

4-2016

# Thinking through the Monarchy in Sixth-Century Visigothic Spain

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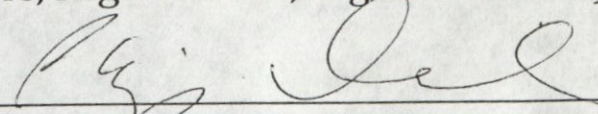
# Thinking through the Monarchy in Sixth-Century Visigothic Spain

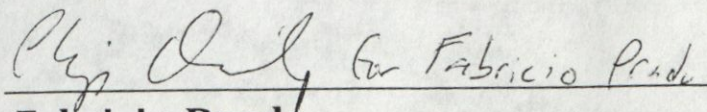
A thesis submitted in partial fulfillment of the requirement for the degree of Bachelors of Arts in History from The College of William and Mary

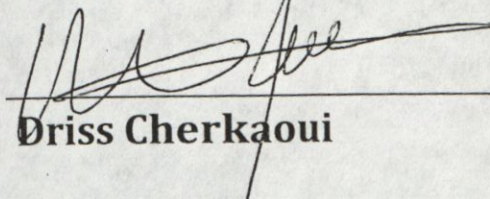
By

Cade Meinel

Accepted for High Honors  
(Honors, High Honors, Highest Honors)

  
**Philip Daileader, Director**

 For Fabricio Prado  
**Fabricio Prado**

  
**Driss Cherkaoui**

## Introduction

The Visigothic kingdom in Spain traversed several crossroads during the sixth century. Some of these societal, political, and religious changes and challenges have been well noted in the scholarship that exists on the Visigoths. Additionally, several sources written by those living during the period under investigation took notice of the societal changes as well. This essay focuses on investigating the Visigoths in the sixth century through the paradigm of the ideology surrounding the monarchy.

In any kingdom, the kings play a central role in its development over time. In addition to each king's personal attributes, the monarchy as an institution also shapes the direction a nation will go. Institutions do not exist only materially but even more so ideologically. Therefore, the ideological framework for this essay constitutes a legitimate and valuable viewpoint from which to examine the Visigoths during the sixth century.

*Sources: the Visigothic code*

What is known as the Visigothic code or *Lex Visigothorum* is now fairly easily accessible through multiple translations like the one by S.P. Scott that this essay primarily draws upon. The main body of laws in place during the sixth century was comprised of laws initially written by King Euric (466-483), probably in the 480s, as well as by those written by Alaric II during his reign from 484-507.<sup>1</sup> However, the

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<sup>1</sup> S.P. Scott, trans., *The Visigothic Code (Forum judicum)*, (Boston: Boston Book Company, 1910), Accessed April 1, 2016, <http://libro.uca.edu/vcode/visigoths.htm>, preface; Isabel Velazquez, "Jural Relations as an Indicator of Syncretism from the Law of Inheritance to the *Dum Inlicita* of



earliest wholly preserved forms of these laws come from the thirteenth century with only fragments available from previous renditions. This situation makes it sometimes difficult to know exactly which laws were present in the sixth-century code and which came later. Fortunately, most of the laws have labels describing who made the particular amendment, and we can date the laws from this information. Others are labeled as ancient laws, which means that they were present from the formation of the law code and extant before the code itself was written. Another issue can occur when trying to know if the law amendments were entirely new or a rewrite of a previous law. At times, though, additional laws referenced the previous laws that they now corrected resolving this problem. Between the labeling of the laws and the references to previous laws in the new ones, it is possible to know fairly well which laws actually existed during the sixth century. Using these clues, I have focused on the laws relevant to the sixth century in this essay.

Much of the literature concerning the origins of the Visigothic code discusses whether the code is more Roman or more Germanic in overall makeup, and this distinction also sometimes extends to debates over particular laws. I, however, agree with Isabel Velazquez's argument pointing out that these disputes are not helpful in understanding their application in the sixth century and beyond.<sup>2</sup> Since this essay focuses on the ideas within the law and their influence upon the way the monarchy was thought of, her point is especially relevant. Thus, thinking of the laws

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Chindaswinth," in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 229; Isidore of Seville, *Isidore of Seville's History of the Goths, Vandals, and Suevi*, Trans. Guido Donini, and Gordon B. Ford, (Leiden: Brill, 1970), Accessed April 1, 2016, <https://www.scribd.com/doc/233659833/Isidore-of-Seville-History-of-the-Goths-Vandals-and-Suevi>, 96.

<sup>2</sup> Velazquez, "Jural Relations as an Indicator of Syncretism," 227.

in terms of their distant ancestor laws, as other historians do, does not prove sufficiently useful to the scope of this essay.

*Sources: the Chronicles*

Fortunately, we have a number of contemporary texts chronicling the events of the sixth century that we can draw information from. The sources primarily drawn on in this essay are Isidore's *History of the Goths, Vandals, and Suevi*; Jordanes' *The Origins and Deeds of the Goths*; and John of Biclar's *Chronicle*. Of the three, only Isidore's work traces the events of the entire century. Fortunately, the other two both cover roughly half of the century each with Jordanes covering the first half and John the second half. In fact, Jordanes' account covers the history into the 550s, and John of Biclar's writing starts in 567 with the commencement of Liuvigild's reign and continues through the reign of Reccared ending in 601. Isidore's account though not as detailed as these two usually still provides a good overview and helps to fill in the gaps.

Isidore of Seville was a Catholic Bishop in Seville, Spain, as his name suggests. Although he lived until 636, he likely wrote his *History of the Goths, Vandals, and Suevi* during the reign of King Sisebut (612-621). Isidore, being a prominent bishop, interacted often with the monarchy, and Sisebut had been a former student of his. This relationship likely precipitated the writing of the chronicle to commemorate the achievements of the Goths and to place Sisebut within their long tradition.<sup>3</sup> However, despite this connection with the king, it is not particularly worrisome that Isidore's views on the monarchy in general would have been skewed by this

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<sup>3</sup> Kenneth Baxter Wolf, Trans., *Conquerors and Chroniclers of Early Medieval Spain*, (Liverpool: Liverpool University Press, 1990), 14.

relationship. Isidore's religious bias as a Catholic did not necessarily lend itself to a positive view of the primarily Arian kings whom he wrote about. Additionally, Isidore drew upon previous sources for his information especially about the kings before the sixth century.<sup>4</sup> Although the brevity of his accounts make them ambiguous, he still provides a useful source for tracing the ideology of kings and especially the ways that those ideas connect to the events of the sixth century.

John of Biclar was also a Catholic Bishop when he wrote his *Chronicle*. He had actually been away from Spain in Byzantium for seventeen years before returning, only to find himself kept confined in his home during Liuvigild's period of persecution against the Catholics. He wrote his chronicle in 590 during the fourth year of Reccared's rule and just after the Third Council of Toledo had officially made the Visigothic Kingdom Catholic. His chronicle essentially focuses on how this transpired. Therefore, he treats the growth of the kingdom under Liuvigild as part of the road to the kingdom fulfilling its ultimate potential as a relatively powerful Catholic kingdom in the western Mediterranean. His work, however, describes itself not as a history of the Goths, but as a continuation of the general chronicles written by other ecclesiastics such as Eusebius and Jerome, as well as the chronicle authored by the North African Victor of Tunnuna. This last chronicle's narrative ended in 567, thus giving John a date to continue on from in his own *Chronicle*. His work is useful to this essay's endeavors because it provides details on the events from 567-590 that provide ample opportunity for analysis.

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<sup>4</sup> Wolf, *Conquerors and Chroniclers of Early Medieval Spain*, 15.

The *Origin and Deeds of the Goths* by Jordanes gives a slightly different perspective on the Visigoths that differentiates him to some extent from the other two authors in points of emphasis. First, Jordanes wrote it sometime in the early 550s, meaning his account did not have some of the same biases that later accounts would have, namely the celebration of the Visigothic kingdom's having become Catholic. Additionally, his work recounts valuable information about the Ostrogoths both in general and in their connections to the Visigoths at the beginning of the sixth century. Jordanes, though of Gothic origin, did not hail from Spain nor was he a bishop, and he claims that he mainly summarized the vast work of Cassiodorus with some use of other Greek and Latin authors as well. Thus, he does not follow in exactly the same historiographical path as the other histories relying more on works written by those outside of the church. Therefore, in addition to relaying the events of the period, Jordanes, with his different perspective, helps in evaluating the ideology of the early period in a more nuanced way and provides a good source for this essay.

#### *The Visigoths in historiography*

Anyone studying the Visigoths likely knows about King Liuvigild, who ruled from 567-586, and his son Reccared, who ruled from 587-601. The focus on these two kings stems partly from the practical point that more evidence and documents relating to their reigns exist today. However, the religious conflicts between Arianism and Catholicism during these years not only draws the attention of many historians interested in the Visigoths, but also of those interested in church history and the consolidation of the West under the Catholic Church's influence. These two

men interest other scholars because their strengthening of the kingdom paved the way for the relatively solid and stable conditions present in the seventh century. For those historians investigating the Visigoths in the sixth century via their connection to the Ostrogoths, their main analysis tends to be on the first third of the century when the Visigothic kingdom was essentially a dependent of the Ostrogoths.

The general consensus of prominent historians such as Herwig Wolfram, Roger Collins, and E.A. Thompson is that the defeat of the Visigoths by the Franks early in the century sent the kingdom into a downward spiral until the Visigoths were again empowered during Liuvigild's rule, which was consolidated by Reccared.<sup>5</sup> I agree with this basic understanding of how the Visigoth kingdom progressed in the sixth century.

The specific interest in both the Ostrogoth period and the latter portion of the century, however, appears to have created an unnecessary de-emphasis of the middle portion of the century between the end of the Ostrogoth's oversight of the Visigoths and the beginning of Liuvigild's rule in 568. For example, the historian Herwig Wolfram devotes little more than half a page to this middle section of the century in his renowned book *The History of the Goths*.<sup>6</sup> The brevity of the analysis is understandable because his book only goes through the middle of the sixth century and, although its fifth-century coverage extends both to Visigothic Spain and Ostrogothic Italy, its sixth-century coverage extends mostly to the latter. E.A. Thompson also gives a disproportionate amount of time to the reigns of Liuvigild

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<sup>5</sup> Herwig Wolfram, *History of the Goths*, trans. Thomas J. Dunlap, (London: University of California Press, 1988), 245; E.A. Thompson, *The Goths in Spain*, (Oxford: Oxford University Press, 1969), 8,18,57; Roger Collins, *Visigothic Spain 409-711*, (Massachusetts: Blackwell Publishing, 2004), 45, 50.

<sup>6</sup> Wolfram, *History of the Goths*, 244-245.



and Reccared as compared to earlier kings, devoting to the former some sixty pages and to the latter a mere eighteen in his oft cited and generally insightful book *The Goths in Spain*.<sup>7</sup> Not everyone overlooks the first three-quarters of the century though. Roger Collins, for instance, in his excellent book *Visigothic Spain 409-711* and in others of his writings provides fairly even analysis.<sup>8</sup>

As mentioned before, the greater attention to the late-sixth century is to be expected considering the relatively abundant evidence for the period. However, I believe that the de-emphasis of the first two-thirds, and especially the middle-third, of the sixth century has led to some misconceptions or, rather, missed connections about the sixth-century Visigoths. The ideological analysis of the role of the Visigothic king that this essay provides reveals that the differences over the course of the century among the kings have been exaggerated to some extent. I, unlike authors and commentators such as Santiago Castellanos, P.D. King, Gisella Ripoll Lopez, and S.P. Scott, who view the sixth-century Visigoths through the lens of overall Western Christendom and church-state relations, will contend that the reigns of Liuvigild and Reccared did not see the institution of a new ideology that transformed the kingdom.<sup>9</sup> Instead, they worked within existing frameworks and notions of the monarchy in order to revamp the Visigothic kingdom.

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<sup>7</sup> Thompson, *The Goths in Spain*, 7-25, 57-113.

<sup>8</sup> Collins, *Visigothic Spain 409-711*, 38-68.

<sup>9</sup> Scott, *The Visigothic Code*, preface; Gisella Ripoll Lopez, "Symbolic Life and Signs of Identity in Visigothic Times," in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 426; Santiago Castellanos, "Tributa and *Historiae*: Scale and Power at a Turning Point in Post-Roman Spain," *Scale and Scale Change in the Early Middle Ages*, (2011): 214; P.D. King, *Law and Society in the Visigothic Kingdom*, (Cambridge: Cambridge University Press, 1972), 24.

## Chapter 1: The Visigothic Code as an Ideological Framework of Visigothic Monarchy

In order to begin to understand the Visigoths in the sixth century by understanding the ideological function of the king in their society, one must consider questions such as what the Visigoths expected their king to do with his office and how they expected him to execute the powers of that office. To find this out, it makes sense to examine the document describing the general agenda a king ought to pursue and in what ways he should carry it out. The document containing this information is the Visigothic Code. But first, before searching the document for answers to these questions, it is necessary to examine the significance of the law among the Visigoths.

### *The Supremacy of the Law*

The ability to make laws and pass judgments against those who transgress them represents a fundamental societal role, and in the Visigothic kingdom of the sixth century, the king did, in fact, hold that power. Without this power, the position of the monarch becomes wholly symbolic in meaning. However, as the giver of the law, the king existed to serve the people and guide them. Nowhere does one see any expressions or rationale suggesting the idea of absolutism. In fact, the Visigothic law code states that “The law is the rival of divinity; the oracle of religion; the source of instruction; the artificer of right; the guardian and promoter of good morals; the rudder of the state; the messenger of justice; the mistress of life; the soul of the body

politic.”<sup>10</sup> The phrases “rudder of state” and “soul of the body politic” suggest that the law does not serve the will of the monarch but rather the king carries out justice via the law. Since the law is “the oracle of religion,” it appears it was considered to be divinely inspired. These ideas concerning the law’s elevated nature coincide with those presented by P.D. King in his analysis of Visigothic law.<sup>11</sup> Though having the power to create and change laws during the Visigothic kingdom in sixth-century Spain, no king was able to achieve equity between his person and the law, and the law continued to rule “every order of the state, and every condition of man; it governs wives and husbands; youth and age: the learned and the ignorant, the polished and the rude. It aims to provide the highest degree of safety for both prince and people, and, in renown and excellence, it is as conspicuous as the noon-day sun.”<sup>12</sup> An additional law titled “The Royal Power, as well as the Entire Body of the People, should be Subject to the Majesty of the Law” helps to reinforce that the king was no exception to the rule of law.<sup>13</sup> Thus, though the law might be specially connected with the divine, it appears the king himself was not considered to hold this same distinction. Therefore, one can see that, at least conceptually, the Visigoths looked to the law code as the basis for their society more so than any other institution.

Despite the king being viewed as beneath the law, the integrity of the law itself was not as jealously guarded as one might think based on the aforementioned descriptions of it. For example, promulgated, forged laws met with punishments

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<sup>10</sup> Scott, *The Visigothic Code*, Book 1 Title II Law II.

<sup>11</sup> King, *Law and Society in the Visigothic Kingdom*, 38.

<sup>12</sup> Scott, *The Visigothic Code*, Book 1 Title II Law III.

<sup>13</sup> *Ibid.*, Book 2 Title I Law II.

similar to theft or assault. As J.P. Scott points out in a note to his translation, forging laws could easily be construed as treason because it would seem to be an act in direct violation of the authority of the throne, and therefore one might expect the punishment to be much more stiff.<sup>14</sup> However, it appears the Visigoths did not find such a practice threatening to the monarchy's status. I believe that this can partly be explained by recognizing the limit of the king's real power in Visigoth society for much of the sixth century. In fact, the role of lawgiver may not have been as authoritative as it seemed since post-sixth-century revisions of the law code provide its most harsh punishments for those using lack of knowledge of the law as a defense in court. Anyone making this plea would receive the standard punishment for the crime that they claimed ignorance of with additional lashes and having to bear a mark of infamy. Scott suggests that this means people had often used this defense successfully in court.<sup>15</sup> If his conclusion is correct that claiming ignorance often constituted a successful defense, then it would follow that the judges actually believed it plausible that people did not know the law. Otherwise, they would not have accepted it as a defense in court. It is possible that since the enactment of the harsher law occurred in the seventh century, the problem did not arise until then. However, this seems unlikely because of the well-known fact that the Visigothic kingdom became more centralized leading into the seventh century. Therefore, the law reflects an attempt to increase the presence of the king's power among the people by reinforcing his main administrative standard. Since the king's basic authority derived from his power to give the laws and make judgments concerning

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<sup>14</sup> Scott, *The Visigothic Code*, Book 7 Title V note 1.

<sup>15</sup> *Ibid.*, Book 6 Title IV Law V, Book 6 Title IV note 1.

them as a sort of chief justice, the diminished importance of the law to those not directly involved with legislation seems to bode ill for the prominence of the king throughout the majority of the sixth century. Despite the law claiming to be “the rival of divinity,” it seems that in people’s daily lives it did not hold such an aura, and the king reigned more as the “first noble” rather than as an absolute ruler.

#### *Administration of the Law Code*

In fact, though the king held a privileged position within the law, he did not rival the law’s primacy partly because the officials employed by the king actually carried out a significant proportion of the administration of the law throughout the kingdom. Judges constituted the most significant example of the officials who administered the law. This marks a significant executive power-sharing with the church since many of the judges were also ecclesiastics.<sup>16</sup> Additionally, the bishops were responsible for investigating and removing or punishing judges who “decided wrongfully in any case.”<sup>17</sup> Deciding wrongfully here likely means ignoring evidence, accepting bribes, or extracting unlawful payment from those in court based on the laws preceding this law in the code.<sup>18</sup> This supports the position of the church’s significance in the administration of the law because it gave the church additional indirect power over the cases of the court as well as direct control over any judges not affiliated with the church. The connection between the church and central authority can also be seen by the fact that many Visigothic towns were centered

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<sup>16</sup> Scott, *The Visigothic Code*, Book 1, Title I, note 1.

<sup>17</sup> *Ibid.*, Book 2, Title I, Law XXII.

<sup>18</sup> *Ibid.*, Book 2, Title I, Laws XVIII, XIX, XX.

around the church's building-complexes, and these often displayed the most wealth and grandeur of any of the buildings in a given city.<sup>19</sup>

But the church remained far from running the judicial system because the judges sometimes had to work with local magistrates and governors in order to carry out enforcement of the law. For instance one law states: "Whatever property a judge finds in the possession of a criminal or a fugitive slave, in the absence of him who has a right to claim said criminal or slave, must be delivered to the governor of the city, and kept by him, to be restored to the owner when he arrives."<sup>20</sup> This shows that the judges only made judgments but did not possess the abilities to enforce them on occasions when they involved delayed actions such as storing stolen property until it could be reclaimed.

Furthermore, before a criminal can be judged he must be apprehended. The following law reveals how this process could necessitate cooperation between governors and judges: "the judge must use every effort to arrest him [the criminal]. If, however, the judge himself is not sufficiently powerful to apprehend and imprison him, he may apply to the governor of the city for assistance, to effect what his authority of itself is not sufficient to accomplish."<sup>21</sup> This passage reveals that the judges did not directly control all the available force and authority in a city. They, therefore, had to work with city officials in order to maintain order.

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<sup>19</sup>Gisela Ripoll Lopez, "The Transformation and Process of Acculturation in Late Antique Hispania: Select Aspects from Urban and Rural Archaeological Documentation," in *The Visigoths*, Alberto Ferreiro, ed., (Leiden: Brill, 1999), 265-274.

<sup>20</sup> Scott, *The Visigothic Code*, Book 9 Title I, Law XX.

<sup>21</sup> *Ibid.*, Book 7, Title IV, Law II.



Additionally, appeals could be made directly to the king because anyone possessing “information which relates to the interests of the Crown, access to our [the king’s court’s] presence shall not be denied him.”<sup>22</sup> Also, the king had the authority to deal with “a cause which is not authorized by the laws... and, after this promulgation, such decisions shall have all the force of law.”<sup>23</sup> Therefore, one sees that the kings shared administrative power with the church and relied on their judges as well as their governors to execute the law. However, even the king’s governors did not necessarily extend the monarchy’s power because much of the administrative system was inherited from Roman models not established by the king.<sup>24</sup> Also, the king could not accomplish major reforms because he had to negotiate the balance of power between the state and those representing the state’s power in each locality as they possessed the practical authority on the ground.<sup>25</sup>

One might wonder, given the sacral authority of the church, why the king did not incorporate that authority into his persona in order to better exercise his rule over the nobility. In his analysis, King thinks that the personal behavior and past actions of individual kings prevented them from turning the connection between the law and divinity into a divine aura for the Visigothic monarchy.<sup>26</sup> However, it seems that this view comes from his focus on the seventh century, following the conversion of the Visigoths to Catholicism, and he appears to explain the role of the law more through religion rather than considering the law on its own terms. The law

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<sup>22</sup> Scott, *The Visigothic Code*, Book 2, Title I, Law XXII.

<sup>23</sup> *Ibid.*, Book 2, Title I, Law XI.

<sup>24</sup> Thompson, *The Goths in Spain*, 121-122.

<sup>25</sup> King, *Law and Society in the Visigothic Kingdom*, 53.

<sup>26</sup> *Ibid.*, 40.

originated in fifth- and sixth-century societies with competing Arian and Catholic bishops and elites. Thus, the king needed a more universal concept to underlay religion that could explain his role in society, such as justice. This point clears the way for more understanding of the sixth-century Visigothic kingdom. Though the king was not the law and did not even have absolute control over the execution of the law, one could still consider him to function as a supreme court and legislator who had the power to amend certain laws when further explanation or modification was needed in order to preserve justice.

*The Law and Commerce: an example of the king's limits*

Additionally, the king did play an important role as a facilitator of commerce according to the laws. Although not explicitly stated in the law code, the number of laws regarding the exchange of goods and money indicates their role as a primary connection between the law and daily life. The law regulates the minting of coins by establishing the coins produced by the king as the only official currency, and this provides the most direct connection between commerce and the king. His power to mint coins also provides one of the most clear distinctions between him and other nobles.<sup>27</sup> But there is evidence to suggest that the actual minting while standardized by the monarchy was carried out by individual cities.<sup>28</sup> However, the system for the collection of taxes and fines at times followed a very indirect line to the king if it ever even reached the royal coffers. For example, the fine for avoiding military

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<sup>27</sup> Scott, *The Visigothic Code*, Book 7, Title VI.

<sup>28</sup> Bartolome Mora, "The Circulation of Bronze Currency in Málaga during the Sixth Century AD: new findings," *The Numismatic Chronicle*, 169 (2009): 425, 430, Accessed April 1, 2016, <http://www.jstor.org/stable/42678627>.

service or for a recruitment officer letting someone avoid military service followed a very long path before arriving into the king's treasury. The law states:

“The commander of a thousand men shall make diligent inquiry by his centurions, and the centurions by their decurions, and if it should be ascertained that anyone was released from the service, either through bribery, or entreaty, or, remaining at home, refused to join the army, the *tiuphadus* shall then notify the lieutenant-general who, in his turn, must write to the governor in whose jurisdiction the offence was committed, in order that the latter may enforce the law provided in such cases; and said governor, as soon as they are collected, shall deliver all sums received as penalties to the officers entitled to receive the same.”<sup>29</sup>

This process shows the parallels between law and military administration. The full chain of command must be gone through before this offence is confirmed and then an additional two letters must be written before the fine can be collected. Then the governor finally hands over the money to the appropriate officers for it to enter into the treasury. However, the law also goes on to say that the governor himself can face very heavy fines for not giving over the money received in the execution of the penalties. Thus, the law even suggests the power struggle between local nobles and the king that could make the king's financial abilities even more limited.

Another factor weakened the king's local administration in the financial sector. The payment of tax in kind by large portions of the populace rendered the local authority of many governors and bishops more important and involved with the local trades than the king if royal authorities got involved at all. Felix Retamero discusses Visigothic trade and its relations to Visigothic institutions in his essay “As Coins Go Home: Towns, Merchants, Bishops and Kings in Visigothic Hispania.” He shows how the payment in kind by the peasants to the local rulers made

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<sup>29</sup> Scott, *The Visigothic Code*, Book 9, Title II, Law V.

monasteries and churches places “where peasant production was captured and transformed into money.” He goes on to say that the people collecting the grain from the peasants were also responsible for converting it into money to be sent to the king. Thus, “they were both subjects and high-status fiscal agents at the same time. It is easy to imagine the dramatic possibilities for fiscal evasion within this system.”<sup>30</sup> Also, it seems likely that the king would use a system whereby the local collectors just recycled their gains back into the local sector as their allotted portion of the royal revenues, especially because the conversion of grain into coins was not an easy process. Therefore, the king’s power over the administration of commercial law, while seemingly quite significant in certain cases, appears to be constrained when viewed within the system of taxation.

Here it is also useful to consider whether the law regarding the making of coins actually presented the monarch with as much power as it seemingly does. A large debate exists regarding the number of coins minted by the Visigothic government and the circulation of this coinage. Due to the scope of this paper, I will focus on sections of the debate relevant to the sixth century. D.M. Metcalf concludes from the archaeological finds that the Visigoths did not produce gold coinage until the reign of Liuvigild. What currency did the Visigoths use then if the official channel for minting coins was inactive? Metcalf points out that the newer currency circulating in Visigothic Spain mainly originated in the Byzantine Empire.<sup>31</sup>

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<sup>30</sup> Felix Retamaro, “As Coins Go Home: Towns, Merchants, Bishops and Kings in Visigothic Hispania,” in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 285-288.

<sup>31</sup> D.M. Metcalf, “Visigothic Monetary History: The Facts, What Facts?” in *The Visigoths*, Alberto Ferreiro, ed., (Leiden: Brill, 1999), 205.

Additionally, Bartolome Mora shows that ancient currency still saw much use during the sixth century.<sup>32</sup> But he also corroborates Metcalf's interpretation of the coin samples, even finding it likely that the Byzantine presence, especially from the middle of the century forward, actually increased the general use of coinage.<sup>33</sup> They base this conclusion on the findings of Visigothic copper coins alongside Byzantine coins being circulated within prominent Visigothic cities dating from the middle and latter parts of the sixth century. Therefore, the Visigoth-ruled cities minted their own coins as a result of Byzantine influence as much as from monarchical influence. Felix Retamaro suggests in his essay that the lack of coinage shows the king's weakness. He also says that this shows that trade was not necessarily carried on using money.<sup>34</sup> These findings further the argument that the king held relatively weak authority in the administration of commerce since his chief means of direct involvement, the minting of coins, may have failed to extend his influence not only to peasants but also to the wealthier classes.

*The Law, Order and Unity: The King's Purpose*

Due to the theoretical and practical limitations of the king's authority as described in the law, it may seem that the king held little significance apart from that of a figurehead uniting several local rulers. However, the greater authority of the king was required as an arbiter among his people especially concerning the regulation of macro-groups and the divisions between Goths and Romans. Perhaps his position as a unifier of the two ethnic groups under one rule constituted his most

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<sup>32</sup> Mora, "The Circulation of Bronze Currency," 425.

<sup>33</sup> Ibid., 430.

<sup>34</sup> Retamaro, "As Coins Go Home," 294.

crucial domestic job. This role also distinguishes him from other nobles more consequentially than his other powers under the law. The Visigothic code states that the law is created “for these reasons that human wickedness may be restrained through fear of their execution; that the lives of innocent men may be safe among criminals; and that the temptation to commit wrong may be restrained by the fear of punishment.”<sup>35</sup> However, this broad framework does not give us much useful information about the role of the king in society. But other laws reveal that one of the main ways that the king restrained “human wickedness” was through maintaining stability across the various ranks and groups within society.

The real political power that placed the king at the top of the hierarchy stemmed from his position as the preserver of inter and intra class relations and their established order. For example, there were specific laws that dealt with an individual’s social rank. The social sectors appear to be legally divided into slaves, freedmen, freeborn people and masters. Many laws distinguish among these categories specifically, while also referencing patron-master relationships. One other less clear but significant differentiation comprises the distinction between persons of inferior or superior rank. A good example of the hierarchy relating directly to legal administration can be seen in laws limiting the ability of slaves to testify against masters in court.<sup>36</sup> Also, the punishments often were not equal under the law. One law concerning remuneration for causing bodily harm to another person serves as an example:

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<sup>35</sup> Scott, *The Visigothic Code*, Book 1, Title II, Law V.

<sup>36</sup> *Ibid.*, Book 5, Title VII, Laws IX-XI.



“Where one freeborn person strikes another any kind of a blow upon the head, he shall pay five *solidi* for a bruise, ten *solidi* if the skin is broken, twenty *solidi* for a wound extending to the bone, and a hundred *solidi* where a bone is broken. If a freeborn man should commit any of the above named acts upon the slave of another, he shall pay half of the above named penalties, according to the degree of his offence. If one slave should strike another, as above stated, he shall pay a third part of the above penalties, proportionate to his offence, and shall receive fifty lashes. If a slave, however, should wound a freeborn person, he shall pay the largest sum hereinbefore mentioned, which is exacted from freeborn persons for assaults upon slaves, and shall receive seventy lashes. If the master should not be willing to give satisfaction for the acts of his slave, he must surrender him on account of his crime.”<sup>37</sup>

Here we see clear differentiation between the classes. But the law does not only say that slaves have to pay more than freeborn people. It also shows the understanding that slaves will likely have fewer possessions. Hence when harming another slave, slaves do not pay as much as even a freeborn person did when harming a slave. Additionally, the masters can choose to give up their slave or pay the fines for them. All of these rules serve to give us an idea of the difficulties and nuances present in the complex hierarchy to which the king had to administer laws to.

Another law proceeds as follows:

“We hereby establish as a general principle of law, that whenever a freeborn person, a freedman, or a slave, is known to have committed any unlawful act by the order of his patron or his master, said patron or master shall be held liable for all satisfaction and composition for the same; for he who obeys the orders of his superior, cannot be considered guilty, because it is evident that he did not commit the act by his own will, but under the command of one possessing authority over him.”<sup>38</sup>

This law came later than the sixth century, being established during Recceswinth’s reign (653-672), but previous laws express similar sentiments though not as explicitly stated. For instance, an ancient law regarding accidentally damaging

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<sup>37</sup> Scott, *The Visigothic Code*, Book 6, Title, IV, law I.

<sup>38</sup> *Ibid.*, Book 8, Title I, Law I.

another person's fences had required no punishment except fixing the fence "for the reason that an act involuntarily committed is no crime."<sup>39</sup> So even in earlier times the idea existed that only intentional acts done by one's own will and free of coercion made one liable. These laws help to show that the relationships between those of superior rank serving as masters or patrons of others did not absolve them from responsibility for those under their influence. It is likely that such laws also increased a paternalistic view of hierarchical relationships much like the ideas specifically noted already about the king who ideally was ruling in order to benefit the people. Considering these circumstances, the king possessed an important ideological as well as actual role as one who can bridge the gap between these classes to ensure the regulation of relationships reaching across class lines.

At all levels of society, accusing those superior to you could prove difficult and carried the risk of losing one's own position by loss of wealth or enslavement.<sup>40</sup> Being reduced to slavery was actually a common punishment under the law, inflicted most often on those unable to pay back an injured party monetarily. Also, those of superior rank were given the benefit of the doubt far more readily than those of lower rank and were allowed possible loopholes as shown in a clause in a law concerning stealing that states: "If he is a person of superior rank, he shall either give a valid explanation of his illegal act, or shall restore, eleven-fold, the value of the property stolen or destroyed; and shall receive a hundred lashes in public."<sup>41</sup> These laws do help establish some concrete reinforcements of the king at the top of the

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<sup>39</sup> Scott, *The Visigothic Code*, Book 8, Title III, Law VI.

<sup>40</sup> *Ibid.*, Book 6, Title I, Law II.

<sup>41</sup> *Ibid.*, Book 8, Title I, Law X.

hierarchy. The protections of one in a higher rank from one of a lower rank serve to make the king practically untouchable through legal means, as the holder of the highest possible rank, despite the other provisions in the law mentioned previously stating the king should be considered under the law's authority.

But these distinctions of class and rank do not always present a straightforward picture in the Visigothic Code. The royal slaves provide one example of a group that does not seem to fit neatly within the established categories. For instance, one law regarding the possessions of royal slaves states: "it shall be unlawful for the slaves of our court to sell their own slaves or lands to freemen; for they shall have the right to make such sales only to other royal slaves."<sup>42</sup> This law muddles other seemingly clear laws such as the previously referenced laws forbidding slaves to testify against masters in court. For instance, is a royal slave owning a slave considered his master or do both slaves technically belong to the king thus giving them equal status in court? Additionally, the royal slaves in some instances were categorized separately from general slaves with specific regulations regarding how they might donate to the church, for example.<sup>43</sup> Thus, the king's job in administering order required much knowledge and awareness of the social order beyond just the basic categorizations.

However, the strictness of the law may not have been as strong in the sixth century regarding class separations as indeed it seems many of these intra-societal classifications may also have been less defined then. The basis for this claim lies partly in looking at the historical Gothic society, which, while divided, did generally

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<sup>42</sup> Scott, *The Visigothic Code*, Book 5, Title VII, Law XVI.

<sup>43</sup> *Ibid.*, Book 5, Title VII, Law XVI.

seem to be somewhat more egalitarian. The fact that many of the laws emphasizing class difference were added to the Visigothic Code later on in the seventh century adds to the doubt about whether the emphasis on class distinctions existed very strongly in the sixth century. One law states that freedmen “desert those who set them free, and assert that they are equals of their masters” and seeks to rectify this situation by allowing freedmen to be returned to slavery for deceiving former masters or even showing disrespect to them.<sup>44</sup> This law was added under the reign of Egica (687-701) and seems to suggest that the social boundaries were becoming more rigid under his rule. Another example of the increasing attempts to enforce class distinctions can be seen in the explanations given in some of the later laws themselves. One such explanation exists in a law made by King Egica that dramatically increases the punishments for harboring runaways. Apparently, in his time, fugitives had become ubiquitous and were being concealed or allowed to remain under various contrivances and legal interpretations so “that there is scarcely a town, castle, village or hamlet, where a number of fugitive slaves are not known.”<sup>45</sup> The punishment had already been increased once before under King Chintasuintus (642-653), but he had only increased the required recompense from giving up two slaves or the concealed one and another up to a total of four slaves.<sup>46</sup> Therefore, one can see a trend toward laws that attempted to reinforce hierarchy as time progressed suggesting that perhaps before many of these seventh-century additions were made, the class positions in society did not form as strong of a basis

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<sup>44</sup> Scott, *The Visigothic Code*, Book 5, Title VII, Law XX.

<sup>45</sup> *Ibid.*, Book 9, Title I, Law XXI.

<sup>46</sup> *Ibid.*, Book 9, Title I, Law XVIII.

for social structures. Alternatively, it could mean that the social structures were more readily understood without needing laws to deal with these issues as directly. Though I find the former more likely, both scenarios create an emphasis on the king in administering the social order. If the order were clear and relatively well followed, the king would serve as the pinnacle of the hierarchy and as the launching point from which one measured his relative standing. On the other hand, a lack of strict regulation in the law reflects a reliance on the person of the king or local authorities to produce and enforce the established social order. Therefore, either as symbolic preserver or else as an active maintainer, the king fulfilled a crucial role as the ideological bulwark of the Visigothic hierarchy and the order following from it.

The law's distinctions between the Goths and the Romans constitute a social categorization that definitely played an active part in the sixth century. I believe that the king served as a major point of congealing the two cultures into one society. The regulations of land provide a basis for this view:

“Judges, governors, and other authorities, in all cases where Romans have been deprived of their lands, shall take them from those who occupy them, and restore them to the Romans, in order that the royal treasury may sustain no loss; provided, however, that the period of fifty years shall not have elapsed, so that, by limitation of time, the rights of the Romans to said lands may not have been lost.”<sup>47</sup>

Since there are laws stating how occupied Roman lands were to be distributed, it shows that the king cared about the Roman population as well as the Goths.

Furthermore, it is important to remember here that it is not the king who controlled the people outright during this period in Spain, so by catering to Romans as well as Goths the king helped both peoples to see him as their leader, which would lead to

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<sup>47</sup> Scott, *The Visigothic Code*, Book 10, Title I, Law XVI.

greater unity. Archaeological records support the merging of the Gothic and Roman identities of the Visigoths throughout the sixth century. Burials seemed to be indistinguishable when comparing known Gothic and Roman graves as there appears to be a cross-over of artifacts in single graves from both cultures.<sup>48</sup> It is possible though that the laws that prohibited intermarriage between the two groups may have been enforced at least partially during the sixth century since the law was not officially changed until the reign of Recceswinth well into the seventh century.<sup>49</sup> This is important because of the fifty-year time limit regarding the land distribution laws: "Lands apportioned between Goths and Romans, which have not been claimed within fifty years, can under no circumstances be claimed afterwards."<sup>50</sup> The expiration of the laws would theoretically allow for some mixing of the two groups before or early on in the sixth century, and the marriage laws were an important factor for keeping the groups distinct, which consequently maintains the need for the king to serve as a unifier of both peoples. Another way that Goths and Romans were distinguished was by their religion as either Arian or Catholic Christians. It is likely that the king, though Arian for much of the century, still appointed or at least approved the Catholic bishops throughout the land. This can be shown from the fact that the king had the authority to appoint judges based on the Visigothic Code, combined with the knowledge that many of these judges were also ecclesiastics.<sup>51</sup> The chronicles and saints' lives also hint at this relationship of the king and Catholic

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<sup>48</sup> Lopez, "Identity in Visigothic Times," 409.

<sup>49</sup> Scott, *The Visigothic Code*, Book 3, Title I, Law II.

<sup>50</sup> *Ibid.*, Book 10, Title II, Law I.

<sup>51</sup> *Ibid.*, Book 2, Title I, Laws XV, XXII.



clergy.<sup>52</sup> Therefore, the king unified the Romans and Goths by presiding over both the Catholic and Arian religious hierarchies even if he did not fully exercise absolute political authority over them.

*The king, the law, and military protection*

The other factor that united the people behind the king as a symbol of nationalism was his representation of the military power and as protector of the kingdom. In fact, it constitutes one of the underlying reasons that the law claims its importance:

“so the united support of the citizens promotes victory over the enemy. For the administration of the law is regulated by the disposition and character of the king; from the administration of the law proceeds the institution of morals, from the institution of morals, the concord of the citizens; from the concord of the citizens, the triumph over the enemy. So a good prince ruling well his kingdom, and making foreign conquests, maintaining peace at home, and overwhelming his foreign adversaries, is famed both as the ruler of his state and a victor over his enemies.”<sup>53</sup>

One sees in the first clause the direct correlation assumed by this law between the king’s domestic roles and his dealings with the enemies of the Visigoths.

Interestingly, the law explicitly establishes a connection between the unity discussed in the previous section of this chapter and the king’s abilities as a warrior. Additionally, this law seems to link the performance of the king in regulating and administering the law as an extension of his own personal character to his consequent success over the enemy. Thus, the law basically follows the premise a good king (one of good character) will administer the law well, thereby gaining united support of the citizens, which “promotes victory over the enemy.”

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<sup>52</sup> Paul the Deacon, “Lives of the Fathers of Merida,” in *Lives of the Visigothic Fathers*, T.A. Fear, Trans. and Ed., (Liverpool: Liverpool University Press, 1997), 57.

<sup>53</sup> Scott, *The Visigothic Code*, Book 1, Title II, Law VI.

Conversely, a bad king (lacking good character) will fail in his administration of justice leading to his failure in battle because of problems with the citizens resulting from his poor practice of the law. Although this is not explicitly stated, the text implies this chain of thought.

Support for this interpretation also exists in the other laws regulating military service. Most importantly, the implementation of the penalties for crimes such as desertion or supply fraud required unity throughout the army hierarchy.<sup>54</sup> These laws serve to illustrate how the above idea could arise out of actual army practices. The army needed unity to function properly, and unity came from everyone following the king. These laws are recorded as ancient, so this principle of unity predates the Visigothic Code. These practical implications made the connection between the monarchy as an institution and military success. Therefore, the ideal monarch would be successful militarily. Also, according to the first law stating “the administration of the law is regulated by the disposition and character of the king,” it follows that a judgment of a king’s “disposition and character” would be military success since good character leads to a successful administration, which the other laws show as a key link to the unity required for military victory. Thus, one sees that the ideology of the monarchy stated within the Visigothic code did not only represent his domestic but also his international duties and considered the two inexorably linked.

### *Conclusion*

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<sup>54</sup> Scott, *The Visigothic Code*, Book 9, Title II, Laws IV-VI.

The law presents a rough conception of what it meant to be the Visigoths' king in the sixth century. He must lead the people by unifying the nation, and he did this chiefly by administering the law in good faith and in justice. Of course, practically speaking, this did not necessarily align with modern concepts of justice and fairness, but instead meant that the king maintained boundaries between different class and ethnic groups. Yet it also, paradoxically, meant that he had to be aware of the needs and circumstances of each group to protect the rights that they had whether these rights were limited or not. However, the king also had to rely on these groups as part of his power to administer the law throughout his kingdom, which created a much muddier picture than the law presents on the surface. Additionally, the law provides a measure by which one can know how successful a king is in his administration: winning wars against foreign enemies. Lastly, the supreme authority claimed by the law means that it matters how the law portrayed the king's job but because of the convoluted nature of the law's execution, this does not mean that the law had the sole say on what people thought of as a good king though it still provided the basis from which their judgments most often came as shall be shown in the following chapters.

## Chapter 2: The Influence of the Monarchical Ideals of the Visigothic Code on the Events of the First Half of the Sixth Century

Having established the theoretical importance and role of the king in Visigothic Spain, we can now turn this model upon the political narrative in order to better understand the diverse fortunes of Visigothic monarchs during the first half of the sixth century. Although all these kings ruled within the same century and with the same ostensible role, their reigns varied greatly. Some kings garnered vast support from numerous sections of society while others were quickly overthrown. Most often, the reign of any one king fell somewhere in between these two outcomes. Additionally, not all of the Visigothic kings seemed to interpret the law in the same way nor did they all value its tenets, and the opinions of the nobles did not necessarily align with theirs either. Ideas about kingship helped to shape and were shaped by the events of the sixth century. Though the individuality of each king does matter, a number of discernable historical facts can provide insight into the application of complex ideological concepts within this “Dark Age” kingdom.

### *Ostrogoths and Visigoths: A new administration arises*

At the beginning of the century, the relationship between the Ostrogoths and Visigoths was friendly and could even be considered an alliance. The two ruling families were powerful Gothic clans, the Amali of the Ostrogoths and the Balthi of the Visigoths who had recently been joined through the marriage of King Alaric II of the Visigoths to one of Theodoric the Great’s daughters. However, though a

seemingly powerful alliance, a lack of coordination at a key moment left the Visigoths alone in a battle against the Franks. The battle was subsequently lost as well as the king's life shortly thereafter.<sup>55</sup> The status of the Visigothic monarchy heading into the battle was precarious because of the minority of Alaric II's heir. Otherwise, because of the Ostrogothic alliance, the monarchy had looked to be heading in a promising direction. With the loss of power caused by the royal minority, Theodoric the Great of the Ostrogoths stepped in to fill the void until the son of the old king could reach proper age. It is interesting to note that the Visigoths did not have established within the Visigothic Code an official procedure to choose the next king. The way that the new king was chosen was essentially hereditary inasmuch as the king was often chosen from the current ruling family, but even then it was not strictly the eldest son or even an immediate family member of the king who was chosen.<sup>56</sup> Therefore, Theodoric's bid for the throne did seem to be a legitimate option.

The assumption that Ostrogoths and Visigoths would naturally be compatible seems to answer why the Visigoths would have no qualms about aligning with the powerful Theodoric and giving him rule over their kingdom. But this does not explain things sufficiently, and Theodoric's ascension was not a straightforward affair. Initially, "Gisaleic, the son of the previous king and of a concubine, was made ruler at Narbonne." However, within a few years, the people recognized the claim of

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<sup>55</sup> Jordanes, *The Origin and Deeds of the Goths*, trans., Charles C. Mierow, (Princeton: Princeton University Press, 1908), 96; Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 20.

<sup>56</sup> Wolfram, *History of the Goths*, 292.

Theodoric over that of Gisaleic, and Theodoric began to officially rule in 512.<sup>57</sup> The question remains as to why the Visigoths did not seem to consider this a struggle between a native elite ruler and an enemy or at least a foreign force. First, these two different branches of the Goths did not share the same legal system. As mentioned in the introduction, the Visigothic Code included numerous laws from the late fifth century before the Ostrogoths had established their connection with the Visigoths. Therefore, the Ostrogoths had developed their own laws and did not use the Visigothic Code. Additionally, though both Goths, these groups did not necessarily share a unified ethnicity. The Visigoths had interacted with various barbarian tribes when they had moved through Northern Italy and France before a large number of them arrived in Spain after defeating the Vandals there in the first half of the fifth century. They also continued to interact with these other tribes and the Romans in Gaul until forced from much of this territory by the Franks due to Clovis' victory over Alaric II.<sup>58</sup> The Ostrogoths had remained farther East and had only arrived in Italy in the 470s; they had some different barbarians among them and had even fought against the Visigoths while allied with the Huns earlier in the century.<sup>59</sup> However, many of these other barbarian groups lost their own identities and blurred into a general Gothic ethnicity which contrasted with that of Romans. However, each branch of the Goths had incorporated different groups into their ethnicity making the groups distinct cultures. Thus, one can see that these two

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<sup>57</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 18.

<sup>58</sup> Jordanes, *The Origin and Deeds of the Goths*, 70,96; Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 18.

<sup>59</sup> Jordanes, *The Origin and Deeds of the Goths*, 64.

peoples, the Ostrogoths and Visigoths, while sharing some characteristics, did not constitute anything like a single entity but were distinct nations.

*Ideology in Practice: Laws Affecting Events*

Therefore, it is necessary to investigate why Theodoric did become the official ruler of the Visigoths from 512 forward. However, it is not necessary to do an in-depth study of the Ostrogoth's institutions despite Theodoric being the king of the Visigoths from 512-526 because he ruled the Visigoths more or less as a Visigothic king and can be judged in the same way as the others. Considering the role of the king as a protector and military leader reveals the part kingship ideology played. In Isidore of Seville's *History of the Goths*, he claims that the initially installed new King Gisaleic fled from battle against the Burgundians.<sup>60</sup> Meanwhile, Theodoric was a known warrior who had just defeated the Franks to avenge Alaric II and had thereby "recovered the part of the kingdom which the forces of the enemy had occupied."<sup>61</sup> Therefore, the Visigothic nobles would look more favorably upon him as a potential leader than Gisaleic. Hence, Gisaleic only ruled for four years until, Isidore tells us, "he was deprived of authority over the kingdom by Theodoric because of his shameful retreat," and Theodoric's soldiers also defeated his rival's attempt to retake the kingdom a couple years later.<sup>62</sup> The victory provided proof of Theodoric's ability to fulfill the military requirements of being king, which, in turn, would enable him to unify the people and gain their acceptance.

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<sup>60</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 18.

<sup>61</sup> *Ibid.*, 18.

<sup>62</sup> *Ibid.*, 18.

Additionally, Theodoric fulfilled other ideological and practical requirements described in the Visigothic Code. He met with approval in his administration of the law for instance, largely by maintaining the Visigothic laws already in place rather than trying to implement his own will.<sup>63</sup> By allowing the Visigoths to continue to follow the Visigothic Code, he showed respect for the law, which was an important thing for the king to do (even if not quite as important as the code itself made it out to be as mentioned in Chapter 1). Theodoric also solidified and reasserted the idea of creating Goth and Roman unity by interacting with the nobility of both ethnicities and giving them both parts to play in a more unified government setting up both a Roman and Gothic advisory council.<sup>64</sup> This actually helped to reinforce the waning differences between Romans and Visigoths since the statutes on the land distribution laws were likely to have already passed the allotted time prescribed for their effect.<sup>65</sup> Additionally, the inter-mixing of Goths and Romans had likely taken place despite laws against it since their arrival in Spain.<sup>66</sup> The extent of this mixing presents a very interesting question because much of the evidence that can be found relating to stylistic differences in clothing and accessories seems to point to the ethnic unification occurring throughout the sixth century.<sup>67</sup> Ian Wood even claims

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<sup>63</sup> Wolfram, *History of the Goths*, 310-11.

<sup>64</sup> *Ibid.*, 310-11.

<sup>65</sup> Scott, *The Visigothic Code*, Book 10, Title I, Laws VIII,XVI, Book 10, Title II, Law I.

<sup>66</sup> Ana Maria Jimenez Garnica, "Settlement of the Visigoths in the Fifth Century," in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 108-109.

<sup>67</sup> Lopez, "Identity in Visigothic Times," 420.



“the Visigothic kingdom of the sixth century was indeed a sub-Roman society.”<sup>68</sup> However, due to the later arrival of the Ostrogoths into predominantly Roman territory, Theodoric felt compelled to make a point of trying to incorporate both groups in his administration. By dividing people into either group, even for the purpose of ensuring participation by both Goths and Romans in the government, Theodoric’s actions helped to preserve their separate identities among the Visigoths where other cultural distinctions were becoming less pronounced between the Goths and Romans.

Additionally, the Ostrogothic lordship over the Visigothic kingdom also influenced interpretation of the law and the perception of monarchy’s societal function through preexisting Ostrogothic ideas. Wolfram explains how the Ostrogoth kingdom in Italy was founded in 493: “the Italian kingdom... was not founded on the principle that ‘the army makes the emperor’ but on the maxim that ‘the king is chosen by the federate army.’”<sup>69</sup> This, in combination with the fact that the king always kept an eye out to promote those even lower in the army should they be capable, presents a strong relationship between the king and the people that is not only one-sided.<sup>70</sup> One can see how this model easily combines with the structure of Visigothic society’s hierarchy discussed previously and how it builds on the notion of the king being at the top of that hierarchy despite not having absolute

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<sup>68</sup> Ian Wood, “Social Relations in the Visigothic Kingdom from the Fifth to Seventh Century: the Example of Merida,” in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 193.

<sup>69</sup> Wolfram, *History of the Goths*, 287.

<sup>70</sup> *Ibid.*, 292.

authority within it. Therefore, it is probable that this policy was popular with the Visigothic people and encouraged them to back Theodoric.

Essentially, the king let the Visigoths keep their own laws and accepted the authority of the law in accordance with the kingship ideology. This corroborated his military record which conformed with the principle stating that military victory equates with good character allowing the Visigoths to accept him and also his lieutenant, Theudis, sent to serve as their governor.

*Balance under the Law: the King and nobility*

Theudis seems to have met with approval during his time in authority because he became king not long after his governorship ended. After the death of Theodoric in 526, it appears that he remained in Spain while Amalric, nephew of Theodoric related by the marriage of Alaric II, took over the Visigoth throne as his cousin Athalric began his reign in Italy. At this time, the Ostrogoths and Visigoths became truly separate once again. Amalric did not reign an extended time, however. It was only five years before he was overthrown and killed by his subjects and replaced with Theudis. Amalric's downfall emerged as a consequence of either defeat in battle or else as a result of his conspiring with the Franks, both betrayals of the king's mission to protect and unify society. Jordanes tells us "Amalric was ensnared by the plots of the Franks in early youth and lost at once his kingdom and his life," while Isidore says, "upon being defeated in battle by Childebert, king of the Franks... he fled in alarm to Barcelona. Since he had become contemptible in the

eyes of all, his throat was cut by the army, and he perished.”<sup>71</sup> Here one can see a correlation between the army helping to appoint the king under Ostrogoth tradition and the army then replacing him as well. The people (likely including a number of Ostrogoths who had come during Theodoric’s reign) likely found similar reasons to support Theudis over Amalric as they had found for siding with Theodoric rather than Gisaleic.<sup>72</sup> Theudis was a proven warrior whereas Amalric had failed to protect his lands. Additionally, Theudis had also seen to the administration of the law during his time as governor without arousing any notable resistance. Therefore, he already fulfilled two roles of the Visigothic monarch.

However, his support also stems from his apparent adherence to existing Visigothic institutions. Thus, it would be profitable to investigate how some of the Visigothic institutions that surrounded the king functioned. For example, the king had a council that he consulted on most matters of state. The leading nobles of the land and the king’s friends comprised this council.<sup>73</sup> As has been mentioned, the church held temporal functions as well as religious ones. In addition to their official functions, its leaders conducted business in private, essentially acting as noblemen.<sup>74</sup> Therefore, when considering the actions and attitudes toward the king from the nobles, the clergy can also be included in this group to a large extent. Also, at times, the wealth of the church came from donations by nobles which creates

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<sup>71</sup> Jordanes, *The Origin and Deeds of the Goths*, 96; Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 19.

<sup>72</sup> Wolfram, *History of the Goths*, 334

<sup>73</sup> Wolfram, *History of the Goths*, 293; P.C. Diaz, “Visigothic Political Institutions,” in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 345.

<sup>74</sup> Paul the Deacon, “Lives of the Fathers of Merida,” 63-65.

another connection between the two.<sup>75</sup> Therefore, one can conclude that the Catholic Church councils also constituted a gathering of nobles and a consolidation of their power. Some of these councils occurred during the reign of Theudis and show his lenience not only in religious matters but also toward the nobility in general because he allowed them to express their own views and operate according to their own designs when calling for and setting the agenda for the councils.<sup>76</sup>

As has already been covered concerning the king's tax collection system, the nobles seemed to have had a more direct influence on the people. Therefore, it seems likely that they also held more local loyalty than did the king himself. In fact, it appears that at various points in the century, cities or regions supposedly under Visigothic rule could act with autonomy, or even become independent principalities.<sup>77</sup> By Euric's reign, the Visigothic monarchy had been institutionalized with an established court and bureaucracy.<sup>78</sup> But with the death of Alaric II and the significant loss of territory to the Franks at the beginning of the century, the Visigothic nobles had the opportunity to look on themselves more as almost equal to the king and at him as the first among many nobles rather than in a truly elevated position.<sup>79</sup> Theudis would have been very aware of this situation when taking over the administration of the kingdom while it was officially ruled by Theodoric. While his tolerant approach assuredly stemmed in part from the Ostrogoth's policy of

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<sup>75</sup> Paul the Deacon, "Lives of the Fathers of Merida," 63.

<sup>76</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 19-20.

<sup>77</sup> John of Biclar, "Chronicle" in *Conquerors and Chroniclers of Early Medieval Spain*, Kenneth Baxter Wolf, Trans., (Liverpool: Liverpool University Press, 1990), 64; Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 23; Collins, *Visigothic Spain 409-711*, 48-49.

<sup>78</sup> Diaz, "Visigothic Political Institutions," 333.

<sup>79</sup> *Ibid.*, 335.

trying to unite Goths and Romans, these councils also marked the power of the clergy as noblemen, and it also followed the principles of the Visigothic Code that showed the king as a cornerstone for maintaining societal order and facilitating unity. Thus, Theudis' rule shows how the approval of the elite could be gained and maintained by adhering to the established ideals regarding the king's place in society. It also reveals the trajectory that these ideals followed as the Ostrogoth traditions continued to press the king to accomplish the unity of the kingdom by delegating more authority to the nobility.

Of course, victories on the battlefield, as we have seen, cannot be overlooked when examining the support for the king, and several significant military expeditions did occur during Theudis' reign. Isidore relates two major campaigns. First, "When the king of the Franks had come jointly to Spain with countless troops and were ravaging with war the province of Tarraco, the Goths under the leadership of Theudisclus closed up the gates of Spain and laid low the army of the Franks amid much amazement at their victory."<sup>80</sup> Although the king did not lead the army personally on this occasion, the victory wrought by his general still served to reinforce support for his policies and legitimized them in the eyes of those who knew and followed the law's premise that victory comes from unity and order put in place by a good king. Indeed, the circumstances of the battle led to "much amazement at their victory," which would lend even more credence to the concept that battlefield wins reflected more than just the military situation on the field.

However, Theudis could not long bask in the glory of the victory:

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<sup>80</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 20.

“After the good result of such a happy victory, the Goths acted inconsiderately across the Strait of Oceanus... after they had taken the fort [of Ceuta] itself with the mighty force of their struggle, they laid down their arms when Sunday came in order that they might not disgrace a holy day by battle. And so the soldiers,... attacked the army with a sudden assault and overwhelmed it so much,... that not even one man was left to escape the destruction of such a great defeat.”<sup>81</sup>

In the past, such defeats had precipitated the overthrow of the monarch, but this battle did not seem to greatly weaken his position. This is surprising considering that Isidore says they “acted inconsiderately” leading to “a great defeat.” It seems that this was a recipe for disaster, but possibly Theudis managed to escape some of the blame because he was apparently not present at the battle. Of course, one difference between Theudis and those before him was the fact that he had already won a few major victories, which may have also softened reactions against this loss. Also, although in some ways the ideology would deny this possibility, it seems his tolerance and accepted form of administration allowed people to still see Theudis as fulfilling his roles in society. Practically, even with the defeat, one can imagine that the nobles still appreciated his willingness to let them run their own affairs to a large degree and would be loathe to risk this situation. Thus, one sees how Theudis managed to balance the different reference points of the kingly ideal found in the Visigothic Code (even if these may have been contradictory in some instances) through his actions in order to create a stable, relatively prosperous kingdom.

#### *Ideology Connecting to the Personal*

This brings us to the end of Theudis’ reign and a peculiar passage in Isidore’s *History* that is both surprising and revealing. Of particular interest is the rare

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<sup>81</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 20.

appearance of what a king said himself, which, even if a paraphrase and unverifiable, still provides insight into the ideological mindset of the kings and of those writing about them. The section is as follows:

“Immediately afterwards a deserved death overcame the ruler (Theudis). He was wounded in the palace by someone who for a long time had feigned the appearance of a mad man in order to deceive the king. With skill he pretended to be mad and pierced the ruler; thrown to the ground by this wound, he fell and breathed out his indignant soul. But it is said that as his blood poured out, he besought that no one kill his murderer, saying that he had received a requital agreeing with his own desserts, because he himself too as a private citizen had killed his leader while the latter was in a state of anxiety.”<sup>82</sup>

The first sentence is in itself very perplexing on one level. It is possible that Isidore describes his death as deserved because of his recent defeat, but this was Theudis' first major defeat that followed several victories. So to say it was a “deserved death” based on one loss against many victories seems especially harsh though possible. However, in his description of the battle against Ceuta, though calling it unwise, Isidore does not seem especially condemnatory about this action, so it seems likely that another reason led Isidore to call Theudis' death “deserved.” It is likely that he agrees with the words of the king himself as to the reason why the rule ended in a just manner. Based upon his other writings with a more philosophical bent, Isidore would certainly seem likely to agree with the notion that Theudis deserved death. For example, Isidore quotes from Cicero in his *Etymologies* “An insurrection is more severe than a war.” Also, the violence that Theudis had perpetrated against his predecessor could not be justified according to any of Isidore's categories of just

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<sup>82</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 20-21.

violence.<sup>83</sup> In addition, Theudis' actions against the king were a blatant violation of the written laws against murder.<sup>84</sup> Therefore, although not always followed in practice especially when it came to rationalizing the reign of any particular king, the law against murder and the law's ideal stating that order was to be preserved within society were still important.

It is also interesting that the king has said this himself because his statement seems to show the king's own awareness of the limits to his power and the fragile state of his rule. Theudis' previous acceptance of both Arian and Catholic Christianity represents his overall realization of the need for noble support and the need to reinforce the social hierarchy. These actions give credence to him actually saying something like what Isidore reports. Because he appears to accept the king's role as a servant of the law and society, it is believable that he would also respect general moral sentiments implied both by the law and the more general ideas of the time, as shown in Isidore's philosophy. Additionally, Theudis specifically says that none should harm his attacker and this would follow from his apparent desire for preserving order even as he passes. Because, without his orders, the murder would be prosecuted, likely leading to torturing the man to uncover his motives and whether he had accomplices; murder was one of the few crimes for which this was acceptable practice.<sup>85</sup> Though torture was not always used to uncover murder, it would likely be used in this case because the circumstances seem bizarre. This

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<sup>83</sup> Isidore of Seville. *The Etymologies of Isidore of Seville*, 1st ed. eds., Barney, Stephen A., Lewis, J.W., Beach, J.A., Berghof, Oliver, (Cambridge: Cambridge University Press, 2006), *Of Cambridge Books Online*, Book V, section iv, Book XVIII, section i, number 7, Accessed April 1, 2016, <http://dx.doi.org/10.1017/CBO9780511482113>.

<sup>84</sup> Scott, *The Visigothic Code*, Book 6, Title VI, Law XI.

<sup>85</sup> Scott, *The Visigothic Code*, Book 6, Title I, Law II.



investigation could lead to further complications if the torture went wrong because further punishments would be administered to the negligent judges overseeing the torture.<sup>86</sup> Therefore, Theudis as a king seems to accept and espouse his own responsibilities according to the law as a king who must preserve order and unity.

One might think that by failing to prosecute his killer, Theudis actually ignores the law undermining the claim that he had great respect and understanding of his role as the king. However, the law itself says, “Yet, if a prince should desire to be merciful to persons of such wicked character, he shall have the right to do so, with the approval of the ecclesiastics and the principal officers of the court.”<sup>87</sup> So, in the end, Theudis still completes his role as a judge, though of himself more than of his killer in this instance. It is extremely interesting to see that a king himself appears to have imbibed the royal ideology embedded in Visigothic law, which indicates that these laws were not just rhetoric but actually had personal meaning to the kings. All this contributed to Jordanes reflecting, “so as long as he (Theudis) lived he kept the Visigoths united,” a high compliment within the context of the ideology being examined.<sup>88</sup>

#### *Imbalance of Power: a King against the law and nobility*

The short reign of Theudisclus following Theudis’ murder in 548 highlights that the king’s role as a warrior did not necessarily constitute the primary factor in determining the validity of any given Visigothic king during the sixth century. One might think that the chronicles regard ability in warfare as the determining factor in

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<sup>86</sup> Scott, *The Visigothic Code*, Book 6, Title I, Law IV.

<sup>87</sup> Ibid., Book 6, Title I, Law VI.

<sup>88</sup> Jordanes, *The Origin and Deeds of the Goths*, 96.

their judgments of Visigothic kings, but Isidore records the following passage concerning Theudisclus:

“Since he defiled the marriages of very many powerful men by public prostitution and on account of this caused many people to desire his death, he was overcome by a group of conspirators and killed at Seville during a banquet, and after being stabbed with a sword he perished.”<sup>89</sup>

Here we see the king undermined both the support of the nobility and the strength of the law by ignoring its prohibitions against adultery, which were quite severe.<sup>90</sup> This resulted in a swift end for this king despite having won great renown for his lop-sided victory over the Franks during the rule of Theudis. Why Theudisclus thought he could get away with his actions presents a mystery. The passage clearly states that his affairs were public, and he seems to have made no effort to hide them. Perhaps he thought that his role in protecting the kingdom entitled him to do whatever he saw fit. It is also possible that he did not consider the consequences of his actions, as humans are wont to do, or did not care for one reason or another. Perhaps this great military leader simply did not measure up to the task of understanding the intricacies of balancing power via careful diplomacy and guarded actions when dealing with the nobility. It is also possible that Theudisclus felt trapped in the kingship and wished to be killed in order to escape it. Whichever way it was, aside from the obvious motivation of jealousy by the nobles, the result reflects that the justice ideology found in the law was clearly violated. Theudisclus breached the idea of justice established in the Visigothic Code that a king should rule for his people and be under the law himself. The nobility then used its power—what

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<sup>89</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 21.

<sup>90</sup> Scott, *The Visigothic Code*, Book 3, Title IV.

King aptly calls “the really effective check on royal arbitrariness”— to curtail his reign, in spite of his historic battlefield accomplishments, revealing that military feats were not necessarily the primary criterion the nobles considered in their evaluations of a king.<sup>91</sup>

### *The Fruit of Equality*

The reign of the next king is of some interest because it proceeds differently in the chronicles than did previous ones. However, much of the description reflects similar themes of conquest and victory. King Agila began his reign after Theudisclus was killed in 549. Agila’s first major action during his reign was an attack against Cordova. While attacking the city of Cordova, “he lost there his son, who was killed together with a large part of the army, and also lost the whole treasure with its renowned riches.” Interestingly, although he “in wretched fear, withdrew to Merida,”<sup>92</sup> there are no immediate consequences to his defeat recorded. Instead, there was an undisclosed but noted passage of time between this defeat and an eventual revolt.

This poses some interesting questions as to why this king met with a different reaction to previous defeated kings. Before, a bad defeat either led to the king being killed quite soon after the events, or else his rule seemed to be stable enough due to other factors that no rebellion occurred despite defeat, as in the case of Theudis. I believe that both the loss of many fighting men, as well as the loss of the treasure, can provide likely answers to the difference in Agila’s case. On the one hand, because the army structure paralleled that of the social structure, the loss of

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<sup>91</sup> King, *Law and Society in the Visigothic Kingdom*, 50.

<sup>92</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 22.

soldiers on the battlefield also resulted in the reduction of one's own patrons or slaves.<sup>93</sup> Also, rebelling against the king could lead to a loss of one's own position, which, as related earlier in the essay's first chapter, would mean losing your own essentially private local kingdom or oligarchy, economically speaking. Therefore, any ambitious noble attempting to overthrow the king would have little margin for error in his campaign while having everything to lose. Additionally, since he had lost the royal treasure, it stands to reason that Agila would attempt to either buy it back or create a new treasure, and this would doubtless be done via taxation.

Although the monarch had the right to taxation, as noted in the first chapter, this constituted one of the most flawed areas of the king's administration throughout the sixth century. Additionally, it seems that the taxes often were set locally rather than by the central government.<sup>94</sup> Thus, if Agila attempted to raise taxes to gain funds for the lost treasure, it would be understandable that the nobility would view his actions as violating their concept of how the law ought to be administered. Whether or not they would have gone as far interpreting this as an attempt by the king to "apply the law according to [his] will, and in pursuance of private advantage" is virtually unknowable but worth considering.<sup>95</sup> Additionally, whether or not they did interpret his actions as a violation of this law, his attempts to re-center the government would counteract the trend, which started at the beginning of the century with Ostrogothic influence, toward a king who was virtually equal with the nobles in many respects ruling according to their will. Conversely, if Agila did not

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<sup>93</sup> Scott, *The Visigothic Code*, Book 9, Title II.

<sup>94</sup> Metcalf, "Visigothic Monetary History," 206.

<sup>95</sup> Scott, *The Visigothic Code*, Book 1, Title I, Law IX.

raise taxes but remained as a poor king, it would also make sense that a richer noble may then consider himself a more viable option to rule the kingdom, because he would have more actual power. He would also be able to justify his actions by thinking of himself as almost equal to the king in the first-place, by virtue of the limited monarchy interpretation of the law. Thus, we see how ideas of a monarch who ruled for the benefit of the people with limited power within individual localities could lead to problems within the Visigothic administration and how these problems could fester over time leading to rebellion one way or another.

Thus, another noble named Athanagild rose up to replace the current King Agila; his uprising provided the ultimate expression of the idea that the king was just the foremost nobleman. However, it is of note that Agila still retained enough support to carry on the war because previously, many overthrown kings had simply been murdered or had had to flee for lack of support, as had been the case of Gisaleic several years earlier. This lends some credence to the thought that the war was initiated by ideological concerns as much as practical ones. Obviously, at least some if not most of those involved in the conflict fought for personal gain, friendship and kinship ties, or other reasons. But, since the civil war proceeds in a manner contrary to those before it in the century, it suggests that it also entailed a disputed principle relating to what the king is allowed to do under the law and the manner in which he is to preserve order. Thus, it appears possible that in some respects then this war was about interpretation of the laws and what observing their provisions actually meant. This means that it was left to each nobleman's interpretation as to whom he fought for, and, apparently, the split resulted in factions strong enough to continue

to fight each other for a few years. At the very least, if conscious decision-making regarding one's own interpretation of the law did not take place, the ideological influences of the law and the Ostrogothic tradition of perceiving the king as only a person ruling in the interest of all, rather than as someone on a higher plane altogether, provided the framework for the conflict.

*The Byzantine influence heightens tensions*

The war would likely have been longer except for the Byzantine intervention. This brings a contradiction between chronicles into play. In Isidore's *History*, he claims "when, after seizing despotic power, he [Athanasild] had long tried to deprive Agila of his kingship, he had asked the Emperor Justinian to help him with soldiers."<sup>96</sup> However, Jordanes says: "He was succeeded by Agil, who holds the kingdom to the present day. Athanasild has rebelled against him and is even now provoking the might of the Roman Empire. So Liberius the Patrician is on the way with an army to oppose him. Now there was not a tribe that did not serve Theodoric while he lived, either in friendship or by conquest."<sup>97</sup> As a result of the Roman arrival, regardless of which of the chronicles is more accurate, "the Goths, seeing that they were being overthrown by mutual destruction and fearing even more the Roman soldiers might invade Spain on the pretext of giving help, killed Agila at Merida and surrendered to the rule of Athanasild."<sup>98</sup> Thus, we have a new instance of a familiar Roman influence on the Visigoths. Though an apparently hostile influence, it still acted as a catalyst for moving forward the Visigoth's history.

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<sup>96</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 22.

<sup>97</sup> Jordanes, *The Origin and Deeds of the Goths*, 96.

<sup>98</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 22.

A growing significance of the distinction between Arians and Catholics provides one possible insight into the ability of both Agila and Athanigild to contend for the throne. Although it is unlikely that a war between Arians and Catholics would have not been reported, it is still possible that there was this element to some extent. Of course, economic and personal reasons undoubtedly contributed to the conflict, but for the purposes of this essay, I will analyze what the ideological component consisted of. It seems that the most prominent nobles tended to be more connected with the religious nobility such as bishops rather than the magnates because the chronicles rarely mention the names of any non-clerical nobility. One reason that we might suspect support from many Catholics in the revolt against Agila is because of his reported desecration of the sepulcher of Acisclus, whom Isidore calls a Catholic saint.<sup>99</sup> This action could only result in heightening these tensions. Also, the religious divide can explain, in part, a reason for Justinian getting involved, or for either side calling for his aid. For instance, Justinian may have been called on by Athanigild's forces to help protect Catholicism. This idea corresponds with an anti-Catholic reading of Agila's actions in Isidore's account.

The other option is that, because technically Agila could still be considered a king ruling under the authority of the emperor, it is plausible that his faction asked for aid, consistent with Jordannes's version. Also, Athanagild continued the fight against the Byzantines.<sup>100</sup> This action supports the account stating the Romans came to support Agila. A further possibility consists of Justinian simply getting involved for his own reasons while perhaps having a few prominent allies within one faction

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<sup>99</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 21.

<sup>100</sup> *Ibid.*, 22.

or the other, who may have looked to him to aid their own political or religious faction. The best evidence that connects the Byzantine expedition to one of these reasons for their involvement comes from the last sentence of the passage, which could be Jordanes connecting the extended authority of Rome via Theodoric to the Byzantine assistance of Agila. Otherwise, this last sentence constitutes a somewhat abrupt summary of the section. Also, it does not say that Agila asked for their assistance but only that they went because of the rebellion of Athanagild. I believe that, based on the actions of the Visigoths as well as the confusion between the two sources as to who originally summoned the Byzantines, it seems likeliest the Byzantines were not actually called on by either king but came for their own reasons. Additionally, the invasion by the Byzantines and the resulting war likely intensified the Roman versus Goth tension within the society because the war essentially was that of Romans versus Goths. This intensification of identity differences would also play a key role in the religious dispute going forward through the century.

### *Conclusion*

The Visigothic monarchy faced many challenges through the first half of the century as an institution. The resolution to these conflicts shaped the monarchy from the fall of Alaric II to the rise of Byzantine influence. But in each period, individuals had to interact with the established ideology in order to either succeed or fail in their endeavors. In some cases, this meant interpreting the law in light of the present cultural traditions. Theudis' understanding of both the Ostrogothic tradition gained under Theodoric as well as the Visigothic Code allowed him to fuse



the two together in order to have a fairly successful tenure as king. Others failed to see the merit in or failed to grasp the importance of the ideology surrounding the monarchy and thus did not survive long such as Theudisclus. Yet reinterpreting the Visigothic code in conjunction with Ostrogothic concepts opened the door to fluid, often personal, understandings of the law and the ideology about the monarchy, which, in my view, combined with the right circumstances led to civil war. Lastly, the Byzantines' arrival began another series of dealings with these same basic principles depicted in the Visigothic Code concerning the monarchy's position in Visigoth society. Therefore, one sees that the Ostrogoths did significantly contribute to the Visigoths' conception moving forward in the sixth century. However, the underlying ideology remained intact despite various tweaks and differing views on how these concepts applied in practice. These interactions would continue during next round of ideological reconfiguration beginning with the rise of Liuvigild.

### Chapter 3: Continuity achieved amidst change through the Visigothic Code's royal ideology

The last third of the sixth century marks an unmistakable turning point in the Visigothic kingdom. On the one hand, the change back to a more centralized monarchy was partly caused by people's actions stemming from their ideology, but, on the other hand, these actions and changes also shaped how people thought about the monarchical institution. Unlike previous historians, such as Castellanos, who see this turning point as mainly innovative and as a significant restructuring of the Visigoths, I say that these changes in the institutions of the Visigoths did not constitute a fundamental change in Visigothic operations for the most part but rather reflected reinterpretations of the existing ideological components that have been discussed earlier in this essay.<sup>101</sup>

#### *Liuvigild reinvigorates the monarchy through conquest*

Liuva reigned for three years after being crowned in 567 upon Athanagild's death. He raised his brother Liuvigild to joint leadership, allowing him leadership in Spain while he himself personally ruled the Visigothic territories in Gaul. Although Liuva reigned for three years, Isidore of Seville reports that "only one year is reckoned in the succession of times, and the remainder are counted under his brother Leovigild."<sup>102</sup> Essentially, the rise of Liuvigild overshadowed his brother, leaving Liuvigild rather than Liuva in actual control, which immediately hints at the force of Liuvigild's personality and ambition. Upon the death of his brother,

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<sup>101</sup> Castellanos, "Tributa and *Historiae*," 214.

<sup>102</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 23.

“Leovigild became the ruler of Spain and Gaul and decided to enlarge his kingdom by war and to increase his power. Indeed, with the eagerness of his army and the good fortune of his victories he acquired much with distinction.”<sup>103</sup> This quotation neatly sums up the eighteen-year reign of Liuvigild as it relates to the power that the new king brought not only to himself but also to the institution of the monarchy. Both the circumstances before his reign and his own abilities contributed to the increase of power that Liuvigild brought to the monarchy.

The narratives of both John of Biclar and Isidore of Seville highlight the conquests Liuvigild achieved. His first conquests constituted acts of reclamation rather than of new expansion. The Byzantine-held territory was a primary target because it had been lost relatively recently. John of Biclar reports that Liuvigild, unlike Athanagild, succeeded in destroying an area under Byzantine control. Also, the chronicle records how Liuvigild “restored to its former boundaries the province of the Goths, which by that time had been diminished by the rebellions of various men.”<sup>104</sup> This statement seems ambiguous because it does not explain who these men were and why they had revolted in the first place. Additionally, it is unclear if these men revolted upon the assumption of power by Liuvigild or had done so before his reign. It is unlikely that the revolts could have been in response to Liuvigild’s policies because John of Biclar reports their subjugation happening in Liuvigild’s first year as king

However, a possible explanation does exist and ties into the examination of Visigothic unity ideology. Roger Collins suggests that some of the provinces being

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<sup>103</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 23.

<sup>104</sup> John of Biclar, “Chronicle,” 64.

taken by Liuvigild could have been independent since the breakdown of Roman authority in Spain at the beginning of the fifth century. He also raises the possibility that certain of the Roman aristocrats had broken away more recently with the decline of Visigothic power due to the arrival of the Byzantines and the Visigothic civil war between Athanagild and Agila.<sup>105</sup> I believe that these rebellious men were indeed members of the nobility who had taken advantage of the situation to rule their own areas autonomously in line with the second suggestion Collins makes. Also, it is unlikely that this passage refers to general revolts by common men because John would likely have specified this since he does so in relation to a later incident in Liuvigild's reign.<sup>106</sup> In addition, the chronicle often mentions when conquered territories had been formerly held by the Goths. Usually, it calls these territories "restored" as in a passage when King Liuvigild retook Cordoba.<sup>107</sup> This section seems to indicate an entire area being ruled by its own noble or group of aristocrats based in Cordoba. Therefore, one can connect Collins' thought concerning the possibility of independent Roman states in Spain at this time to the "various men" who had revolted. Also, Cordoba is known to have left the Visigothic kingdom during the civil war.<sup>108</sup> Thus, one sees that Liuvigild immediately gained ideological credibility again via the concept that a good king unifies the country, especially in this case when it also involved actual territorial and political reunification. Also, if these territories were being viewed as enemy entities, their subjection also represented the military prowess that was necessary for a king to

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<sup>105</sup> Collins, *Visigothic Spain 409-711*, 54.

<sup>106</sup> John of Biclar, "Chronicle," 70.

<sup>107</sup> *Ibid.*, 66.

<sup>108</sup> Thompson, *The Goths in Spain*, 60.

have in order to fulfill the ideology found in the Visigothic Code and Ostrogothic tradition.

The external conquests of Liuvigild ranged across Spain, but his various conflicts with and eventually destruction of the Suevi provides a representative example. John of Biclar first mentions the Suevi when describing the eighth year of Liuvigild's reign in 576 saying: "King Leovigild harassed the territory of the Suevi in Galicia, but at King Miro's entreaty,... Leovigild granted them peace for a short time."<sup>109</sup> This was not the first conflict between the Suevi and Visigoths. In fact, when the Visigoths first entered Spain in 453, the Suevi marched against them but were defeated and only a relatively small portion escaped.<sup>110</sup> A state of war had existed between the two people on and off ever since. It was mainly through short-term agreements, such as the one the excerpt mentions, that temporary peace could be achieved. This state of affairs explains why Liuvigild raided the Suevi despite no record of any problems during his reign. It also explains why the peace treaty did not last long. The Suevi, looking to strike back against the Visigoths, took the opportunity to support Hermenigild when he revolted against his father Liuvigild. However, the enterprise failed and King Miro "ended his days" having failed to achieve his revenge.<sup>111</sup> Liuvigild then destroyed the Suevi in subsequent battles the following year "and brought the people, treasure, and territory of the Suevi under his own power."<sup>112</sup> Liuvigild showed his military power and ability to reunite the territories of the kingdom to its extent before the civil war and to conquer bitter,

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<sup>109</sup> John of Biclar, "Chronicle," 69.

<sup>110</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 15-16.

<sup>111</sup> John of Biclar, "Chronicle," 73.

<sup>112</sup> *Ibid.*, 74.

long-standing enemies. But, as we have seen, he still had to manage other areas of the monarchical administration and could not simply rely on his military prowess if he wanted to enhance his own power beyond that of the “first noble” conception of the law that had been entrenched since the Ostrogothic protectorate.

*Power re-interpreted to expand the Monarchy*

Liuvigild managed to convert his military power and prestige into an extension of his domestic authority like no other Visigothic monarch had before him in the sixth century. John of Biclar records that “with tyrants destroyed on all sides and the invaders of Spain overcome,” King Liuvigild undertook the building of an entire city named Reccopolis complete with everything a city of that day would require to be considered important.<sup>113</sup> It appears that the king had kept enough spoils or else had garnered enough support through his victorious campaigns to enable him to found his own city. Castellanos demonstrates that in the latter part of the century, the fiscal power became far more consolidated through a more direct tax structure.<sup>114</sup> Also, archaeology indicates that Liuvigild’s smiths minted gold coins in accordance with the law.<sup>115</sup> As mentioned before, many Visigothic kings had failed to fully use their powers under the law when it came to financial regulation, specifically the minting of coins. Often, a lack of power and order barred them from collecting the necessary funds or kept them from having enough time to turn their attention to such matters. Others such as Theudis, who seems to have held his position long enough and with enough stability in order to have minted coins,

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<sup>113</sup> John of Biclar, “Chronicle,” 71.

<sup>114</sup> Castellanos, “Tributa and *Historiae*,” 197.

<sup>115</sup> Lopez, “Identity in Visigothic Times,” 424; Metcalf, “Visigothic Monetary History,” 205.

actually achieved this peace by cooperating extensively with local lords and cities, as shown in Chapter 2. Thus, he would not have been able to force a centralized currency upon those wishing to be masters of their own local economies, but would be fulfilling the king's role as a keeper of unity and a maintainer of society's order nonetheless. The fact that Liuvigild did manage to find the time and resources to make not only coins but also an entire city implies that he had more direct rule and power over the nobles and that a shift happened in how the duties of the king defined by the law, namely administering justice and securing unity and order, were being accomplished.

The question then arises as to what caused Liuvigild to be able to proceed in this manner. One could posit Liuvigild's centralization occurred mainly by military and economic means. The descriptions of John of Biclar and Isidore of Seville leave no doubt concerning the military ability that Liuvigild very effectively wielded. The rise of patronage links over kinship relations in the sixth century shown by Ian Wood could be used to connect the military expansion to a stronger central authority.<sup>116</sup> For instance, attaching oneself to the king as a patron would be a part of this shift, as would the increased normalcy of voluntary semi-contractual agreements of service where both parties had certain obligations. With this becoming a standard feature of everyday society, it could easily translate into a more direct superiority of the king over the nobles in a similar relationship. On the economic side, Mediterranean trade, particularly Byzantine trade, had always been

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<sup>116</sup> Ian Wood, "Social Relations in the Visigothic Kingdom," 204-206.

a staple of the Visigothic Kingdom in Spain.<sup>117</sup> Also, from the discussion of coinage from Chapter 1, we know that the Byzantine presence brought an influx of currency, which would have been conducive to the economy. Thus, the years leading up to Liuvigild's rule could have brought greater prosperity to the kingdom given the increased connections the kingdom had with the Byzantine Empire. Additionally, even if the Byzantine trade only benefited Byzantine allies and possessions in Spain and not the Visigoths, the conquests by Liuvigild would then have brought that wealth into the kingdom. However, trade between Spain and the Eastern Mediterranean would not have been particularly large according to Felix Retamero.<sup>118</sup> Thus, while the military and economic situation may have been enough to enable Liuvigild's success in elevating the status of the monarchy, it appears insufficient, meaning that other factors also significantly contributed.

Therefore, one ought to consider the ramifications of the monarchical ideology in this period. If the same ideology applied to Liuvigild that had applied to his predecessors, then it does little to explain how Liuvigild accomplished what he did. The familiar formula that success on the battlefield rendered him a successful and worthy leader who created unity constitutes the most obvious connection to the ideological perspectives discussed already. Assuming that the ideology remained unchanged, one would then conclude that Liuvigild simply had a stronger will than previous kings that allowed him to use this particular connection to promote a more centralized government.

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<sup>117</sup>Ian Wood, "Social Relations in the Visigothic Kingdom," 194.

<sup>118</sup> Retamaro, "As Coins Go Home," 277.



However, the situation becomes clearer if one examines modifications to the meanings of certain roles of the monarch described in the law that may have happened prior to and during Liuvigild's reign. The influence of a recent civil war provides an explanation for why people would rethink their ideas concerning the monarchy. Isidore records in the *Etymologies* that civil war is worse than other forms of war and that insurrections cause great fear, and John of Biclar also states similar sentiments concerning the especially destructive nature of civil war.<sup>119</sup> Based on these concepts, the willingness of nobles to accept an interpretation of the laws of their kingdom that gave the king stronger authority in order to combat this destruction would increase. Also, Collins presents a good argument that the primary sources imply increased banditry in this time revealing a breakdown of societal systems in the years of warfare since the middle of the century.<sup>120</sup> Indeed, the Visigothic nobles' action of unifying against the Byzantines by killing Agila would be a manifestation of such an interpretation, if it actively existed, because their uniting behind a single man for greater strength corresponds to favoring a stronger monarchy for better protection permanently. This thought process in favor of a more prominent king would also have been viable considering the likelihood that elites who might oppose such an idea would have already established independent territories during the civil war and been brought back or destroyed by Liuvigild's conquests.

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<sup>119</sup> Isidore of Seville. *The Etymologies*, Book XVIII section i, numbers 3,7; John of Biclar, "Chronicle," 71.

<sup>120</sup> Collins, *Visigothic Spain 409-711*, 54-55,62.

*Challenge from Aristocracy and the Old Ideology*

However, not everyone supported Liuvigild and his expansion of power. Even if this expansion did not result from an ideological change, it certainly challenged the typical ideological standard that the kings earlier in the century had operated under, thus contributing to the discontent. Liuvigild made his sons joint rulers with him in 573.<sup>121</sup> This gave opposition forces the chance to rally around his eldest son, named Hermenegild, when he “seized power illegitimately and broke out in open revolt in the city of Seville” a few years later.<sup>122</sup> Hermenegild’s uprising could take place because Liuvigild took his own power farther than was appropriate for the king and encroached on the nobility’s rights when compared to the ideology up to this point in the century. While numerous people favored Liuvigild’s empowerment, he did try to use his battlefield reputation and unifying persona to stretch his legal reach and thus his own greatness. Accounts in the *History* of Isidore tell us “he was also baneful to some of his associates: whatever men he saw who were most noble and powerful he either beheaded or proscribed and drove into exile.”<sup>123</sup> This could only breed distrust and enmity against Liuvigild. Additionally, the rebellion can be attributed at least in part to the nobles resisting what they saw as the king attempting to put himself above the law in light of his executions of these noblemen, which seems to violate the law on murder.<sup>124</sup> But unlike that of a king such as Theudisclus, Liuvigild’s law breaking seems to have been adequately explained and done through official procedures so that rather than overtly violating

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<sup>121</sup> John of Biclar, “Chronicle,” 67.

<sup>122</sup> *Ibid.*, 71

<sup>123</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 24.

<sup>124</sup> Scott, *The Visigothic Code*, Book 6, Title V, Law XI.

the established law, he was violating the spirit of the law and the concept of fairness and justice it purports.<sup>125</sup> Nevertheless, Liuvigild clearly stretched his authority under the law or perhaps exceeded it, and he undeniably broke from the conceptions prevalent among the kings and aristocrats earlier in the century.

Yet Liuvigild retained more than enough support to maintain his seat on the throne. Apparently, he was not generally regarded as violating his kingly duties. Even among the nobles, it is possible that not everyone respected the law as was shown in Chapter One. Thus, instead of thinking of the king in ideological terms, some of them simply may have seen attaching themselves to the king as serving their own self-interest, going back to the explanation that military and economic factors motivated the changes in the monarchy. For example, the conquests of Liuvigild undoubtedly brought spoils to his supporters, and those serving with distinction were likely to go noticed and be rewarded based on the Ostrogothic principles infused in the beginning of the century. Therefore, one could hope to profit regardless of one's conception of the king's legal boundaries, which for some elites would have been enough. Others, who did contemplate the law and its stipulations for the monarch, could recall the battles against the Byzantines and Suevi and regard these victories as legitimizing his regime based on the aforementioned law that conceptually established a link among military victory, unity, and the king's character. After all, the kingdom had become more unified through his victories both against foreign powers like the Suevi and provinces that had defied the kingdom like Cordoba. Following this reasoning, Liuvigild, having

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<sup>125</sup> Scott, *The Visigothic Code*, Books 1, 2.

good character, certainly had better motives than jealousy for his actions, such as doing whatever was necessary to keep the country from becoming divided again. Also, Liuvigild actively amended the Visigothic Code.<sup>126</sup> Nobles could point to him fulfilling the law by amending it rather than disregarding it; for if Liuvigild did not respect the law and thought himself greater than it, why would he bother to change and amend it? Thus, Liuvigild did not necessarily transgress against the Visigothic ideology of kingship and may even have been a prime example of its manifestation. Whether this or the economic and military reasons played a more crucial role in preserving Liuvigild as the king, both aspects are necessary for explaining Liuvigild's reign because without the ideological concept one loses sight of much of the continuity between Liuvigild and the rest of the sixth century.

*Liuvigild's Re-interpretations and Religion*

Additionally, Liuvigild could not overlook the divide within his nation between Arians and Catholics as he moved to make the state more powerful, centralized, and unified, especially because this dispute also tied into ethnic differences. The religious division corresponded with attempts at unifying Goths and Romans because the former had become nearly synonymous with Arianism and the other with Catholicism.<sup>127</sup> He tried to solve the ethnic and religious tensions by enforcing the Arian faith with a few tweaks such as not requiring rebaptism for Catholics to become Arians and changing the liturgical phrasing to make it more

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<sup>126</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 24.

<sup>127</sup> Peter Heather, "The Creation of the Visigoths," in *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, ed. Peter Heather, (San Marino: The Boydell Press, 1999), 67; Ana Maria Jorge, "Church and Culture in Lusitania in the V-VIII Centuries: A Late Roman Province at the Crossroads," in *The Visigoths*, Alberto Ferreiro, ed., (Leiden: Brill, 1999), 110.

acceptable to Catholics by making the Arian hierarchy among the three members of the trinity less overt. The measure was partly successful as John of Biclar reports, “by means of this seduction, many of our own inclined toward the Arian doctrine out of self-interest rather than a change of heart.”<sup>128</sup> However, Isidore informs us that Liuvigild also used force and bribes to try to achieve religious unity, attributing the conversion of many to these rather than the doctrinal adjustments.<sup>129</sup> These passages provide excellent examples of how the ideological components linked to other societal factors when people made their decisions. In John’s quotation, he says that the change in doctrine allowed people to pursue their self-interest, which amounted to aligning themselves with the king’s will. The reason this was in their self-interest can be found by looking at Isidore’s passage that reveals that dissenters faced the prospect of being forced to join if they did not do so willingly. Therefore, even if people did not necessarily believe in the doctrine that they switched to, for many the ideological framework for this transition was important. Hence, one can make sense of John of Biclar citing the doctrinal change as the “means of seduction” despite also apparently revealing that the people had not actually changed their minds regarding doctrine.

Liuvigild then seems to have understood that he needed to contend with ideological concerns in addition to extending his power through his financial and military might in order to solidify the monarchy’s position. He was likely familiar with the Visigothic Code’s expectation that a king achieve unity because, having amended the law code, he would have been aware of its contents, and it seems

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<sup>128</sup> John of Biclar, “Chronicle,” 72.

<sup>129</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 24.

logical that he might try to unite them religiously. Additionally, religion existed as almost the sole remaining marker of ethnicity left by this time. For example, other potentially differentiating factors such as the styles of dress and adornment were mostly uniformly Visigothic by the end of the sixth century.<sup>130</sup> Thus, if Liuvigild could eliminate the religious difference, he could perhaps begin to look forward to ruling a wholly unified people. These tensions and motivations were also likely to correspond with the ones that led to the making of laws against the Jews only decades later. Thus, one sees that Liuvigild's decision regarding the state religion came as an attempt to better unify the people and govern them in accordance with the law.

But this policy led to his greatest opposition. If anything, the religious-ethnic combination made the question as to which form of Christianity to follow even more emotionally charged. One may wonder why Liuvigild did not try to straddle this divide rather than stirring things up, considering the already heightened tensions. Indeed, it would seem to have been a more prudent policy than ever because this rivalry alone seemed to hold the potential to undo the work Liuvigild had already accomplished. He even had examples from earlier kings, such as Theodoric the Great and Theudis, who had realized they lacked the strength to impose the will of one group on the other and hence attempted to appease both. As an article by Sam Koon and Jamie Wood notes, the king had to work alongside Roman nobles ever since the

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<sup>130</sup> Lopez, "Identity in Visigothic Times," 420.

law was first formed.<sup>131</sup> Although they were unsure if this idea applied in the sixth century as well, I believe this essay shows that it did. Therefore, the actions of Liuvigild seem strange if not stupid until one considers the exact timing of them and the relation to other events taking place.

Interestingly, the revolt by Hermenegild may have brought this matter to the fore. Hermenegild's territory in Southern Spain was predominantly Catholic, and even though it is uncertain if Hermenegild himself was Catholic when his revolt began, it is safe to assume the vast majority of his supporters were.<sup>132</sup> Also, the *Chronicle* tells us that he had recently been linked to the Catholic Franks through a marriage to the Frankish king's daughter.<sup>133</sup> Before the rebellion, it appears that Liuvigild had respected both Catholic and Arian clergy as holy men. For example, Paul the Deacon records one instance earlier in his reign when "although he [Liuvigild] was an Arian nevertheless, in order that Nactus [a Catholic abbot] should commend him to God through his prayers, [Liuvigild] made over to him by written decree a special part of the royal estate from which he along with his brothers could obtain food and clothing."<sup>134</sup> Given this evidence and the fact that Liuvigild surely knew the difficulties that would be involved trying to unify the country under one doctrine, it seems that that Hermenegild's revolt directly inspired Liuvigild's actions. Thompson agrees with the notion that Liuvigild's changes in

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<sup>131</sup> Sam Koon, and Jamie Wood, "Unity from disunity: law, rhetoric and power in the Visigothic kingdom," *European Review of History: Revue européenne d'histoire*. Vol. 16 No. 6 (Dec 2009): 794, Accessed April 1, 2016, <http://dx.doi.org/10.1080/13507480903368061>

<sup>132</sup> Collins, *Visigothic Spain 409-711*, 56-57.

<sup>133</sup> John of Biclar, "Chronicle," 71.

<sup>134</sup> Paul the Deacon, "Lives of the Fathers of Merida," 57.

religious policy represented some kind of reaction to the rebellion.<sup>135</sup> Castellanos explains the general view that “the war represented a presumed confrontation between Arians (King Leovigild) and Catholics (his son Hermenegild),” but he also cautions “we should be careful to point out that we are not sure to what extent this was actually so, as there was much simplification in the sources’ use of these labels.”<sup>136</sup> The close association with the Byzantines during the uprising also supports this notion, as does the involvement of the Catholic Suevi on behalf of Hermenegild.<sup>137</sup> A clear connection existed at some level between Hermenegild’s faction and Catholicism.

Therefore, Liuvigild’s attempt to officially incorporate all of his people into the Arian sect shortly after Hermenegild’s revolt makes sense as a type of ideological warfare. He would likely get people hesitant to join him more firmly on his side with the adjustment in the Arian creed, and those opposing the move stubbornly could be targeted as suspects against Liuvigild politically as well as religiously. Although Liuvigild did defeat Hermenegild’s uprising, his policies failed to defeat Catholicism and unify the people. Yet he did not defeat Hermenegild and conquer the Suevi until 584 and 585 respectively, and he then died only a couple years later in 587. Perhaps if he had lived longer, he could have converted these military victories into political unity as well. After him, “his son took up the royal sceptre with tranquility.”<sup>138</sup> This would lead to more changes in the institution of the monarchy, but the religious component of Hermenegild’s revolt does not explain all of these.

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<sup>135</sup> Thompson, *The Goths in Spain*, 82.

<sup>136</sup> Castellanos, “Tributa and *Historiae*,” 209-210.

<sup>137</sup> Collins, *Visigothic Spain 409-711*, 58.

<sup>138</sup> John of Biclar, “Chronicle,” 75.



Therefore, before moving on to Reccared's reign, it is necessary to connect the revolt against Liuvigild to factors besides religion. I believe that first of all, the lack of overt connections drawn in many of the sources between the revolt and Catholicism justifies looking into other factors. Although the scholarship on the chronicles generally attributes the omission to bias by the reasoning that Catholic writers would obviously leave out a failure by a Catholic revolt, I think that this comprises only part of the issue. Additionally, it is not as if throughout the chronicles no defeats of Catholics were recorded. For example, John of Biclar records the defeat of several Christian commanders fighting against the Moors in Africa.<sup>139</sup> Additionally, Isidore mentions a time in the fourth century when Goths of "the true faith" fighting alongside the Romans were defeated by the rest of the Goths. Also, he recounts the defeat of one Aetius in the fifth century, and he attributes his loss to his consultation of soothsayers before the battle, showing a lack of faith.<sup>140</sup> Thus, it seems just as probable that the authors would include Catholic failures as a teaching point as that they would conceal them. Therefore, the extent of the Catholicism of Hermenigild's rebellion appears limited.

I believe that general assessments of the sixth century contribute to the relatively narrow interpretation of Hermenigild's uprising. For example, Castellanos claims that "Essentially, the main historical process in the sixth-century west was the consolidation of several barbarian kingdoms, the disappearance of others, the Byzantine offensive, and, above all, the crystallization of the power of the Catholic

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<sup>139</sup> John of Biclar, "Chronicle," 63-65.

<sup>140</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 7,13.

Church.”<sup>141</sup> When operating from this position, it is easy to see any struggle in the sixth century as a component of the process that resulted in the eventual ascendancy of the Catholic Church. But I do not think this approach stays true to the main concerns of the Visigoths themselves.

Instead, one should consider the other ideological views present at the time, rooted in the law and tradition, to augment purely self-interested understandings. This is not to say that these two things can be thought of as completely separate from religion, but they are worth analyzing in their own right. For example, the law combined with the Ostrogothic traditions provided the framework for the men supporting Hermenegild to view their actions as legal or at least as just opposition to a tyrant by adhering to the idea that suggests the king stands in nearly the same rank as the nobles. In this case, these men would have been tapping into the religious and ethnic divide in order to create more support against the efforts of King Liuvigild to centralize authority. By viewing Hermenegild’s move not as usurpation but as restoration of the true form of monarchy that they understood the Visigothic Code to describe, they would not be transgressing the moral sentiments that seemed to exist in this time based on Isidore’s *Etymologies*. The importance of having an ideological justification, seen before in the passage concerning Liuvigild’s attempts to convert the nation to Arianism, would then be fulfilled by espousing this interpretation of the law. This would also explain why the rebel forces would not have declared one religious sect as superior to the other because this is in keeping with the tradition from earlier in the century that allowed for a more balanced and

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<sup>141</sup> Castellanos, “Tributa and *Historiae*,” 188.

autonomous nobility which decided such matters for itself. Even if the rebels actually fought against the king because of the exile and executions of certain rich noblemen leading them to protect their own property or to avenge relatives killed in this way by fighting the king, the ideological component gave the rebellion a chance to be more legitimate. The joining of the religious and political or personal aspects in the revolt would thus represent not simply a battle of religious ideology but also a battle over the interpretation of the law and the institution of the monarchy.

*Reccared's New Balance under the Law*

Once Reccared became king, he seemed to restore a feeling of security among the nobles while still retaining some of the power and prestige that his father had gained by fulfilling his role as a preserver of societal order without returning to a decentralized state for the most part. His conversion to Catholicism in 587 constitutes one of his first changes from his father's rule.<sup>142</sup> He may have simply realized that the Catholic faction was too strong to be rooted out, triggering his own conversion to Catholicism, which made it the official state religion for the Visigoths. However, not all decisions, even those of a king, are made for political expediency or self-interest, and it is possible that he converted after witnessing the staunch resistance by some of the Catholic bishops during his father's persecutions. For example, Masona the Catholic Bishop of Merida, replied to the king's threats to "have your [Masona's] limbs torn apart by diverse tortures," by saying, "I have already told you time and again that I do not fear your threats. Let your twisted mind devise yet more threats against me to the limits of its ability. I shall not fear you nor overcome

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<sup>142</sup> John of Biclar, "Chronicle," 76.

by fright give you what you seek.”<sup>143</sup> Of course, there could have been a combination of both factors. Reccared could have thought that Catholic rather than Arian doctrine was right, but the political situation pushed the change. Conversely, he could have begun investigating a conversion to Catholicism out of political interest, and then become convinced of its truth upon examining the teachings.

Regardless of why Reccared converted, the Arian faction did not approve. Most prominent among the dissenters was Bishop Sunna, who had been the Arian Bishop of Merida (one of the more wealthy cities in the Visigothic kingdom) and a rival to Bishop Masona. Sunna led an Arian conspiracy “to seize power illegitimately” in Reccared’s second year of rule, but it was thwarted and he was exiled.<sup>144</sup> But this was not the last Arian plot, as another one happened shortly after in the following year when Bishop Uldida plotted a conspiracy with others who had pretended to accept Catholicism. But he, too, failed and was exiled.<sup>145</sup> These conspiracies likely had little to do with ideology directly involving the king but rather had to do with the plotting individuals’ beliefs and desire to maintain status. For instance, Sunna would be in charge of nothing if there were no Arian church, losing not only his religious authority but also his temporal authority as a judge. Additionally, because the nobles who happened to be bishops often had most of their wealth and property tied up in that occupation, it makes sense that at least some would risk attempting to overthrow the king. Of course, for those who converted to Catholicism, they still could usually keep their position within the

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<sup>143</sup> Paul the Deacon, “Lives of the Fathers of Merida,” 85.

<sup>144</sup> John of Biclar, “Chronicle,” 76.

<sup>145</sup> *Ibid.*, 77.

societal order. Although it is possible they would endure some loss of property if they had to share a diocese with the already established Catholic bishop, it seems that, for those like Bishop Uldida who had been accepted by the king's new order and hierarchy, the main reason for conspiring did stem from a more genuine disagreement over doctrine, and this again shows the uncertain but real relationship between ideology and other factors that motivated these Visigothic men.

Interestingly, despite these conspiracies, the ideology had evolved in a way that no longer facilitated the mass uprisings and wars from earlier in the century. This is especially noticeable because multiple nobles backed both sides providing the seemingly necessary ingredients for a civil war. Indeed, this apparently sudden change in Visigothic behavior has surprised some scholars. Thompson, for example found this occurrence strange, especially the implication of a few Catholics in these plots.<sup>146</sup> But if one is not viewing the century and Reccared's reign as a part of the rise of Catholicism, it does not seem so unusual but rather can be seen as a continuation of the ideas surrounding the monarchy found in the law. The adjusted application of the Visigothic Code's basic tenets of monarchy that allowed for a more centralized state under Liuvigild show one example of this.

But Reccared also did his part to earn respect from the people and nobility. Even before he was king, he led a successful campaign against the raiding Franks and "in violent battle,... attacked and seized the fortress called Ugernum, which is located very securely on the edge of the Rhone river. He returned victorious to his

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<sup>146</sup> Thompson, *The Goths in Spain*, 104.

father and his country.” Such a victory added to his glory and increased his aura as a protector of the people, which was still an important part of the monarchy. After he became king, his generals continued to fight the Franks with success.<sup>147</sup> In fact, under his rule they had miraculous success against the Frankish invasion in 589 launched by the Franks after having already been defeated once during Reccared’s reign. John of Biclar relates the battle:

When the battle began, the Franks were put to flight, their camp seized, and the army was slaughtered by the Goths. It is known that in this battle divine grace and the Catholic faith—which King Reccared along with the Goths faithfully assumed—were involved, since it is not difficult for our God to give victory to a few over the many. For the general Claudius, with scarcely three hundred men, is known to have put to flight almost 60,000 Franks and to have cut down the greater part of them with the sword.”<sup>148</sup>

While likely an exaggeration, the victory of a smaller force over a greater one did help to solidify the king’s position, but the king’s victory also gets explained through religious factors, contrary to previous descriptions of royal victories. Obviously, this reflects the bias of the writers, who were Catholic, but it also seems to reflect a trend in the late-sixth century toward a more sanctified understanding of the state that served to mitigate outright rebellion and civil war.

One begins to see the change in the warrior ethos from that of someone who exemplifies unity at home through his victory into someone whose victories show his closeness to God. Also, unction, the anointing of the king at his coronation by the bishops, possibly began under Reccared’s reign. Diaz explains that this process both elevates the monarchy because the king rules by divine grace but also gives some power to the bishops presiding over the ceremony, although they are still not

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<sup>147</sup> John of Biclar, “Chronicle,” 76.

<sup>148</sup> *Ibid.*, 77.

considered equal to the king in authority or power.<sup>149</sup> If this tradition did begin with Reccared, it also contributes to the religious legitimacy that would have helped secure his position. Isidore's descriptions of each king illustrate the contrast: Liuvigild "by the skills of war expanded the rule of his nation," while Reccared "with greater glory elevated the same nation by the victory of faith."<sup>150</sup> Thus, one arrives at the explanation that Reccared's religious and military records combined enabled him both to prevent civil wars and to administer justice by maintaining order, hierarchy and unity in accordance with his mission per the law.

Other reforms put in place by Reccared transferred some power back to the nobles as well, which would also cause fewer to be inclined against him. For instance, he "generously restored the property that had been seized by his predecessors and incorporated into the fisc."<sup>151</sup> This represents a sort of compromise between Liuvigild's school of thought and the "first noble" school. There is neither evidence that these two interpretations constituted actual schools of jurisprudence nor that Reccared consciously considered his decisions as a compromise. However, viewing Reccared's actions through this lens helps one understand how he used the ideological characteristics of both interpretations of the law in order to bolster his position as the king. For instance, he would have fulfilled his role as a lawmaker according to the decentralized view by his rectification of his forbearers' actions of dubious legality, particularly the seizures by his father against nobles rivaling his power. Also, he follows the policy of building

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<sup>149</sup> Diaz, "Visigothic Political Institutions," 341-342.

<sup>150</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 25.

<sup>151</sup> John of Biclar, "Chronicle," 76.

to enhance one's prestige found in the more centralized interpretation through building and sponsoring monasteries and churches rather than building his own city to show off his power.<sup>152</sup> Therefore, even in his building, he still gave more prestige to the nobles since as we recall many of them were churchmen as well. Also, by building these churches he built links between the monarchy and the church as ruling institutions. Some have thought that this major inclusion of the clergy constituted a new result stemming from the conversion to Catholicism.<sup>153</sup> But again it is clear from my essay that clergy, both Arian and Catholic, had been involved in the administration of the government throughout the sixth century. Thus, it seems that these thoughts on the changes and newness of certain policies under Reccared are actually largely incorrect but understandable conclusions if one tries to examine the Visigoths through the church rather than on their own terms. In addition, if Reccared's conversion was sincere, then such actions also make more sense. As a pious person, he would want to give to the church in accordance with the tenets of Catholicism as other pious kings had done in the past. Thus we see that interactions between the previous interpretations combined and also worked with the new Catholic religious emphasis in order to create a new balance within the Visigothic kingdom under the king's administration.

Reccared's reign marks a turning point in the culture of the Visigoths but also shows continuity in some ways in which he fulfills the ideology of the king from throughout the sixth century. He had achieved unity and "set in order with justice and ruled with temperance the provinces which his father had gained by battle" and

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<sup>152</sup> John of Biclar, "Chronicle," 76.

<sup>153</sup> Castellanos, "Tributa and *Historiae*," 201.



had the victories over foreign enemies to prove it.<sup>154</sup> Also, he had returned balance to the relationship between the nobility and king by upholding the laws as a good judge and returning that which was considered wrongfully taken. For example, “he was so liberal that he restored to their proper jurisdiction the property of private citizens and the churches’ estates which his father’s disgrace had joined to the treasury.”<sup>155</sup> But these actions were becoming increasingly characterized in terms of Christian piety and devotion and divine favor. In fact, by unifying the people around a single Christian doctrine, he had removed the last major dividing line between Goths and Romans under his rule. Instead, this Visigothic kingdom formerly comprised of Romans and Goths now entered into Western Mediterranean culture at large with the defining feature of Catholicism rather than ethnicity.<sup>156</sup> Therefore, under Reccared the balance of power shifted back toward more equality with the nobles. But upon Reccared’s peaceful death in 601, the kingdom, this time draped in renewed Catholic symbolism, moved from one century to the next and out of their small, independent sixth-century existence and toward the advent of Christendom as the predominate conceptual dynamic in the West.

### *Conclusion*

Liuvigild and Reccared both oversaw important changes in the Visigothic kingdom but still relied on many of the same principles from the Visigothic code described in chapter one. The main differences seem to have occurred more in relation to the traditions brought in by the Ostrogoths and the influence they had on

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<sup>154</sup> Isidore of Seville, *History of the Goths, Vandals, and Suevi*, 26.

<sup>155</sup> *Ibid.*, 26.

<sup>156</sup> Lopez, “Identity in Visigothic Times,” 420.

how the law was administered. Liuvigild used the desire for greater stability to build a more centralized state operating on the principles of the law such as preserving society's order against foreign enemies. His attempts to unify the people through religion did not succeed because of the complex circumstances surrounding it that also tied into the ethnic issues present throughout the century. Reccared also followed the same types of ideas that had existed throughout the century, but he did unite the people under Catholicism and found a balance among several different versions of the Visigothic Code's monarchical ideology. Also, he did prepare the Visigoths for their incorporation into Christendom though during the sixth century the new unity within the kingdom was more important.

## Conclusion

Having investigated the ideology of monarchy among the Visigoths as it progressed over the sixth century, one begins to understand several things. To begin with, the Visigothic concept of justice bound together the Visigothic Code and also served as a foundation for the monarchy. The code itself elaborates on what this justice entails, mainly settling disputes within the kingdom's territory and preserving the domestic order and hierarchy that organized Visigothic society. The chief means by which this order was preserved was the unification of various class and ethnic groups under the institution of the monarch. This made it of primary importance that the king managed and worked with the various parts of society. However, the king could not control the kingdom alone, and he relied on numerous officers, governors, and clergymen in order to effectively carry justice to the people. But the nature of this arrangement often barred the king from exerting force of his own accord, and he had to make compromises with the elites who ran the kingdom on a local level.

By looking at the events taking place in the sixth century, one sees how the balance in the relationship between the king and the nobility could be achieved in a couple of ways. The first approach is best modeled by Theudis. He allowed the nobility to adhere to either Arianism or Catholicism and to maintain a large degree of financial autonomy. They, in turn, remained relatively peaceful under his rule and supported his war efforts even when these did not always meet with success.

Theudis' more cooperative approach also stemmed from the prevailing Ostrogothic notions that aided in viewing the king more as an appointed administrator rather than one actively directing the nation in accordance with his will.

Reccared's relative stability as the king presents another way that the king established a balance with the nobility. He administered justice by returning confiscated property in addition to building up public spaces such as churches, which gave him greater ties to the ecclesiastical elite, but he also enforced one doctrine and maintained the greater financial centralization that had occurred. He could do this because of the military victories of his father Liuvigild. Not only did the military successes enrich and empower the monarchy but they also enhanced its aura because of the connotations associated with victory in the Visigothic Code. Therefore, rather than appearing as one who compromised with the elites as the weaker party, Reccared held the power but chose to engage with the nobles to enhance his own authority. Thus, one sees that unity and justice, concepts firmly tied to the king through the Visigothic Code, formed a common denominator for Theudis and Reccared in their administration of the law despite the differing methods of how they achieved them.

Conversely, when unity and justice faltered within Visigothic society, the monarch often faltered as well, but outside influences could heavily influence this by adding to or emphasizing different aspects of the ideology in Visigothic society also found in the law. First, the Ostrogothic influence that promoted a more level playing field between the monarchy and aristocracy made it difficult for any one king to extend his power into a more direct form of rule or to establish his legitimacy as the

king. For example, Theudis only maintained stability by refraining from attempting this, while Agila faced challenges from rival nobles who thought that they had as much right to rule as he did. The Byzantine threat to the existence of the Visigothic kingdom moved the emphasis in the opposite direction toward a stronger central government better able to fight wars. This allowed Liuvigild to convert his military success into an extension of the king's real involvement in finances and allowed him to push for unity through adherence to one identity determined by the king rather than unity by differing groups linked through the king.

Thus, by viewing the sixth century as a whole, one realizes that ideology, especially regarding the king, provided a framework for how the kingdom would be organized and would operate. Instead of the ideology driving changes, it gave the Visigoths a mechanism by which they could evolve without breaking entirely with the past. Their adaptations to various situations retained the same ideological basis even when the actions taken and institutional changes made seemed very different and even contradictory to those in the past. This thought process enabled the kingdom to endure during the trials it faced throughout the sixth century and helps to explain how different kings were treated and were able to treat their subjects differently at various points throughout the century.

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