No matter which way that line is read, the multifaceted uses of *at* in this stanza ends in the next line with *þót*, a clitic-construction of "*þo at*" (AnGr §158). This section has typically been read for its constructions regarding weapons, horses and boats, but it also provides a clear highlight of the problem of one-to-one translation with these ON texts. The word *at* here has likely been misinterpreted to the point of providing false evidence for claims of oath rituals.

At the meta-level, a formula can begin to be outlined with this example. Reducing the text to its rhetorical-syntactic elements yields a discrete set of moves which can be compared with other instances. The formula here would look like this:

OATH→SWEAR→PREP_CONDITION (x4)→SUB_PROMISE (x2)→PERSONALIZER_DESC (x2)

(Oath formula based on *Volundarkvitha* 35)

The OATH being fronted (*Eiþa skalt áþr alla vinna* 'Oaths shall firstly all of you swear') is important and will be discussed below. The act of swearing follows, then a preposition, in this case *at*, sets off a condition for the performance of the oath. This is

followed by a subordinating conjunction, whose clause is the promise made by the oath. Finally, a concession made by the subordinating conjunction *þót* is followed up with a description of the conceded point (which in this case endears and relates the conceded point back to the audience in both cases, i.e. who you know well, in your hall). These concessions utilize the subjunctive (*eigim*) and rhetorically change the direction of the discussion slightly to be more personal to the speaker. Several of these elements are repeated, but they are not mixed. This certainly serves a poetic function, but it would also seem to serve to fulfill the discourse formula expected for oaths, as outlined here and below.

Example 2: *Atlakvitha* 32. In this Lay of Atli (Attila the Hun), we find a parallel to the *Nibelungenlied* of Middle High German origin. The section in question immediately precedes Gunnar's killing, with whom the secret of the location of the Niflung's treasure dies. Guthrun, Gunnar's sister, speaks the following:[13]

Guþrún kvaþ:		Guthrun spake:	
Svá gangi þér, Atli!	*sem við Gunnar áttir*	"It shall go with thee, Atli	as with Gunnar thou heldest
eiþa opt svarþa	*ok ár of nefnda,*	The oaths ofttimes sworn,	and of old made firm,
at sólu suþrhollu	*ok at Sigtýs bergi,*	By the sun in the south	by Sigtyr's mountain,
holkvi hvílbeþjar	*ok at hringi Ullar.*	By the horse in the rest bed,	and the ring of Ull.

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[13] It is not entirely certain that she is the speaker, as the manuscript does not indicate the speaker, but she is the most likely candidate (Bellows 1969:494).

(Hildebrand 1902:408)   (Bellows 1969:494)

Here again, *eiþa* is fronted in the line. Although this topicalization does not cause

variation from the expected SVO word order in this case: the swearing verbs, which are

expected to have the oaths as objects, are held post-nominally by use of detransitivizing

participial passive. Also, the verb used here for constituting the oaths is different. *Sverja*

'to swear' is used instead of *vinna* 'to work, to carry out, to approach, to suffice, to gain'

(AnWb). Cattaneo (2015:28) says that "the verb 'vinna' belongs to the class of all-

purpose verbs in Old Norse that can easily change meaning with the context." That said,

Benveniste (1973:434) also makes the case for multiple meanings of *sverja*, noting that:

> This same Germanic verb also yields the Icelandic *svara* 'reply', OHG *andsvara*
>
> 'reply' (Engl. *answer*); for the formation we may compare the Lat. *re-spondeo*,
>
> from which we might conclude that the sense of *swaran* is close to that of
>
> *spondeo*, that is "to guarantee, be responsible for something." Thus, the Germanic
>
> **swer-* 'to act as a guarantor' is well suited to the notion of the "oath" which is
>
> expressed by the substantive which acts as an object of the verb.

A second verb connected to the oaths appears in the previous line, *sem viþ*

Gunnar áttir 'as you had with Gunnar'. The verb, second-person preterite of *eiga* 'to

own, to have', elucidates phenomenological qualities of the oath, which for ON speakers

must have existed in a time and space such that they could be "had." This idea is reinforced by the fact that ON oaths are sometimes modified by possessive adjectives.[14]

Yet another verb appears in this section distinctly in connection to the oaths, *nefnda*, past participle of the verb ON *nefna*, NHG *nennen* 'to name'. Bellows translates this as "made firm" (1969:494). I believe this is more likely to be a repetition of the previous half-line than some kind of subsequent action performed upon the oath by the swearer (i.e. Bellows indicating a "making-firm" of that oath) because not only does such a making-firm not take place by usage of this verb anywhere else in the ON corpus, but such actions are not typically taken upon oaths at all. Here the repetition is probably used for metrical purposes, as this would accord better with word order and the metrical expectations of the line. I would read it like this:

(5) *eiþa* *opt* *svar-þa*   *ok* *ár* *of* *nefn-da*

      oaths often swear-PTCP   and years ago name-PTCP

      'oaths often sworn and named years ago'

This indicates that oaths, as part of a legal lexis, occur with other legal terminology, like *sverja*, *vinna*, and this meaning of *nefna*.[15]

As with the *Völundarkvitha* segment, this part of *Atlakvitha* can be reduced to its formulaic elements for determining the patterns of oath swearing. Labeling the first line of the stanza BACKGROUND yields a stanza organization like this:

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[14] E.g. in *Saga sigurðar jórsalafara, Eysteins ok Olafs*, "ok hélt hann í því eigi **eiða sína**, er hann sór á Jórsalalandi ..." (§23) 'and he held not to his oaths, which he swore in Jorsaland...'

[15] I have found one other instance of ON *nefna* existing in proximity to an oath-word: in *Þorsteins þáttr uxafóts*, "*Hann skyldi vinna eið að baugi og nefna votta í það vætti...*" (§1) 'He shall swear an oath (PREP) the ring and name evidence to the witness...'

BACKGROUND → OATH → SWEAR (x2) → PREP_CONDITION (x4)

(Oath formula based on *Atlakvitha* 32)

The second SWEAR is the use of *nefna*. The preposition in the third condition is

implicit and most likely not stated outright for metrical concern, but the relationship is

recognizable in the morphological declension of the noun. The lack of the promise and

concession would at first seem to render them moves optional. While a certain degree of

rhetorical flexibility is exercised by the poet in choosing the elements of the formula to

employ, the manuscript in this portion of *Atlakvitha* is confused and incomplete (Bellows

1969:494), and those elements therefore may have been in the unrecoverable or

incorrectly transcribed portion of the manuscript.[16]

Example 3: *Brot af Sigurtharkvithu* 2-5. This fragment of a poem also takes place

in the Nibelung-story framework. The second stanza, commonly attributed to Gunnar,[17]

is the speaker lamenting before Hogni:

Gunnarr kvaþ:	Gunnar spake:
'*Mér hefr Sigvorþr selda eiþa,*	"Sigurth oaths to me hath sworn,
eiþa selda, alla logna:	Oaths hath sworn, and all hath broken;

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[16] Editors, like Bellows (1969:494) and Hildebrand (1904:408) remark on the different possible
interpretations that have been made of the incomplete stanzas in this area.

[17] "A few editors ascribe this speech to Brynhild. Gunnar, if the stanza is his, has believed Brynhild's
statement regarding Sigurth's disloyalty to his blood brother" (Bellows 1969:405).

þá vélti mik, es vesa skyldi	He betrayed me there where truest all
allra eiþa einn fulltruí.'	His oaths, methinks, he ought to have kept."
(Hildebrand 1904:331)	(Bellows 1969:405)

This example yields some alternative terminology connected to the oath (i.e. *selja* 'to deliver, to sell') as a direct result of the perjury present in the passage. Neither the infinitive *selja/selia* nor any of its conjugations appear within 8 words of any *eið/eiþ*-words in the corpus other than this example. While Bellow's translates this as "sworn," it might better be rendered more colloquially (and, in fact, literally) in English as "sold" in the sense of "selling" somebody on something, though the idea of delivering an oath (in the sense of speaking it before a person, delivering a speech) is also plausible.

The first line ends and the second begins with the antimetabole *selda eiþa, eiþa selda*—which in light of the other examples of Poetic Edda oaths serves a double purpose. The first and more apparent without the additional context is that the repetition serves to reinforce the lamentation of Gunnar. Especially in poetic format, such repetition would capture the audience's attention. In other IE languages, repetition, especially antimetabole for lamentation has been documented. It exists in Sanskrit epics, for example (Belvalkar 1944). The practice also occurs in Greek tragedy (i.e. Aeschylus's *Myrmidons*) and later in Shakespeare (*King Richard II*). The persistent rhetorical usage of this device in early IE languages lends credence to the idea that its function would have been similar in Old Norse. That said, there is another example in the *Poetic Edda* of this

mirrored construction as it relates to oaths. In the *Short Lay of Sigurth* (*Sigurþarkviþa en skamma*), stanza 17 has:

Einu því Hogni andsvor veitti:	Few the words of Hogni were:
'Samir eigi okkr slíkt at vinna,	"Us it beseems not so to do
sverþi rofna svarna eiþa,	To cleave with swords the oaths we swore,
eiþa svarna, unnar trygþir	The oaths we swore and all our vows
(Hildebrand 1904:348)	(Bellows 1969:426)

Again, this has the function of placing the *eiþa* at the front of a new line, as well as intensifying the emotion of the discussion.

A perhaps less immediately recognizable function to a reader today would be setting off an oath formula. As already noted, these formulas often front the *eiþ*-word, and here, after providing a setting, begins the oath discussion with *eiþa*, and follows it with the liar's equivalent of swearing, *selda*. As this lamentation does not narrate the swearing of the oath, the ritual conditions are not given, but rather the condition of the oaths as *alla logna* 'all false' is shown. Furthermore, instead of a concession as the last element of the formula, there is something of an indictment serving the purpose of intensifying the dishonor of the crime. This indictment utilizes the subjunctive (*skyldi... fulltrui*), as did the concessions in Example 1 (*þót kvón **eigim**... eþa jóþ **eigim***). This indictment also serves to personalize the discussion back to the speaker (as did the concessions). The formula, with a marked difference in the swearing, looks like this:

BACKGROUND → OATH → SWEAR* → CONDITION → PERSONALIZER

(Oath formula based on *Brot af Sigurtharkvithu* 2-5)

Example 4: *Guþrúnarkviþa III*: 3. The third lay of Guthrun begins with Guthrun (Kriemhild) speaking to Atli. She asks what troubles him and he replies that Herkja, a concubine of his, has accused Guthrun of sleeping with King Þjóðrekr. Guthrun asserts her innocence in the third stanza by swearing an oath.

Guþrún kvaþ: Guthrun spake:

'Þér munk alls þess   eiþa vinna   "This shall I   with oaths now swear

at enum hvíta   helga steini,   Swear by the sacred   stone so white

at viþ Þjóþmars sun   þatki áttak   That naught was there   with Thjothmar's son

es vorþ ne verr   vinna knátti.   That man or woman   may not know.

(Hildebrand 1904:384)   (Bellows 1969:466)

In this oath, *vinna* and *at* are once again part and parcel of this swearing process. A short background section is followed by *eiþa vinna / at*... Just as objects sworn *at* in Example 2 carry some symbolic or ritualistic weight, so does the 'white holy stone' in this text. Like the ship's rail and shield's edge, however, the reasons are not always entirely clear. For this stone, Bellows (1969) argues that this may be the same stone mentioned in *Helgakvitha Hundingsbana II*, 29: the 'ice-cold stone of Uth' (466). Riisoy

(2015:146) confirms that this is one possible interpretation, but goes on the list out the various other uses of stones in Germanic legal and ritual contexts, including phallic-shaped white stones placed near burial mounds, stones stepped on during vows, and stones upon which kings were set when they took their royal names.[18] What Riisoy and Bellows both fail to mention, and where I think the most obvious and likely interpretation lies, is found only a few stanzas removed in the same text.

Stanza 7 mentions Guthrun calling for "Saxi, the southrons' king, / For he the boiling kettle can hallow" (Bellows 1969:467). This is a reference to the ordeal by boiling water, a form of *judicum Dei* in which the accused must reach into a kettle of boiling water and retrieve, indeed, a stone. The practice was imported from German ritual, according to Bellows (1969) as was the rest of the plot of the lay (465). Guthrun herself goes on to prove her innocence by reaching into the boiling water and retrieving the stone with unscathed arm, while Herkja is burned by the water, thus found guilty and killed. I assert that the stone Guthrun swears *at* is of the same species as the stones she retrieves from the boiling water. With no other referent to what 'white holy stone' it may otherwise be and with no further list of other sworn-*at* objects, this would appear to be the most plausible explanation.

Here, as in previous examples, the promise of the oath is introduced by the same preposition *at*. The next stanza features a second promise and a personalizing narrative:

Né ek halsaþa   herja stilli,   Nor ever once   did my arms embrace

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[18] Cf. also the "white stone" in Revelation 2:17 which will be given to those "who are victorious."

jofur óneisan einu sinni:	The hero brave, the leader of hosts;
aþrar vóru okkrar spekjur,	In another manner our meeting was
es vit hormug tvau hnigum at rúnum.	When our sorrows we in secret told.
(Hildebrand 1904:384)	(Bellows 1969:467)

The last element here, *hnigum at rúnum* uses a form of the verb that is the same in the indicative and subjunctive, preterite and present for the first person plural, so it cannot be confidently asserted that this perfectly follows the pattern of personalizer in the subjunctive, but the possibility exists. In any case, the oath formula is again realized through these two stanzas:

BACKGROUND → OATH → SWEAR → CONDITION → PROMISE (x2) → PERSONALIZER.

(Oath formula based on *Guthrunarkvitha III* 3)

Conclusions

By performing a close reading of these four examples of oaths and comparing them to the ON corpus, several conclusions become apparent, and each of these yields questions that must lead to a wider investigation and discussion of oaths in ON:

1. Oaths in the *Poetic Edda* are largely formulaic in nature

2. The poetic oath formula has some moves that are optional, but move ordering does not change

3. Linguistic features like the preposition *at* and the subjunctive are tied to oath formulas

This analysis has provided a formula for discussing oaths in the *Poetic Edda*. How intricately this is tied to the poetic mode (and how it varies in prose) is a subject beyond the scope of this paper, but one that deserves thorough study. The oath is a legal act. Legal acts in oral-transmission cultures regularly take the form of speech acts through performative language: spoken language inherently imbued with a type of legal power (Bredsdorff 1997; Raudvere 2005). These speech acts can be formulaic in nature, and extend beyond just oaths. Lordship rituals, for instance, can also be rendered formulaically (Hill 2002). In other words, the nature of the oath was likely to be formulaic in the "real world," outside of poetry. Not only that, but performative language in the "real world" may even have had striking resemblances to poetry; poetry may have been used to assist memory of the moves of the legal practice (Grimm 1816; Hibbits 1992; Bredsdorff 1997). Understanding the formulas used in the *Poetic Edda* may shed light upon how oaths were performed in the culture's day-to-day legal interactions.

Some of the moves of the oath formula seem to be optional based on the type of discussion happening and the purpose of the utterance of the speaker. We occasionally lack the PROMISE move, for instance. However, while some moves do not always appear, I was unable to find circumstances where the oath formula changes order. There was no swearing [that something happened] before saying [what was sworn on/by]. It would be valuable to see whether this kind of rigor of formulaity is common to other constructions

in ON or in larger poetic contexts. The only non-optional move is the OATH and possibly

the SWEAR as it serves as the distinguishing marker for the rhetorical act.

Interestingly, in the OATH move, *eiþa* (the plural) is much more common than *eiþ*

(the singular) for recounting these disucssions in the *Poetic Edda*. In fact, in the entire

corpus, more than twice as many instances of *eiþa* were found as *eiþ*[19] and the data is

even clearer when just the *Poetic Edda* is considered (Table 1).

	Full Corpus	Poetic Edda
eiþ	32	1
eiþa	70	18
Total words	1316400	51576

(Table 1, instances of *eiþ* vs. *eiþa* in the ON corpus and the *Poetic Edda*)

By also looking at the total words in both cases (Table 2), we see that oaths are more than

five times as common in the *Poetic Edda* as in the texts surveyed outside of it.

	Poetic Edda	Non-P.E.
Words	51576	1264824
eiþ+eiþa	19	83
Words per oath	2714.526316	15238.84337

(Table 2, words per oath in the *Poetic Edda* and outside of it)

In addition to *Poetic Edda* vs. "other" texts, it would be interesting to see what the ratios

look like when comparing the *Poetic Edda* to other texts written in verse. Excluding

prose texts may elevate the ratio due to the economy of words required of poetic

composition.

Finally, some linguistic constructions seem intricately tied to oath-swearing in

ON. The preposition *at*, as mentioned, has a multitude of uses that make translation

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[19] This search was done while excluding capitalized *Eiþ*—the name of a character in several sagas.

difficult and ritual-directed extrapolation impossible, but it occurs in this same function-location across texts. This, however, must not be taken to mean that this word doesn't occur outside of oath contexts. In fact, in examining the most common words in the ON corpus, *að* ranks second (32,592 tokens in 1,316,400 words) and *at* ranks 16th (10,364 tokens). Together that accounts for 3.24 percent of all words in the corpus. Also as discussed, however, the multiplicity of meanings of *at* renders these numbers slightly ineffectual, as the corpus is not tagged to distinguish between negation marker *at*, conjunction *at* and preposition *at*. Further work is required to demonstrate a ratio of preposition *at* in oath contexts to preposition *at* outside of oath contexts. Judging from the data looked at here, that research would in all likelihood prove that preposition *at* has a special relationship to oath constructs. Similarly, different moves in the oath formula also use grammar formulaically, such as the use of subjunctive in the move PERSONALIZER, realized as concession and indictment in the above examples. Further refining the category of PERSONALIZER and delimiting the types of acts occurring there would show how the subjunctive mood in ON is tied to the rhetorical structures that trigger it.

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