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How to Get Away with Murder: Impunity in *The Act of Killing* and *The Saga of Hrafnkel Frey's Godi*

Anwar Congo in Joshua Oppenheimer's *The Act of Killing* and Hrafnkel in *The Saga of Hrafnkel Frey's Godi* boldly murder with impunity. Both works demonstrate how violence becomes commonplace in the absence of law enforcement. Congo murders thousands of communists during the Indonesian Genocide (1965-66), and Hrafnkel kills opponents in a long-standing feud (~13th century). In a period of strong anti-communist sentiment, not only does the Indonesian government turn a blind eye to Congo's murders but it also encourages him. Following medieval Icelandic rules, Hrafnkel is sued not for murdering his servant Einnar but for failing to pay monetary compensation. Although the protagonists are from two vastly different time periods, their legal contexts distort morality, which is why these two narratives disturb modern readers in contrast. Furthermore, Oppenheimer's documentary views impunity through a critical lens while vengeance killing is received without negative connotations in Hrafnkel's story. This is clear in the conclusion of the two works: Congo is nauseated with guilt and Hrafnkel is rewarded with land. One main difference leads to their diverging fates. Hrafnkel's killings are legal, leaving his conscience clean while Congo, who knowingly breaks the law, understands that murder is wrong. That Hrafnkel thrives while Congo crumbles demonstrates how the legal systems of their respective societies shape their moral beliefs.

Hrafnkel and other characters in the saga kill without hesitation. Violence is heavily embedded in Icelandic society to the point that murder is mundane. In the saga, Hrafnkel employs Einar to herd sheep (Gunnell 440). And in response to Einar riding his favorite horse, Hrafnkel "leapt off his horse and swung his axe at Einar. He met his death immediately. After he had completed that, Hrafnkel rode home to Adalbol and announced the news" (442). Hrafnkel clearly shows no hesitation nor remorse in murdering Einar. The short, concise narration

indicates the routine nature of the event. Einar's death is captured in one short phrase: that "he met his death immediately" (442). Each sentence describing the scene is short and stated very plainly. This death is swept along in a list of other actions that Hrafinkel completes. Others in the saga react similarly to Einar's murder. When Sam hears of this news from his uncle and Einar's father Thorbjorn, he plainly responds, "It's no great news that Hrafinkel kills people. He's pretty handy with a wood-axe" (444). Sam expresses no shock in learning that Hrafinkel murdered his nephew, demonstrating the normality of violence in medieval Iceland. The lack of outrage directly relates to the absence of laws that forbid murder; Hrafinkel feels no need to hide his actions.

Likewise, Anwar Congo and his fellow executioners openly discuss how they murdered communists in the past without worrying about the consequences. When Adi Zulkadry, Anwar's old friend and killing partner, arrives in town, Congo drives him home and fondly points out landmarks: "That's where we killed people. We killed so many people I call it 'the office of blood'" ("The Act of Killing" 42:53-43:00). Congo's nonchalant attitude shows he is accustomed to the idea of killing. It is as natural as pointing out old stores or restaurants they used to frequent. Killing is a reminiscent memory for Congo. He does not try to downplay his actions in front of the camera as Congo and his associates boisterously joke while reenacting the killing of communists. In one reenactment, Congo describes how the victim's head would be placed under the table leg (32:25). He then proceeds to sit on the table with three other men while singing an unmistakably happy tune (32:25). Oppenheimer purposefully includes details of the men debating over their outfits and singing to display the lightheartedness of the killers when thinking about their murders. To them, their outfit choice is as significant as the communists they killed. The gangsters dramatically reenact the past for Oppenheimer's documentary, showing

their pride in their murders as they wish to share their deeds with a broader audience. As Syamsul Arifin, Governor of Northern Sumatra, describes, “The word ‘gangster’ comes from English: ‘free men’. Thugs want freedom to do things even if they’re wrong” (14:28-14:36). Congo truly is a “free man”, living above the law. Both Congo and Hrafinkel think lightly of murdering others.

To understand the motives behind Hrafinkel’s and Congo’s murders, it is important to first examine the respective legal contexts. Although there were no written laws in 13th century Iceland, there was a complex system of legal arbitration in which a plaintiff could sue others in a court of peers (Miller, *Avoiding Legal Judgment* 97). However, a court decision was only as effective as the prosecutor’s social clout and their means to execute the verdict. In *Hrafinkel’s Saga*, Sam summons Hrafinkel to court after gaining the aid of Thorgerir, the reputable godi of Thorskafjord, to ensure he had upper-class support and militant force (*Nordiske Oldskrifter* 447). Sam succeeds in court, but as Thorgerir states, “No man is a full outlaw as long as the confiscation court has not been held” (451). No third-party legal entity, such as a police force, existed. Hence, it was the sole responsibility of the persecutor to fulfill punishment, establishing violence as a standard. Scholar William Miller explains that “it was up to the parties to enforce court judgments, and ultimately the sanction behind all legal judgments or arbitrated settlements was the blood feud or the fear of it” (*Avoiding Legal Judgment* 97). This creates a natural necessity for violence as seen when Sam and his men raid Hrafinkel’s settlement in the middle of the night to establish Hrafinkel’s outlawry: “They then took their knives, pierced holes through the men’s heels behind the tendons and dragged the rope through these holes. They threw the rope over the beam, and strung the eight of them up together” (*Nordiske Oldskrifter* 452). Sam uses violence to establish his superiority over Hrafinkel—hanging his enemy in the air to

emphasize Hrafinkel's helplessness. Since they are the "executioners" in a sense, Sam and his men decide the degree of violence they employ. No rules exist to limit excessive cruelty. Especially in a feud with honor on the line, violence escalates quickly.

Similarly, a "culture of violence" dominates Indonesia especially during Suharto's regime (Cribb 556). During this period of political strife when Suharto ousted Sukarno in what is known as the 30 September Movement, Cribb states that "Suharto was able to cultivate a 'kill or be killed' atmosphere that incited people on to the communists" (552). Congo grew up in this atmosphere of political violence. He observed firsthand that brute force creates powerful changes, which undoubtedly shaped his own values. The Indonesian government has never admitted involvement in killing communists, however, Jess Melvin recently investigated military documents from the Indonesian Intelligence Agency and found that "the military was, indeed, responsible for the killings and that it made no secret of this fact in its internal communications" (298). Under Suharto's regime, government officials worked closely with gangsters like Anwar Congo in the extermination of communists. This is clear in *The Act of Killing* when Syamsul Arifin, Governor of Northern Sumatra, tells Oppenheimer that "Communism will never be accepted here because we have so many gangsters and that's a good thing... if we know how to work with them, all we have to do is direct them" ("The Act of Killing" 15:05-15:29). It is obvious why Congo is not punished under the law when the government fully supports his brutal killings. Congo is more of an obedient citizen than a sadist given the circumstances of this totalitarian government.

Although from entirely different time periods, Hrafinkel and Congo both live in societies that encourage violence, and thus act violently. However, Congo shows signs of trauma whereas Hrafinkel demonstrates no remorse. Hrafinkel is not a particularly violent person when viewed

from a medieval perspective. As Halleux describes, “His story... does not depart from the usual pattern... a murder, a lawsuit, the weaker seeking support, the condemned man avenging himself” (40). Following this pattern, it is understandable that Hrafinkel does not display signs of guilt. Hrafinkel feels forced to kill Einar. Hrafinkel specifically announces to Einar that the one rule Einar must obey is to never ride Freyfaxi (439). Hrafinkel is a devout godi to the god Frey, the namesake of his most prized horse, Freyfaxi (*Nordiske Oldskrifter* 439). This is why Hrafinkel is so outraged when Einar breaks his oath and returns Freyfaxi “splattered with mud and terribly exhausted”—a glaring sign of disrespect (441). Hrafinkel murders out of respect to his faith but also to uphold his honor, which is arguably the most important value of a man in Iceland. Honor is heavily stressed because, as Miller describes, “people who feud tend to believe that honor and affronts to it are the prime motivators of hostilities” (*Bloodtaking and Peacemaking* 181). Hrafinkel even says to Einar that “I would have forgiven you this one time if I had not sworn such a serious oath” (*Nordiske Oldskrifter* 442). As a man of high reputation, Hrafinkel cannot go back on his word in fear of showing weakness. To the modern reader, it seems atrocious that Hrafinkel is portrayed as the hero of the story and murders without pause, but Johansen points out that although “these reasons might not appeal to modern sensibilities or be sufficient to get Hrafinkel acquitted in a court of law today”, Hrafinkel’s acts are justified given his social status during his time (267). Hrafinkel feels unapologetic in his killing given the emphasis on honor and violence in his community.

Likewise, reputation was extremely important in Indonesia with murder and intimidation as a baseline. In his article, Cribb introduces the Indonesian word, “jago” or a “tough guy” (555). Jago—gangsters in modern society—always exist but are usually kept in check by police. But, as Cribb concludes in the case of Indonesia, the dominance of “jago” escalates to mass killing when

the hold of the legal system loosens (556). Congo clearly feels this social pressure to be a “tough guy”. When he opens up to Adi about his nightmares, Adi responds, “you feel haunted because your mind is weak” (“The Act of Killing” 50:18). Feelings of guilt indicate weakness in Congo’s context. A man is thought less of if he cannot present a tough demeanor. However, Congo cannot suppress his guilt, confessing that the “film is the one thing that makes me feel not guilty” (44:10). The film that Congo refers to is a popular anti-communist propaganda film shown to young children. This ideology that was reinforced in Congo’s mind since childhood is the only remaining justification for his acts. He knows that he should hate communists and he knows that he should be “tough”—there is no other option. If he refused to kill communists, he would be labeled as weak or, even worse, a communist sympathizer. Though hardly mentioned in Oppenheimer’s documentary, it is these social pressures that ultimately force Congo to commit atrocious deeds.

Congo and Hrafinkel both kill to strengthen their status as “tough guys”. Outwardly, Congo presents an eccentric demeanor that enjoys large Hollywood productions, as seen by the documentary’s opening scene of beautiful women dancing and Herman dressed as a transvestite next to a grand fish statue (“The Act of Killing” 1:13). Upon closer inspection, it is clear that Congo has a guilty conscience: “I’ve tried to forget all of this with good music...dancing... feeling happy... a little alcohol... a little marijuana... a little what do you call it? Ecstasy” (10:26-38). He relies on substances to forget the past, and by the end of the documentary, he is sick with guilt—a clear contrast to the viewer’s first impressions of Congo. Right before throwing up, Congo sighs, “I know what I did was wrong but I had to do it” (2:38:25-33). He is fully aware that his actions were morally wrong, unlike Hrafinkel. Observing Congo, Mohamed explains that it is not only the victim, “*perpetrators can experience their crimes as trauma*” as

well (1162). Congo's breakdown makes sense from this lens. While Anwar reenacted the countless murders throughout the documentary, he was also reliving his past trauma. The accumulated trauma ultimately overwhelms Congo in the end.

Hrafinkel does not display this same guilt. Instead, Hrafinkel reaps vengeance by killing Sam's brother, Eyvind, and regains his title of land and honor (*Nordiske Oldskrifter* 461). Unlike Congo, Hrafinkel never feels that he did anything wrong as he had more freedom in deciding who he killed by virtue of a personal feud. Hrafinkel clearly understands the motives behind his murders in choosing specific targets, whereas Congo simply listened to orders from others, such as newspaperman Ibrahim Sinik ("The Act of Killing" 20:22). Additionally, Hrafinkel does not interact with other societies of high moral standard. In the thirteenth century, regions were isolated, so Hrafinkel only knew the system of honor and feuds. Meanwhile, Congo grew up watching Hollywood films and interacting with ideas of law and order—what should and should not be punished (17:10-13). Brainstorming for his film, Congo asserts, "We can make something even more sadistic than what you see in movies about Nazis... except in fiction, but that's different—because I did it in real life!"(1:13:13-1:14:05). He demonstrates clear acknowledgment that his acts are sadistic and that he was even worse than the Nazis—a universal symbol of evil. On one hand, Oppenheimer focuses on these moments to expose the extent of the impunity, knowing that these scenes of Congo joking about murder will disgust the viewer. On the other hand, the narrator of *Hrafinkel's Saga* does not think that violence is wrong. Hrafinkel is never punished for killing—his initial misfortune is credited to his rash personality and stubbornness—and is conversely rewarded for his good judgment in killing Eyvind. The difference in the authors' perspectives further demonstrates how morals are based on the law. The author(s) of the saga lived in medieval Iceland, whereas Oppenheimer has moral opinions of

the modern West. As a result of their different legal systems, Congo recognizes his own cruelty as wrong while Hrafnkel views himself as fair, and thus does not feel guilt.

Upon first glance, *The Act of Killing* and *The Saga of Hrafnkel Frey's Godi* seem completely unrelated. The works tell vastly different stories: Oppenheimer presents Congo as a flashy ex-paramilitary leader while the Icelandic saga presents Hrafnkel as an honorable man. But Anwar Congo and Hrafnkel share more similarities than differences. Both characters view themselves as heroes. Modern audiences would disagree strongly, but this is only due to a difference in moral standards. Hrafnkel and Congo are disturbingly normal within their own worlds. Morality proves to be constructed by the legal systems of their respective societies rather than a universal truth. As outsiders, the modern audience has no place in judging the two protagonists. Even within modern societies, there is work to be done in developing legal regimes that can accurately confront evil while preserving justice. Ultimately, Hrafnkel and Congo are products of two legal systems that accept violence.

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