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Atharnaric the Visigoth: monarchy or judgeship. A study in comparative history

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The decision to risk an attempt at functional comparison between two historical figures over a period of more than four hundred years proceeded from etymological considerations of various types, but was first suggested by the contrast between Atharnaric and Arminius as they are portrayed in modern historical literature. As in the case of the institutional analogy of the judge of the Goths with the vergobretos of the Celts, there exists no historical relationship between the life histories of the two Germanic chieftains, in the sense that Atharnaric cannot have been influenced to act as he did by the story of Arminius, nor can we assume a direct dependence of the later institution on the

earlier one, any more than we can accept the possibility of arriving at the name for the Gothic judge from Celtic, in a way in which this is possible for reiks. Such an observation, otherwise trivial in itself, serves to characterize the methods and limits of the functional comparison. This yields historical insights which apply to the individual case in question: along with new considerations concerning rex-reiks, an argument is developed against the opinion that Atharnaric's judgeship was one of a lower rank than genuine kingship, before which the Gothic chief—for whatever reason—was supposed to have drawn back in fear. This makes his judgeship look more like an 'institutionalized magistracy', exercising royal power for a set term, than a mere ethnic dignity. Further, the comparison establishes that the Celtic, as well as the Gothic, judgeship was possibly held in dual fashion, or could be held that way, before the period under observation; however, the pairs to be dealt with here do not represent any 'Dioscurian' double chieftom but rather pairs of chieftains rivalling each other. The archaic experience may serve in this instance only as a model for shaping the tradition.

Finally, it is recognized — and this could well be our most important finding — that the judgeship is limited, not only in time but also in territory: it had valid jurisdiction only inside the tribal territory itself. It follows from this that the judge's duties comprised defense of the fatherland as well as the execution of judgments.

Along with the 'external' comparison among Goths, Celts, and Cherusicans, an 'internal' functional comparison is drawn within fourth-century Gothic constitutional history. In so doing, the possibility is opened for reconstructing the family leadership of the Balts three generations before Alaric. Then, within Gothic tradition, we are able to arrive at the ruling and institutional function of the 'wisdom', which both the Gothicized Decaeneus and Theoderic, as well as Atharnaric

himself and his predecessors, exercised. This was followed by the development of the Gothic judgeship as the 'central' institution of a changing and constantly dividing aristocratic society. Particularly in view of this, it would seem appropriate to raise the possibility that the method of functional comparison could be used to overcome the isolation of historical motives, acts, and institutions, and thereby permit us to penetrate further into an area where history establishes contact with social sciences dealing with the present and oriented towards the future. Here it will be necessary to ask questions about general phenomena which only recently were described and analyzed as 'prototypes' (Graus 1971:38-44).

There are two different *Origines Gothicae*, written from quite different points of view. However, both revere Athanaric the Visigoth as their hero. In 625 Isidore of Seville composed his Visigothic history, placing its origin in 369, at which time in distant Dacia a certain King Athanaric founded the kingdom of the Goths, which thereafter flourished in Spain (Mommsen 1894a:269, 293).¹ On the other hand, Cassiodorus' Gothic history, which is preserved only in its revision by Jordanes, describes how a King Berig brought his people from Scandinavia to the mouth of the Vistula (Mommsen 1882:60, 82). Cassiodorus combined Gothic folkways with ancient ethnography and chronography and was able to date the founding of the Italian kingdom's predecessor state exactly in the year 1490 B.C. (Mommsen 1882:xx-i). Although Berig signifies little more than the name of a mythical founding king, in Athanaric we are dealing with a primarily historical figure. It is true that Gothic tradition suppressed the currently familiar division into Visigothic and Ostrogothic history (Wenskus 1961:474-5)

so that it is possible for Athanaric both to be the Visigothic founding king and to take his place in the succession of Ostrogothic kings. The historian, to be sure, must make the necessary distinctions; at the same time, he can give impressive substance to the historical significance of that Gothic chieftain (Schmidt 1941:418).

Athanaric was a Visigoth or rather Ter-ving;² in spite of this, Heinrich Sybel wanted to begin the totality of Gothic constitutional history with him (1881:178). Dietrich Claude, the most recent writer to take a stand on this subject, sees him as the first representative of Gothic institutions "about whom we find out more than his name" (1971:11). In any case, Athanaric fascinated ancient authors to such an extent that they not only reported his activities but also provided motives for them (Düwel 1973:464). Among them are contemporaries who must have known the Goth personally,³ and there are also sources telling of those who suffered martyrdom under him (Jones 1971:121). The Ostrogothic *Origo* cites him in a direct statement as the first Gothic king (Mommsen 1882:95).

Up to the present, historiography has shown a tendency to compare Athanaric with Arminius, the Cheruscan (Thompson 1966:46-7; Schmidt 1941:245; Sybel 1881:179). The Cherusci lived on either side of the middle Weser and extended eastwards as far as the Elbe.

In A.D. 6, then, the Cherusci chose as their military leader a young man aged twenty-six named Arminius, the son of Sigimer, one of their leading men. For some years (probably A.D. 4-6) Arminius had commanded a company of German auxiliaries in the Roman army with such distinction that the Romans had given him their citizenship, the rank of knight, and perhaps even the name Arminius. But it was under his leadership in A.D. 9 that the Cherusci destroyed the three legions of Quintilius Varus and thus freed western Germany from direct Roman domination. Now, not

all the Cherusci regarded the expulsion of the Romans with unmixed delight. Arminius' father-in-law Segestes had also been presented with Roman citizenship by Augustus when the Romans still occupied Germany; and he proved himself to be a man of outstanding loyalty to the imperial government. From the very beginning he had been opposed to Arminius' plans for a revolt. (Thompson 1965:72-3).

When the Romans withdrew to the Rhine in consequence of the disaster to Varus' legions they had hopes that the Cherusci were beginning to split into two hostile factions grouped around Arminius and Segestes....At length in A.D. 15 Arminius, supported by the mass of the Cherusci, laid siege to Segestes. The latter had isolated himself from the people and was supported only by his kindred and his retinue, who however amounted to a strong force....During the siege he appealed for help against his own people to Germanicus who was now operating in Germany and was in fact on his way home after devastating the lands of the Chatti. Germanicus welcomed the opportunity. He attacked the besiegers, rescued Segestes and the throng of his kindred and retinue, and allowed them to live inside the Roman frontier (Thompson 1965:79-80).

"In A.D. 17 Arminius was the champion of tribal liberties among other peoples besides the Cherusci" against Maroboduus, the king of the Marcomanni, but his military efforts were nullified when a large body of his own people went over to the enemy (Thompson 1965:32-3). His attempts to establish some kind of kingship with the Cherusci were interrupted when Arminius was killed by his own kinsmen in A.D. 19 (Wolfram 1970:7).

The comparison between Athanaric and Arminius rests, to be sure, on a set of presuppositions and assumed connections in approaching the Germanic tribes in common – premisses which should not be taken for granted, especially between East and West Germanic tribes (Wenskus 1961:469-71). Nor does it take into account the more than 350 years which separate Arminius from Athanaric. In spite of this separation in space and time, however, a *functional* comparison between the two seems justified and may well

be methodologically heuristic. It is also true that such a method of examination – setting off biographies with each other in pairs, in the manner of an East-West Germanic Plutarch with Βιοι Παράλληλοι – can have a real point only if other possibilities are considered, too. There are, for example, Celtic and Getish-Thracian analogies; the latter, moreover, furnished Gothic history with certain underlying patterns of thought (Sybel 1881:196-7).

Arminius and Athanaric are similar in a number of ways.

(1) *Institutionally*. They were named for a fixed time as commanders of a tribal organization in battle against the Romans and their allies, and at the same time they were chiefs from the royal family (*stirps regia*, βασιλειον γένος) of a people who had abandoned their king – of the type having sacred functions – (*thiudans*) generations earlier. Except during periods of an external or internal threat, the ruling force consisted of plural numbers of aristocrats – princes or minor kings (*principes, reguli, reiks*, βασιλισκοι, αρχοντες, μεγιστανες), who certainly in the case of the Cherusci, and possibly among the Visigoths, were interrelated.⁴

(2) *Structurally*. Athanaric and Arminius represent the conservative and thus anti-Roman, but also anti-aristocratic, tribal traditions, since the people (*gens*) and its ruling class (*nobiles*, μεγιστανες) appear split in periods of internal crisis (Thompson 1965: 72-88; 1966:49-55, 98-102).

(3) *Individually*. Both experience a similar fate, not without elements of tragedy, in that their downfall or failure is brought about by their own tribal comrades and relatives.⁵

The story of the judgeship of Athanaric can best be traced from his death backwards in

time, since only knowledge of the place of that event and Roman commentaries on it make a proper ordering of earlier events possible. On 11 January 381 Athanaric was magnificently received by Emperor Theodosius in Constantinople. Only two weeks later the Gothic chief died – unexpectedly, it would seem – on 25 January. His funeral rites, even more than his royal reception, served to emphasize the importance of the recently deceased, as well as to demonstrate imperial power and glory. This honor was designed to reflect the Gothic policy of Theodosius, one which recalled the conciliatory efforts of the early 370s, and it did not fail to make its point (Schmidt 1941:418; Straub 1972:201–6). The event reveals two important facts: first, Athanaric had come to Constantinople with his following as a refugee (ἰκετης); in fact he was fleeing from the Goths and possibly from his own relatives.⁶ Secondly, Athanaric's father must have been in Constantinople previously and played a role of some importance there for we find that Constantine the Great had erected in honor of that Gothic chief, whose name is not recorded, a statue which still stood in the outer chambers of the *Curia* building (βουλευτηριον) in Constantinople (Themistios, *Oratio* 15. 191 A). Thus Athanaric's father had been in Constantinople before 337, the year of that emperor's death, and probably after 332, for it was in that year that peace was formally achieved between the Empire and the Visigoths. After difficult and costly defensive wars, this tribal band had finally succeeded in preserving its status as Roman ally (*foederati*) on favorable terms. In return for an annual monetary payment, the Visigoths provided a certain number of auxiliary troops; they were also permitted to re-open the trade, so essential to their

existence, with their Roman neighbors on the Danube (Vetters 1950:23).⁷

As early as 328, Constantine had the river spanned by the famous stone bridge near the present Romanian village of Celeiu, thereby concentrating the Roman–Gothic border trade at that point, as has been confirmed by the number and types of coins found there (Vetters 1950:22). The emperor put on a triumph in Constantinople and celebrated a victory which deterred the Visigoths for about a generation from large-scale ventures against the Empire (Vetters 1950:25–7). This military defeat of the Goths and the emperor's intention of concluding a conciliatory peace agreement with them created the atmosphere attested to in a quite general way by the custom of honoring Gothic princes (Patsch 1928:32). At any rate, the conflicts which repeatedly caused bloodshed between the Visigoths and Constantine's troops before 332 can provide no explanation for the erection of the above-mentioned statue, unless it was to commemorate a renegade (Patsch 1928:13–33). Athanaric's father can hardly be imagined in such a role. To demonstrate this, there is no reason to take the behavior of the son and attribute it to the father – a way of proceeding which is always problematic. Instead, we have positive evidence from Ammianus Marcellinus (27.5.9) of the enduring anti-Roman stance of Athanaric's father, whose orders, together with a fearful vow, were intended to prevent his son from ever treading Roman soil. At first glance, this story may recall the oath which Hamilcar Barca had his son, Hannibal, swear, in order to obligate him to eternal hatred of the Romans (Lenschau 1912:2323).

A closer comparison of motives behind the two oaths, however, reveals their not inconsiderable differences – not to mention



Figure 1. Gothic (?) imitation of a Valens medallion mounted as jewellery (see Wolfram 1967:37–8 and n. 25, 28). Treasure of Szilágy-Somlyó (Simleul Silvaniei), Romania, about 400 A.D.

their dissimilarities of content. Ammianus Marcellinus, however, did not claim that Athanaric was made to swear to his father never to enter the Roman Empire – and thus to make a vow to him which he later broke at the end of his life. Instead, we read that the Gothic chief was bound by an especially severe oath *and* that a paternal order had forbidden him to set foot on Roman soil. It was for this reason that he declined in 369 to go to meet Valens on Roman territory. His refusal was accepted, with the result that the peace was concluded on a boat anchored in the middle of the Danube. Only a few lines after telling us this fact, Ammianus (27.5.9)

reports the reception and death of Athanaric in Constantinople as if it were a matter of course: he observes no contradiction between the way the subject of his history was acting in 369 and in 381.

The sources do not record the name of Athanaric's father, and all efforts to discover it must remain mere hypotheses. Some of the earlier conjectures had no evidence whatsoever behind them, but the possibility recently suggested by Reinhard Wenskus (1973a: 13–4) appears to be a rather likely one, since it can be supported: a good Latin source reports that the Goth Ariaric was forced to give his son as a hostage, in order to confirm the

treaty (*foedus*) of 332. Ariaric is here designated as king (*rex*) (Mommsen 1892a:10). Whatever that word may signify in this context, it is acceptable evidence that Ariaric was the most eminent Goth of his time. He may actually have been the supreme commander in the defensive war against the Romans. The Ostrogothic *Origo*, however, refers to a Gothic double kingship at this time under Ariaric and Aoric (Mommsen 1882:67). In doing so, it alludes to a governmental form which much Indo-European evidence confirms as having been both ancient and widespread (Birkhan 1970:207–10; Much 1967:480–92; Wenskus 1961:321–2). The Visigothic usage of the fourth century, however, may well have taken the archaic dual rulership only as a traditional, tribal model. In spite of a series of known pairs of leaders, the older arrangement appears to have been sacrificed to a new political reality, namely a hierarchy of aristocratic families with a monarchical leader – but one with a stipulated term of office – at the summit. References to Athanaric and Fritigern, Alaviv and Fritigern, Eriulf and Fravitta, Winguric and ‘another chief’, do not involve common leaders of a single group but rather ‘pairs of opposites’ in both a political and territorial sense.⁸ In other words, the two figures elevated to leadership consist either of exponents of inimical political views, as Athanaric and Fritigern, or of leaders of allied bands, like Alaviv and Fritigern. There is also evidence that the functions of Athanaric and Fritigern corresponded to territorial jurisdictions and were thus separated in space from each other (Klein 1960:46).⁹ Apart from this, Ammianus Marcellinus makes it clear that he does not view Alaviv and Fritigern as dual leaders of a single governmental unit. The impression is con-

veyed elsewhere, too, that they were not even of equal rank. As long as Alaviv is in evidence, Fritigern appears to be merely one of his associates. Only when Alaviv disappears does Fritigern emerge as chief; even then, he must still heed the wishes of other Gothic leaders as before (31.4.1 and 8.5.5). Other pairs, such as Sueridus and Colias (Vetters 1954–57), or the Ostrogothic Alatheus and Safrax, may be described essentially in accordance with the two principles of functional selection (Mommsen 1882:93), although it is possible that still other roles and tasks came their way (Wenskus 1961:478–81).

Fitting the two Gothic chiefs Ariaric and Aoric into the designated groups of two nonetheless causes some difficulty. The way their names correspond to each other in alliteration and rhythm would appear to draw them into the area of such ‘Dioscurian’ pairs as Ambri and Assi, Rapt and Raus, Ebbo and Aggo, Hengist and Horsa, or Ibor and Aio. These are good representatives of the archaic double kingdom form which was particularly favored among the Vandal neighbors of the Goths. Of course, the equivalence of Ariaric and Aoric to a ‘Dioscurian’ group does not quite check out, for their names are the correct names of historically documented persons, while in the other cases it is hardly a matter of individual names at all but rather in most cases of ancient appellations of tribal functions and historical events (Birkhan 1970:207–10; Courtois 1964:390–2). In contrast to these, the names Ariaric and Aoric, apart from their alliteration and rhythm, also follow the principle of variation whereby a family relationship is expressed and frequently, when in such emphatic form – think, for example of Heribrand, Hildebrand and Hadubrand – it is that of grandfather, father and son. It is also worth noting that

Gothic history itself would limit the institution of double kingship merely to Ariaric and Aoric. These two have a single predecessor in Vidigoia and a single successor in Geberic, both of those names being mentioned and handed down, of course, because of their place in military events. Just as Vidigoia is said to have led the united nation against the Sarmatians of Pannonia (Mommsen 1882: 65, 104), Geberic appears similarly to have been the supreme commander conquering the Vandals, who generations later recalled this deed as a basic reason for their retreat out of Spain before the Gothic onslaught (Mommsen 1882:87–8, 100).

Thus it can be surmised that Ariaric and Aoric were father and son. Athanaric's name, which stands in the same relationship to those of these two Gothic princes as their names stand to each other, along with his institutional position and his personal rank, makes it additionally probable that he was the son of Aoric, thus completing the analogy of Heribrand, Hildebrand, and Hadubrand mentioned above. Accordingly, this great deed of father and son, that of leading the defensive war against the Romans and guaranteeing the peace with a hostage, would have preserved the archaic model of double kingship for Gothic history. According to this line of thought, Aoric would have come in 332 to Constantinople, where the emperor had him honored with the statue mentioned above. In spite of this, and here we are again on sure ground, Athanaric's father did not overcome his hatred of all things Roman, or it may have been that he grew to believe that the Roman world presented an extreme threat to the traditional tribal structure of the Goths. At some point in time, probably after returning home following Constantine's death in 337, the Gothic prince undertook to instill

in his son, Athanaric, an anti-Roman political outlook. It is known that Athanaric not only understood this to include repelling the Romans in one of their offensive wars – as his putative grandfather Ariaric had done – but also that he sought to counter Romanization and the accompanying internal crisis of the Goths through a bloody persecution of the Christians among them in 369–72 (Thompson 1966:94–102). The first organized persecution of this type had already taken place in 348, when Wulfila and his followers were forced to flee from a “judge of the Goths who was blasphemous and without religion”. There is much which implies that Aoric is meant here; his activities against the Christians would then represent the other components of the traditional policy of this family (Streitberg 1908:xvii). The son of Constantine, Constantius II, granted asylum to the refugee Goths and settled them in the mountains of Moesia in present-day Bulgaria, where their descendants were still living peacefully two hundred years later (Thompson 1966:96–7) Athanaric can hardly have succeeded to the judgeship before 364 and thus cannot have been the persecutor of Wulfila in 348, since his death in 381 in Constantinople is mentioned as being unexpected, which implies that he was not particularly old (Thompson 1966:43, n. 4).

The fact that the highest honors and positions of authority are hereditary even in an aristocratically organized society, if not always following in a direct line of descent, needs no exhaustive demonstration. In the case of the Visigoths during the fourth century this process is expressly attested to (Claude 1971:66–20). But it seems likely that with this type of supreme position, which appears only in exceptional situations and then as a judgeship, one close relative

would not be allowed to follow hard upon another owing to fear that kingship might be renewed. Thus Geberic surely belonged to another family, probably to one in competition with Ariaric's (Mommsen 1882:87). If impressions do not deceive, defense against external and internal threats was the cornerstone of the policy represented by Ariaric, Aoric, and Athanaric – a posture which would agree with neither the aggressive war against the Sarmatians nor that against the Vandals. Even if this assumption may go a bit far, the first documented judge of the Goths could still be the father of Athanaric, or in other words, Aoric, in which case Ariaric's 'kingship' should also be considered as a judgeship.

The three alliterative name variations of Ariaric, Aoric, and Athanaric are joined by a fourth alliteration in Alaric. Of him it is known that he was a member of the renowned Balt clan and that he established the Gothic kingdom whose traditions were carried on by the southern French and later the Spanish kingdom (Mommsen 1882:96). We do not, however, know the names of his forebears, in spite of the fact that the Balts must have been an extremely ancient family even at that time, one to which (according to the Ostrogothic *Origo*) rulership of the Balts over the Visigoths was just as natural as that of the Amals over the Ostrogoths (Mommsen 1882:64, 78). We could well come to the conclusion, therefore, that Ariaric, Aoric, and Athanaric represented three consecutive generations of the Balts, although this says nothing about the exact degree of their relationship to Alaric (Wenskus 1973a:13–4).

Hypotheses – or even outright speculations – may be necessary in order to exhaust all possibilities of discovering earlier realities. They are permissible as long as we remain aware of their essential difference from that

more positive evidence which serves as the basis for establishing historical fact. It has been positively established concerning Athanaric that he was a judge (*iudex*, *δικαστής*), (Claude 1971:12; Thompson 1966:45), and that he himself differentiated between this judgeship – to speak of this as his 'judicial office' weakens the governing character of the rank – and any kingship, whatever we may understand by the latter term (Themistios, *Oratio*, 10.134 D). The institutional position of Athanaric is determined in a manner quite unique for that time, even though its Gothic name has not survived. It is attested to independently by many contemporaries, Christian and pagan, in both the Latin and Greek languages. This fact is significant as a means of allaying the suspicion that the judgeship of Athanaric was perhaps merely the literary offspring of Biblical language, which in the 'Judge' of Israel actually handed down a closely corresponding function (Noth 1950).

Every attempt to write about Athanaric must take Ammianus Marcellinus and Themistios together as the starting point. Ammianus Marcellinus, the military man and convinced Roman patriot from Asia Minor, concludes his history of Rome with the catastrophe of 378 (Seeck 1894:1848). Themistios, leading politician in Constantinople, philosopher, instructor of princes and governmental spokesman for the eastern half of the Empire, gives up-to-date interpretations of imperial policies in a series of so-called *Panegyrics*. A man of many skills and much learning, never obsequious, he endured several changes of regime. His conception of kingship and rulership takes its orientation from Dio Chrysostom, which also makes him interesting because Cassiodorus, too, makes use of Dio's experience with the tribal

systems of the north in constructing and expanding his history of the Goths (Stegemann 1934:1671; Mommsen 1882:xxx). Thus Themistios is quite aware of distinctions between the one βασιλευς, the emperor of the Oikumene, who rules all and is responsible for all, and the βασιλεις, the kings of particular tribal groups and jurisdictions, as his examples from Greek mythology show (Seeck 1894:1848).¹⁰ A few months after the conclusion of peace in the summer of 369 Themistios was obliged to present in Constantinople, before Valens, the reasons for the imperial decision which led to the event he had observed as an eye-witness (Themistios, *Oratio* 10. 132 D). His panegyric energetically supports the policy of peaceful compromise, since the emperor is responsible for all mankind and thus also for the barbarians, and he must preserve and protect them like a rare species of animal (Straub 1972:204–5). The orator speaks of difficult struggles to achieve the peace which was finally negotiated in a boat on the River Danube (Themistios, *Oratio* 10. 132 D; Ammianus 27.5.9). He knows that Athanaric refused to be addressed as βασιλευς, on the grounds that he preferred the designation of judge, since the latter personified wisdom (σοφία) but the former merely power (δυναμς). So for Themistios, just as for the Latin authors, the Gothic chief is called a judge; such evidence becomes even more significant in view of the fact that the Greek knew no Latin (Stegemann 1934: 1646).

In spite of this, the passage has produced much guesswork and controversy. It has been regarded as an example of rhetorical exaggeration by some; Athanaric's reticence or even awe before the sacred nature of true kingship has been something read into it by others. Dietrich Claude may well have been

the first to bring this admittedly difficult speech fragment back into its proper context, since he recognized in Athanaric's words his pride in the dignity of his own office (1971: 12). What Athanaric's judgeship was in reality can certainly best be arrived at from a careful interpretation of these lines.

Cassiodorus compiled for Amalasintha an abbreviated Amal genealogy and ascribed a well-thought-out catalog of virtues to members of the dynasty. The founding act of Hamal, the Amal ηρως επωνυμος, corresponded with the charisma of the dynasty (*felicitas*). The succession of rulers' virtues after this becomes increasingly 'rationalistic' from generation to generation and must have thus gained in value in the eyes of that Roman writer. At the end of the series comes Theodoric the Great; he "shines in wisdom (*sapientia*)" (Mommsen 1894b:330). The same Cassiodorus also composed the Getish-Thracian 'prelude' to the *History of the Goths*, in which a certain 'wise man' named Decaeneus assumes a position of great prominence. In following his advice, the Goths wage successful wars; he teaches them philosophy and exercises a sacral function which, in spite of his being appointed by a king, allows him to command not only the ordinary Goths (*mediocres*) but even kings (*reges*) (Mommsen 1882:73–5). Decaeneus is a sort of 'judge' in the presence of a shadowy king, who can be seen as necessary only to fit into a preconceived scheme of things. The 'wise man' may be compared with Athanaric all the more because Cassiodorus mightily Gothicized the Greek sources (Wagner 1967: 74–80).

Ammianus Marcellinus and other ancient authors add ethnic designations to Athanaric's titles of such scope as would extend his jurisdiction to the entire tribe of the Visigoths.

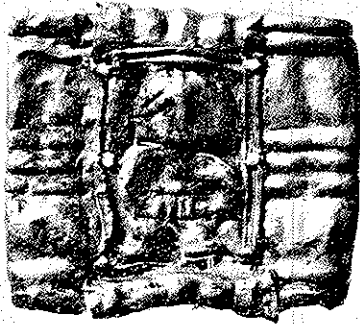


Figure 2. Gothic (?) golden belt-buckle. Treasure of Szilágy-Somlyó, Romania, about 400 A.D.

Saint Ambrose describes most briefly and clearly the might of the feared Gothic chief when he calls him – quite in the style of Cassiodorus later – “judge of the kings (*iudex regum*)” (*De Spiritu Sancto* 1. prol. 17).

The authority of a non-royal dignitary over ‘kings’ appears to require the paradox of an unroyal king. This makes sense, however, when it is recalled that the ancient royal title could be extended to tribal rulers of non-royal rank. Diplomatic sources of the period around 500 bear unmistakable witness to the equivalence of the Latin *rex* with the Gothic *reiks*, specifically in the model sense of a ‘great king’ or one ruling a whole ethnic group (Wolfram 1970 and 1967:40–5). The Bible translation of Wulfila, which he completed about 350, and ancient historiographers of the period, also give evidence of this equivalence, but they apply it at a much lower level of rank. Even at that time, *rex* could certainly signify the ‘great king’, but the term applied just as well to the *reiks*, the

chiefs (*μεγιστανες*) of Gothic subdivisions (*φυλαι* or *kunja*). An assembly of such chiefs was generally taken to represent the whole tribe or nation: in times of a threat to the nation or for larger common undertakings, the different *reiks* as a group would assign one of their number the same complete authority – although for a limited time – which once their ancient sacral king (*thiudans* – βασιλευς – *rex*) had exercised.¹¹

It follows from this that Athanaric did not fear being addressed as *thiudans*, but rather his refusal to be called a king was specifically an objection to being addressed as *rex*, which he must have understood in the sense of *reiks*. At the time of his discussion with Valens, the Goth was not merely a powerful *reiks* (pronounced ‘rix’), but he also possessed the ruling mandate of the judge, limited in time but more extensive, which he owed to his ‘wisdom’, namely to his special political capability and to the influence of tradition (Thompson 1966:44–7; Vulpe 1957: 39–40 with n. 44). Valens, who could not speak Greek and therefore must have welcomed the Goth in Latin, would have used the word *rex* (also pronounced ‘rix’) (Wolfram 1967:40–5, 79–85).¹² In spite of their closeness to the Greek world, the Goths were probably familiar with enough of the Latin terms of state used by officials to understand basic institutional designations (Wolfram 1967:36–40; Schmidt 1941:235). For still another reason, Athanaric could not claim to be a *thiudans*–*rex*–βασιλευς: the Goths of his time knew that the sole possessors of this title were the sacral kings of their people in the past, Christ, and the emperors of their own time (Claude 1971:28; Wenskus 1961: 284–5). One could even claim that, although Themistios chose the βασιλευς designation for him, Athanaric in 369 did not see himself

as confronted with any problems in being regarded as a *thiudans*.

Still more than *rex*, the Greek word βασιλευς spans a range of meaning in which the possibilities may contradict or even cancel each other. It was used to designate the universal Roman *imperator* just as well as ethnic kings down to the *rex-reiks* level of tribal chiefs (Wolfram 1967:33–56). This ambiguity, which seems absurd in the institutional area, can *functionally* have only one common denominator: both the emperor of the οικουμένη and the kings representing the smallest tribal units are in exactly the same way the *Domini rerum* with authoritative jurisdiction, each in his ‘province’.¹³ Themistios, who, as previously mentioned (see note 10), borrowed examples from Greek ancient and even mythical history from Dio Chrysostom to back up his theory, was well aware of the differentiations between princely, monarchical, and imperial authority. In the famous passage concerning Athanaric he gave a formally correct version of the discussion of the form of address, and in using his royal term, βασιλευς, he provided an excellent example to illustrate his theory. Since he was able to cite the rejection of such a title by Athanaric, it was possible for him to place the wise judge of the Goths as an individual person appropriately into the comprehensive world ruled over peacefully by the imperial βασιλευς. With this, the tension between the emperor of the world and the kings of the peoples – made to seem so irreconcilable by Caligula’s famous outburst (Suetonius, *Caligula* 22) – was removed. In the *interpretatio Graeco-Romana* of the philosopher Themistios the potential tribal βασιλευς, who for purposes of his negotiations could not allow himself to be seen as a *rex-reiks* if he wished to speak successfully and

bindingly for all Goths, had overcome his limitations and joined in supporting the Roman efforts for peace. His conclusion – how much more the Romans themselves are called upon to support the emperor’s policy if even the barbarians favor it – follows very naturally. Such a clever and skilful interpretation of Athanaric’s motives, however, would have been unable to achieve this effect, which the context of the speech demands outright, if the eye-witness had simply invented it before other eye-witnesses. Therefore we must accept the formulation of the Roman ‘government spokesman’ as genuine.

The above in no way contradicts the view that Athanaric had originally inherited the ruling mandate of a *reiks* over the tribal subdivision of his father. As judge of the Visigoths, however, he was responsible for the entire tribal union and could not permit any *diminution of his position*. In this capacity he led the tribe in waging war, concluded peace for the Visigoths with the Romans, and gave orders to carry out the sentences decided on by the rest of the magnates against the Gothic Christians, a function which implies in addition to judicial authority a concern with religious duties and recalls once more the old *thiudans* (Claude 1971:13–4, 17; Wolfram 1970:4–8; Thompson 1966:46, 60–3).

Ammianus Marcellinus, the second state witness for Athanaric’s judgeship, generally uses *iudex* strictly according to the terminological standard which followed Diocletian’s administrative reforms (Jones 1964: 49). In other words, this appellation was suited to the high civilian official of a province, to be differentiated from the military officer in charge there, the *dux*. To be sure, Ammianus, who was in the Roman military himself, does not always stick

elsewhere to the official terminology – neither for tribal nor even for Roman matters (17.12.21, 29.4.5). But it seems quite likely that such ‘inexactness’ reflects the reality that the division of power put into effect by Diocletian was not valid at all for the tribal units and was not effective everywhere within the Empire either. It may also be that this differentiation had already been eliminated in many places, in contrast with the center of the Empire, at different points in time reaching as far back as the fourth century.¹⁴

Biblical influence on the *iudex* terminology, on the other hand, may be ruled out, in spite of the fact that the *Book of Judges* in particular provides striking parallels with Athanaric’s judgeship (1:1). The Vulgate, of course, derives its vocabulary from the linguistic usage of its own period rather than vice versa. The Greek biblical language obliterates the not uncommon distinction between κριτης as a judge who establishes rules and δικαστης as an executive official (Kittel 1938:944). Only the former designation finds a translation in the Gothic Bible, which uses for this purpose a word borrowed from the Greek. For κριτης, which occurs very seldom in the New Testament, Wulfila uses *stava*, which means both ‘court’ and ‘judgment’, as well as ‘judge’. The derivation of this ambiguous expression from the Greek word, στωα, is transparent (Feist 1939:451; Streitberg 1910: 129–30).

The etymology of the biblical Gothic judicial titles in no way does justice to the scope of Athanaric’s power, and little can be made of *stava* when one examines the contexts in which this word is used. Athanaric’s military functions occupy the foreground of contemporary interest in him. The way his

people designated him, therefore, must have conveyed something concerning this position in command of the tribal army during wartime and must have distinguished him as commander-in-chief. The fact that Wulfila avoids such an expression does not weaken this assumption, for his dislike of the warlike spirit of his compatriots is well known. This is believed to be the reason why he did not translate the *Books of Kings* into Gothic (Streitberg, 1908:xx). In spite of this, from his Bible translation a concept can be inferred which, on the one hand, unites within itself the pagan-charismatic elements of both the leadership of a warrior band and of supreme tribal command in waging war, while, on the other hand, it is documented by a well differentiated word family. This concept is expressed by the word **drauhtins*, the significance of which should not be underestimated for the study of Germanic constitutional developments, as D.H.Green has shown at length (1965:269ff). Unfortunately, **drauhtins* mainly covers the military function of the Gothic *iudex*, leaving aside his religious and above all judicial duties (Claude 1971:13). Moreover, **drauhtins* means the head of a *comitatus*, whereas the judge of the Goths comes very close to an ‘institutionalized magistracy’. The Gothic word *frauja* is even less capable of expressing the function of judgeship, since it designates the lord and proprietor of a family or clan in the true sense of the *dominus*–δεσπότης. Also at that time *frauja* as a title was so completely unencumbered by any limitations that it was readily used for the name of Christ the Lord (Green 1965:19–55; Claude 1971:17–8). Etymologically, *kindins* or head of the kin does not seem appropriate either. However, the word translates ηγεμων, which Strabo used to designate the *vergobretos*, and which

is Wulfila's title for Pontius Pilate, who condemned Jesus Christ, the "tribal king of the Jews", just as Athanaric was a *iudex regum* (Thompson 1966:45, n. 1). Thus it might be safe to arrive at the provisional conclusion that *kindins* was the Gothic equivalent of the *iudex Gothorum* (Streitberg 1910:75).

Considerations of this type are not unimportant and accord well with the conclusions reached years ago in another connection by Walter Schlesinger (1963; 1968). The presentation of etymological-semantic evidence, however, must be expanded to deal with the function of the Visigothic judgeship; and a functional comparison may be of help here, if suitable analogies are evident.

A number of important concepts in the Gothic language come from the Celtic. The names of primarily East Germanic chieftains and warriors repeat in their numerous combinations of the word stem *reiks*, *rix*, *rig*, *ric(h)us*, the Celtic name styles of the time before the birth of Christ, and they also stand in close relationship to the realm of the institutional. The origin of the Gothic stem word, the much-cited *reiks*, from the Celtic is proven; the correlates of designations showing something like a lord-vassal relationship, such as *andbahts* (helper, deacon, liturgist) and *magus* (youth, squire), also derive from the same source. The words *andbaht* and *andbahti* (office) relate to one another as *reiks* does to *reiki* (kingdom, rulership). These and a series of other Celticisms support the assumption that the Goths once possessed strong Celtic models (Scardigli 1973:50-7, Wenskus 1961:357, 419).

Many Celtic words appear both in Gothic and in other, but not all, Germanic languages. Some important Celticisms, however,

notably the words used in military affairs, are limited to the Gothic. For geographical reasons, this borrowing could not have taken place until the Goths were around the Black Sea, and thus not until relatively late. The connotations of *reiks* appear to agree remarkably well with those of the earlier Celtic form, both in its meaning of 'king' or 'chief' and in that of being 'rich', 'powerful' (Birkhan 1970:154, 393). As a king's title, the word is met only in Gothic and may be inferred to have existed only in the East Germanic languages. Here the concept, 'king's title', must not be interpreted too narrowly; an analogy must be assumed with the further development and specialization of the peculiarly West Germanic word *kuning* (Wolfram 1970:6).

A certain infusion of Celtic folkways in the ethnogenesis of the Bastarns, an East Germanic tribe known to have inhabited the eastern Balkan area, beginning in the second century B.C., is hardly doubted any longer today; however, it remains difficult to determine just what was taken over from the Celts and consequently to what extent the Bastarns played the earliest possible role of mediators between the Celts and Goths (Scardigli 1973:50; Wenskus 1973b:88-90).¹⁵ Elements common exclusively to the Goths and Celts would certainly speak for the existence of such mediation and thereby strengthen the theories which assert a strong Celtic element in the Bastarns. The renowned Celtic chief of Caesar's *Bellum gallicum*, who represents one unit in the aristocratic structure of the tribe, corresponds in many ways to the Gothic *reiks* of the fourth-century sources. To be sure, it is likely that here we are dealing with an institutional type which comes up everywhere in the Indo-European area and beyond it, so that the

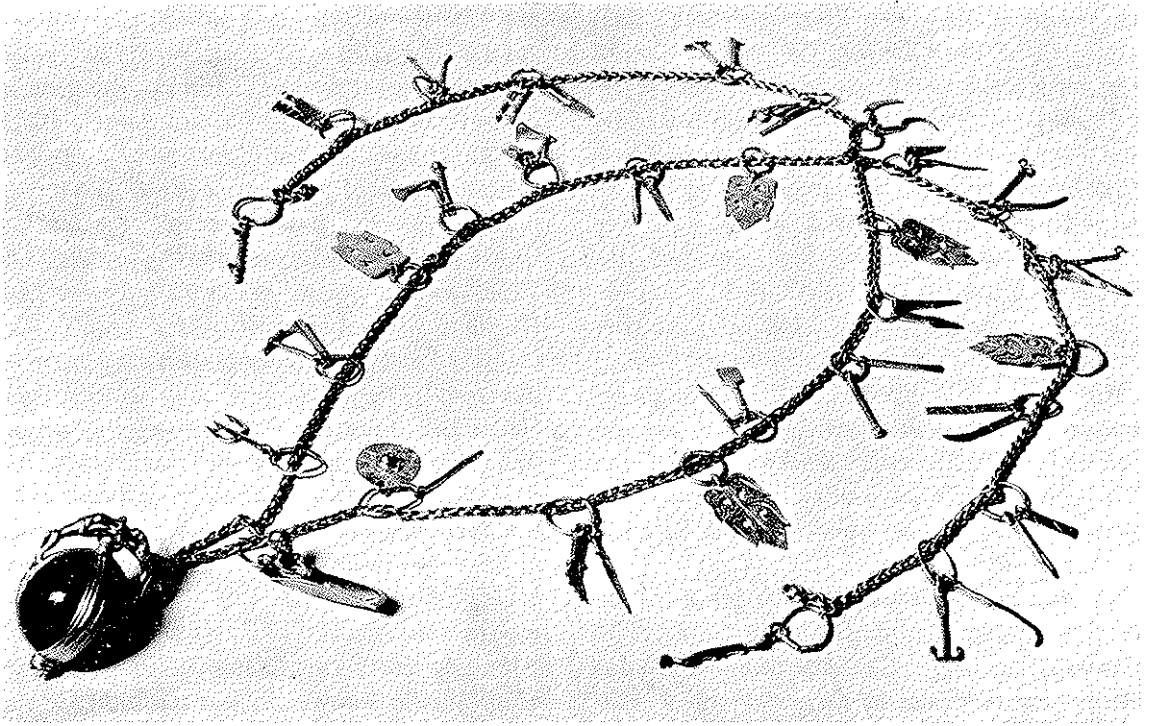


Figure 3. Golden necklace with Roman, Celtic and Gothic motifs. Treasure of Szilágy-Somlyó, Romania, about 400 A.D.

functional comparison is quite easy here, and it is precisely for this reason it is not particularly rewarding historically.

The case of the judgeship appears to be otherwise. Although a tribal arrangement of this kind has also been frequently attested to,¹⁶ it does not appear quite so often as the *reiks*, since it already represents the product of a complex process. In the course of its development, an original, sacral kingship, generally over a small area, has become differentiated into its several functions; at the same time, the institutions responsible for these functions have gained jurisdiction over larger groups of people. The tendency of this judgeship is toward the nominal restoration and material re-creation of the old kingship,

although what is said or implied by those who hold the office or by foreign commentators may make the directly opposite point. As a partial royal power, limited in duration, the judgeship in the times of transformation of tribal units represents such a special phenomenon that its appearance among a variety of peoples simply demands a functional comparison.

Both Caesar and the only slightly younger Strabo describe a Celtic dignitary who is elected as the chief executive for a year, that is, for a limited time, and exercises power over life and death (*vitalis necisque potestas*). Caesar refers to this institution only among the Haeduan, but Strabo pictures it as one common to the Celts in general – something

further attested to by inscriptions on coins and monuments (Heichelheim 1958:1543-4). The epigraphic sources present the name of the dignitary in dual form, from which one can assume that the highest position of rulership was filled by two men. Caesar reports, at any rate, that this institution (*magistratus*) had been represented since ancient times (*antiquitus*) by a single elected officeholder in each instance. In the *Bellum gallicum*, the *summus magistratus* of the Haeduan is mentioned twice. From the first passage, which deals with events during the year of the Helvetian War, we learn about the official designated as the *vergobretos* and about the duration and type of his chiefly judicial duties (1.16.5-6).

The problem of the *vergobretos* concerned Caesar, however, not only at the onset of his Gallic adventure; he also had to deal with it at its end, in the year of Alesia (7.32ff, 37, 55, 67). This time his report is much more detailed, since the situation appeared to be extremely dangerous. The absolute power, even though limited in duration, is of royal origin; Caesar himself calls it *regia potestas*. In stepping down from his office, however, the *vergobretos* had transgressed against the aristocratic 'Charter' of the Haeduan and had his brother elected as his successor; to prevent this, the party friendly to the Romans had defended itself by electing an opponent to the same office. Caesar sees himself confronted with the old danger which he has repeatedly had to ward off since the invasions of the Helvetians (1.3) and Ariovistus (1.31-54), that is, the restoration of kingship among the Haeduan: their traditional prestige and the chances which their economic position and institutional experience offered them could result in a pan-Gallic kingdom at any time (1.31; 7.63).

This time the threat looms most real, since now the institution most naturally to be suspected of containing monarchical potentialities appears to be falling into the possession of one family. It goes without saying that Caesar supported the anti-monarchical party; however, he was forced to appear personally at the appointed spot to make the decision, since the *vergobretos* was not allowed to leave his native territory during his term of office. The Celtic *vergobretos*, whose name signifies roughly 'executor of the judgements', was obviously a judge but not one with exclusively civil duties (Weisgerber 1969: 69-70 against Heichelheim 1958:1543). Strabo calls him also the $\eta\gamma\epsilon\mu\omega\nu$ and differentiates him from the $\sigma\tau\rho\alpha\tau\eta\gamma\omicron\varsigma$, who is responsible for waging war but is similarly elected (*Geography* 4.4.3. C 197). Ritual forms and sacral duties are part of recorded tradition for the Celtic as well as the Gothic judgeship (Heichelheim 1958:1543-4; Claude 1971:13-6); the holders of both offices have waged war through representatives and subordinate commanders but never appear themselves in what is undertaken outside their borders.¹⁷ Perhaps the distinction made by Strabo *ex eventu* can be understood this way: the old royal power was divided in a way which assigned the leadership - chiefly of bands of warrior followers - in offensive warfare to the $\sigma\tau\rho\alpha\tau\eta\gamma\omicron\varsigma$, while the $\eta\gamma\epsilon\mu\omega\nu$ in a very general way was responsible for maintaining the peace and safety of the whole tribal unit, that is, for taking care of defense against internal and external enemies, duties deriving from sacral kingship and consequently duties to which the ritual and sacral ones mentioned were joined. The events which precede the elevation of Vercingetorix as the Gallic $\sigma\tau\rho\alpha\tau\eta\gamma\omicron\varsigma$ in the battle against Caesar bring sharply to mind,

therefore, the almost contemporaneous conflict over the *vergobretos* of the Haeduans (Caesar 7.37–9; Grenier 1945:180). Apart from this, the *vergobretos* preferred by Caesar finds nothing more urgent to do than to make military preparations for joining Vercingetorix and deserting Caesar. The position of στρατηγος is also naturally a *regia potestas* at the time, although in the case of the Gauls it has already been separated from the judicial power – a differentiation in which the local aristocrats and the Romans must have had the greatest interest.

Between the judgeship of Athanaric and the already four hundred years older Gallic institution astonishingly few differences thus exist. Both institutions united the ‘execution of judgments’ with the supreme command in wars which were quite certainly of a defensive nature for the simple reason that the officeholders could not leave their tribal territory during their term of service. The double area of duties is documented for Athanaric. As a matter of fact, the military responsibilities of the *vergobretos* can also be demonstrated, although they recede into the background since the supreme command in the battle against Caesar went to Vercingetorix of the Arverni, while the *summus magistratus* along with his Haeduans lost the traditional leadership position (*deiecti principatu*) (Caesar 7.63).

We recall that Ammianus Marcellinus deals in two places with the refusal of Athanaric to meet Emperor Valens on Roman soil for purposes of concluding peace. After the detailed treatment of his motive, which is traced back to an oath as well as to the command of his father (27.5.9), we read at another point that Athanaric had been caused *religione* never to tread Roman soil (31.4.13). Without desiring to exhaust every

possibility of interpretation, one could conclude that these passages convey the *interpretatio Romana* for the institutional tying of a Gothic judge to the tribal territory, the *Gutthiuda* (Streitberg 1910:51). In this, we may well see the first institutionalization of the equation, *patria vel gens Gothorum*, which came to full development with the Visigothic state in Spain (Wolfram 1967:70).

When, however, Athanaric’s judgeship had expired, he was free to leave the land of the Goths. During the course of his attempt to hold back the Huns in a fortified position – an effort marked by heroic but vain sacrifice on his part – the main forces of the Goths deserted him (Ammianus 31.3.8). After that time, he was no longer a judge (Claude 1971: 13 and 15), and in a manner similar to that of other leaders of Visigothic and Ostrogothic bands, Athanaric can now attempt to lead a retreat from danger, seeking refuge in Roman territory. He gives this plan up, however, when he hears of the difficulties which the Romans had made for the Ostrogothic group around Witheric, Alatheus and Safrax. For this reason, he is said to have withdrawn accompanied by his followers into Caucaland, that is, he left Gothic territory in another direction. At any rate, even the weakened power of Athanaric was sufficient in itself for an alternative solution, that of conquering by force the Sarmatian Caucaland in present-day Transylvania (Vulpe 1957:39–40; Schmidt 1941:404). But Athanaric did not organize either his planned flight into the Roman Empire or the retreat into the Carpathians as judge of the Goths. Rather, he acted as *reiks* of a subdivision and as *frauja* of his ‘house’ (following). Finally, he could not maintain himself even in his place of retreat although he yielded to no external forces but was driven out by his own people.

Thereafter, as *frauja*, he took his diminished following into the Roman Empire (Schmidt 1941:418) and died in Constantinople; no doubt he would have broken his vow if he had been bound personally by his father and not by the nature of his position at the time.

Perhaps the words of Athanaric which are recorded in the work of Jordanes are further, if only indirect, evidence for the correctness of this interpretation. Although strongly stereotyped, the words attributed to Athanaric at the time of his entry into Constantinople betray a certain regret at the obstinacy of his earlier resistance against Rome. This is not the speech of a man who has broken his vow, but rather that of a man returned to private life who breathes a sigh of relief that his burden of responsibility has been removed (Mommsen 1882:95).

Under the pressure of external as well as internal threats against the traditional structure of society, ethnic units with small territories transform themselves – first of all by further disintegration. A confrontation with a large and powerful neighboring state, which the Mediterranean Empire of Rome was for Gauls, Cheruskans, and Goths alike, brings out mobility and social differentiation within the sub-tribal units which destroy the political embodiment of the ‘small area’, the – to use the Gothic word – *thiudans*–kingship. The threat from outside, however, demands nonetheless the preservation of the power, the jurisdiction of which is expanded, on one hand, to include all branches of the greater tribe or nation but contracted, on the other hand, by territorial and temporal limits. This is the way the institution of the judgeship arose in the case of the Goths in the Danube region, an office with duties which could only be performed by someone who attained the position through the institutional legitimizing

agency of an election and who had sufficient support from pre-institutional bands of warriors.

For this reason, representatives of the first family of the Visigoths were continually called upon to fill it. Great concern on the part of the aristocracy, however, for maintaining its own policy served as a counterweight to this. The larger the warrior bands were which guaranteed greater success to their overall leader, the greater was the danger threatening the aristocratic tribal order, which had arisen at the expense both of the political significance of the old royal family and of the free groups (*mediocres*) below the nobility.

Therefore the ‘plebiscitary’ acts of members of royal families had to be resisted; on the other hand, only men such as Arminius and Athanaric possessed the necessary prestige and charisma, in other words, the ‘wisdom’, to credibly organize resistance against the Romans or to punish disloyal members of the tribe. Consequently, they had to be selected for some kind of office that recreated royal power for a period of time, but it still had to be possible to remove them for failure or, still more, for too great success, lest the institutional insurance against a lasting kingship crumble. It is certainly the case that only some form of kingship was in a position to keep a people – that is the *nomen gentis* – together during the drastic changes brought about by the migration of peoples. In a comparable institutional transformation, not only Arminius and his family – thus the nucleus of traditional authority among the tribe – but also the Cheruskans themselves went to pieces as a *gens*. By bringing facts such as these into confrontation, it is possible that categories in the social sciences can be derived which make

the paradox possible that it is the historian who can separate events from their constraints in space and time, in order to present them as functional and institutional prototypes, here specifically as types of either the destruction and disappearance of tribal units or of their transformation into more durable social-political entities. In doing so, it might be possible to meet the challenge of Peter Munz (1969) – that it is up to medievalists to develop categories for making decisions which will make it possible for people of the Third World to soften the otherwise harsh effects of confrontation between a large-state form and tribal units, or even to shape it creatively (Wolfram 1972:470–5).

Notes

¹ Isidore places the event in the year 407 of the Spanish era, which begins in 38 B.C., as well as in the fifth year of the reign of Valens, which is calculated as beginning on 28 March 364. See Jones 1971:931. I would like to express my thanks to Professor Henry A. Myers, Department of History and Political Science, Madison College, for translating this article into English.

² It is a fact that the ethnic connotation 'Visigoth' can only be traced back to Cassiodorus, whereas the contemporary sources (around 400) speak of either *Tervingi* or *Vesi*. See Hachmann 1970:121–8 and Wagner 1967:235–53.

³ Themistios, who was present during the negotiations between Valens and Athanaric as an emissary of the Senate at Constantinople, must have seen the Gothic chief: see Stegemann 1934:1646; Straub 1972:203. Raimund F. Kaindl (1891:305–6) had already surmised that Ammianus Marcellinus obtained knowledge of important details from Munderic, who was a subordinate leader under Athanaric against the Huns and later held Roman posts of high officer rank.

⁴ Tacitus, *Annales* 11.16; following him, Wenskus 1961:423, on Arminius. According to Zosimos 4.34.3, Athanaric was πρῶτος τοῦ βασιλείου τῶν Σκυθῶν ἀρχῶν γενούς, a formulation which is further supported by the same author, 4.25.2: see Jones 1971:605 under the heading 'Modares'. Sybel (1881:204) raises justified objections against Dahn (1885:4 with

n. 3) where this passage is understood as "prince of the monarchically ruled part of the Visigoths". The interpretation of it by Köpke (1859:112) is not entirely clear; however, that author assembles a convincing collection of Greek–Latin–Gothic titles of rulership. See also Schmidt 1941:243–6 and Thompson 1966:44–6. The latter rejects evidence for a "royal clan before Alaric's time", but is not very convincing in doing so.

⁵ Tacitus, *Annales* 2.88, on Arminius. Ammianus Marcellinus, 27.5.10, on Athanaric.

⁶ Themistios, *Oratio* 15. 190 D, Ammianus Marcellinus, 27.5.10.

⁷ The economic dependence of the Visigoths on trade with the Roman Empire is given by Ammianus Marcellinus (27.5.7) as still a main reason for the fact that the Visigoths wanted to conclude peace in 369.

⁸ To be sure, in the literature the view predominates that Ariaric and Aoric were double kings. See Claude 1971:16–7; Thompson 1966:54; Schmidt 1941:239, 244–6, 403 and 422.

⁹ Each of the two kings of the Eburones ruled a separate territory, see Wenskus 1961:322.

¹⁰ See Themistios, *Oratio* 10. 132 A, and Straub 1972:201–6 in the same connection.

¹¹ Streitberg 1910:76 (*kuni*), 110–1 (*reiks*), 148 (*thiudans*); Schmidt 1941:244; Claude 1971:15–20; Thompson 1966:44–8. In Gothic, to be sure, there is no designation of rulership which derives from *kuni*. On the other hand, *kindins* would be the closest thing etymologically to the representative of a clan (**kind.gens*): see Feist 1939:311, 316; Wenskus 1961:326–7. As *kindins* became semantically separated from **kind* and signifies ηγεμῶν, it is just as possible that *reiks* came to replace it via the same route. At all events, Wulfila uses *reiks* in a way that signifies the heads of Jewish clans and the Elders in Jerusalem: see Green 1965:317 with n. 4.

¹² On the linguistic knowledge of Emperor Valens, see Nagl 1948:2136.

¹³ On the problems related to this question, the author carried on an extensive and very informative correspondence with Walter Goffart of Toronto, from whom a treatment of the subject is forthcoming. Starting points for the discussion are offered by, among others, Mommsen 1894b:537, on the topic of *dominus, domnus*.

¹⁴ On the erosion in the fifth and sixth centuries of the separation of powers established by Diocletian, see Wolfram 1967:44–50.

¹⁵ For example, the fear that the sky would fall down around them during a great storm is common to Celts, Bastarns, and Goths: see Helm 1937:39–40; Dillon and Chadwick 1967:17. Wenskus (1973b:89) expressed himself very guardedly on the Celtic

heritage of the Bastarns, but Maenchen-Helfen (1962: 174–7) underscores their Celticity.

¹⁶ Compare for example Noth 1950 (on *Iudex Israel*); Weinstock 1931 (on the *Oscan Meddix*); Ehrenberg 1931 (on the *Sufetes* of Carthage); Heuss 1944 (on the Roman *consul-praetor* as *iudex*); Wenskus 1964 (on the Frankish *Thunginus*); Borst 1973:280 (on the *judge* of Uppsala).

¹⁷ On the leaders who were Athanaric's subordinates, see Ammianus Marcellinus 31.3.5. On the Haeduan *vergobretos'* subordinates, see Caesar 1.16.5 and 18.10.

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