

**THE FOEDERATI, THE PHOIDERATOI, AND THE SYMMACHOI OF THE
LATE ANTIQUE EAST (ca. A.D. 400-650)**

Lucas McMahon

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Supervisor: Dr Geoffrey Greatrex

Department of Classics and Religious Studies

Faculty of Arts

University of Ottawa

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Abstract

This thesis is a systematic examination of the use of the term *phoideratos* in Greek and how it relates to the Greek word *symmachos*. The term was recognized as not precisely equivalent to its Latin cognate *foederatus* over a century ago by Jean Maspero, but no complete study of every use of the term has been made until now. This has been facilitated by the *Thesaurus Linguae Graecae*, an online database of searchable Greek texts. These terms are important since they provide a framework within which foreigners came to serve the Roman army. They also reveal the changing nature of that army, and how the *foederati*, formerly allies who came to serve the Roman state in exchange for a combination of land, supplies, and cash became the *phoideratoi*, an elite regular unit in the Roman army. Meanwhile, *symmachos* came to refer to those who were formerly called *phoideratoi*. This interpretation is crucial since some modern historiography has considered the *phoideratoi* of the sixth century as equivalent to the *foederati* of the fourth.

Cette thèse est un examen systématique de l'utilisation des *phoideratos* terme en grec et comment il se rapporte aux *symmachos* mot grec. Le terme a été reconnu comme pas exactement équivalente à sa *foederatus* apparenté latine il ya plus d'un siècle par Jean Maspero , mais aucune étude complète de chaque utilisation du terme a été fait jusqu'à présent. Cela a été facilité par le *Thesaurus Linguae Graecae*, une base de données en ligne de textes grecs consultables. Ces termes sont importants car ils fournissent un cadre dans lequel les étrangers sont venus pour servir l'armée romaine. Ils révèlent également la nature changeante de cette armée, et comment les *foederati*, anciennement alliés qui sont venus pour servir l'Etat romain en échange d'une combinaison de terres, de fournitures, et de l'argent est devenu le *phoideratoi*, une unité régulière d'élite dans l'armée romaine. Pendant ce temps, *symmachos* venaient de se référer à ceux qui ont été anciennement appelé *phoideratoi*. Cette interprétation est cruciale car certains historiographie moderne a examiné la *phoideratoi* du sixième siècle comme équivalent aux *foederati* de la quatrième.

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parentibus optimis

General Introduction

Much of the attention given to foreigners in Roman military service in late antiquity has been focused on the west, often connected to issues pertaining to the settlement of the *foederati* and its legal implications. However, the term *foederatus* did not remain static throughout late antiquity. Although this was recognized over a century ago by Jean Maspero in a pioneering article, these conclusions have not always been taken into account, and in general the topic has been the subject of neglect.¹ Peter Heather recently noted that the significance of the sixth century φοιδερᾶτοι warranted “urgent investigation”.² More recently, Ralf Scharf devoted an entire monograph to the study of the *foederati*, which ends deep in Byzantine times, which is subsequently inspired work by Avshalom Laniado in response.³ However, Scharf devotes only fifteen pages to the material in Procopius.⁴ Scholars working on the late Roman army have not devoted considerable attention to the topic either, with Le Bohec and Southern and Dixon neglecting the φοιδερᾶτοι.⁵ This neglect has led some scholars to assume that the φοιδερᾶτοι of the sixth century were the same as the *foederati* of the fourth.⁶ Although recently some work which references the φοιδερᾶτοι have appeared, notably that of Hugh Elton and Timo Stickler, neither have carried out a systematic study.⁷ Essentially, the work of Maspero remains the standard study of the φοιδερᾶτοι today.

In order to better understand the evolution of these terms and their later definitions, a complete survey of the available evidence was necessary. The *Thesaurus Linguae Graecae* made the completion of this task within a reasonable time frame possible. Its search engine allowed for the construction of a roughly complete corpus of attestations of the term. A few others were added since the program is not complete and, of course, can only search Greek texts. The collection of the material is not sufficient on its own, however. The uses of the term must then be understood first within the context of each

¹ Maspero 1912.

² Heather 1997: 74.

³ Scharf 2001. Note that my entire understanding of this work is based on Laniado 2006 since I cannot read German.

⁴ Scharf 2001.

⁵ Le Bohec 2005, Southern and Dixon 1996.

⁶ Shahîd 1984a: xxviii, Shahîd 1984b: 15.

⁷ Elton 2007, Stickler 2007.

individual source. This is important, since how a source uses Latin loanwords and technical vocabulary is crucial to gaining insight in the interpretation of the relevant terms under study here.

This sort of source-by-source analysis makes up the body of the thesis. Following further methodological considerations, the first chapter deals with the φοιδερᾶτοι. It examines all the literary uses of the term in depth, and is centred on a sizable discussion of Procopius. All the late antique historians who use the term receive an individual section, and a brief and general discussion of later attestations in Byzantine sources sum up the literary material. A number of epigraphic attestations receive attention, as several Greek gravestones are known from the vicinity of Constantinople which make reference to the φοιδερᾶτοι. The chapter concludes with a thematically-based discussion on the ethnicity of the composition and organization of the φοιδερᾶτοι, and with an evaluation of past scholarship.

The following chapter on the ὑπόσπονδοι is very brief. It was necessitated by the close association made between the φοιδερᾶτοι and ὑπόσπονδοι by the fragmentary fifth-century historian Malchus.⁸ Similar to the chapter on the φοιδερᾶτοι, the archive of the term is complete, but much less is known as the ὑπόσπονδοι are attested much less frequently. A number of references to Arab ὑπόσπονδοι also make the topic intriguing.

The final chapter discusses the σύμμαχοι, who by the six century had become roughly the equivalent of the old *foederati*. Some selection was needed here given the frequent use of the συμμαχ- stem in Greek in all periods and its general meaning. Nonetheless, when examined in a manner similar to that of the φοιδερᾶτοι above, the term does appear to have a technical meaning. The technical meaning is not precise, but tends to include matters such as military service, the provision of supplies or payment for armed contingents, and settlement on land.

⁸ Malch. frag. 15 (Blockley 1983: 420), frag. 20 (Blockley 1983: 438).

Notes on Methodology and Style

Most of the primary material making up this thesis has been retrieved through the *Thesaurus Linguae Graecae* online database. Searches were made using word stems. The main terms searched were φοιδερ-, συμμαχ-, ξυμμαχ-. This allowed for all inflected endings, as well as the different beginning for συμμαχος, a use that appeared in Procopius much more than in other sources and presumably on account of Procopius' choice to adopt an archaic Attic orthography. No accents were entered into the search engine, as the program does not need them in order to perform searches. Rather than simply provide a list of the terms and a general discussion, the goal here has been to understand each term first on the basis of how a given author uses it. Although most of the authors consulted here were writing in Attic Greek, previous experience with later Byzantine texts indicated that the artificiality of the language and that a different historical context meant that each needs to be understood on its own terms. As a result the section under each author first deals with the source itself and then attempts to bring in other scholarship or sources where applicable in order to clarify and contextualize the material. This process was also undertaken in order to avoid one of the dangers of using the *Thesaurus Linguae Graecae*, that of simply looking at the source snippets it turns up in the context of the immediate passage and not examining them more broadly.⁹ Nonetheless, in the interests of brevity uses of a term that appear in non-applicable time periods in works such as the chronicles of Malalas or Theophanes, or appear to be a rhetorical usage do not tend to receive full discussion.

⁹A brief note should be made on matters pertaining to style. Despite the near-universal concern of the thesis with terms in Greek, words and names have generally been Latinized following standard conventions for the sake of simplicity and recognisability; thus Procopius rather than Prokopios. When available, standard Anglicizations are employed; thus Constantinople rather than Konstantinoupolis or "Danube" instead of "Ister." This should not lead to confusion since the term as it appears in the original language text will generally be provided unless unnecessary.

The English terms "Rome" and "Byzantium" should be considered equivalent in this study unless the context indicates otherwise. "Byzantium" has been a problematic and politicized term since its inception, and while Edward Gibbon does not deserve all the blame placed upon his shoulders for his attitudes towards the subject (Gregory 2005: 2-3), no negative connotation is intended and the term will generally only appear when referring to the empire of the sixth century or later.

The second potential hazard presented by the *Thesaurus Linguae Graecae* is that while the database has access to a remarkable number of modern critical editions it does not have them all. Likewise, not all of the texts even have modern editions. The result of this is that a caveat must be made to anyone attempting to repeat the findings presented here. When the *Thesaurus Linguae Graecae* does not have a satisfactory edition of a particular work, I have typically not referenced the numbers it returned. These were often page numbers to older editions, and as I wished to be certain of the integrity of the text I checked them against the modern editions which were then cited. This particularly needs to be noted in the case of fragmentary texts, where the results from the database and those in Roger Blockley's *The Fragmentary Classicising Historians of the Later Roman Empire* tend not to line up very closely in terms of fragment, section, or line numbers. Since the database was finding these results from the texts of the Constantinian Excerptors (although it should be noted that it also sorted them as fragments under their original authors), I have elected to use Blockley's texts for reasons of availability and acclaim. Occasional line number discrepancies appear between the two different editions of the *Thesaurus Linguae Graecae* (the online database and the CD-ROM distribution). Typically the line numbers are close, but in this case the online database's numbers were preferred since it is more frequently updated.

The references provided here to the Blockley texts are thus not useful for entering into the *TLG*. However, this is the exception, and the apparent inconsistency with which the references are made below to primary texts are for the purpose of easy cross-referencing with the *TLG* and through programmes like Diogenes that use the CD-ROMs but that lack the advanced search features of the online database.¹⁰ Section numbers are provided as often as possible, as the *TLG* frequently uses these and they are the most efficient method of reference. Others follow whatever style the *TLG* uses for the sake of easy reference. For the older editions, typically page numbers are followed by line numbers, while some have page, section, and line numbers. In the case of legal documents,

¹⁰ The program is available here, but useless without the *TLG* files:
<https://community.dur.ac.uk/p.j.heslin/Software/Diogenes/>

additional information which the *TLG* does not need to find the texts is provided for purposes of cross-reference.

However, the largest problem with the *TLG* is that the database does not have all the relevant material. It lacks the *Codex Justinianus*, for example. As the name would suggest, the database is entirely made up of Greek texts. Thus relying only on searches performed by it is hazardous since both Latin and Syriac texts from this period can have some relevance. For the purpose of this work, the systematic searches have been limited to Greek texts. Nonetheless, cursory searches turned up a great variety of useful and relevant material from Syriac and Latin, notably from Pseudo-Joshua the Stylite, St. Euphemia and the Goth, and the *Codex Justinianus*. Thus, these texts are explored. The caveat that needs to be remembered here is that while all the references turned up by the electronic database have been thoroughly examined, texts not in the database may have slipped by. Readers should also be aware that non-Greek texts have not received the same level of scrutiny. Such an approach would require substantial further study, particularly given the frequent use of the Latin term in the western sources.

The word “barbarian” is used here in as much of a non-pejorative sense as possible while still following the attitudes of the sources and attributing barbarian heritage or barbarian customs to those they view in that way. While the original Greek word is expressly negative, the modern English equivalent need not be so. Numerous recent volumes can be found in which the word appears in the title and it is not clearly negative.¹¹ The title of Peter Heather’s *Empires and Barbarians: The Fall of Rome and the Birth of Europe* even tacitly plays into the modern western meta-narrative of progress through subversion by implicitly hinting that while the barbarians may have killed off Rome, this was not necessarily a negative outcome. Scholarship has moved on and the term can be used in a neutral or even positive sense.

¹¹ Examples include Walter Goffart’s *Barbarian Tides: The Migration Age and the Later Roman Empire* and Guy Halsall’s *Barbarian Migrations and the Roman West, 376 – 568*.

Nonetheless, the recognition that even if scholars have stated that “barbarian” should no longer carry its negative connotations, the language used appears to remain inherently loaded against them. One can find in a major work on late Roman history a mention of a “large band of ‘Skythai’”.¹² Despite the fact that this “band” appears to have been able to divide their forces into three lines and then kill the emperor Decius, it still does not earn them the appellation “army.” This force was clearly capably led and organized, and yet retention of the term “band” suggests a lack of legitimation of the military power of barbarian groups, a very Roman view. States have armies, while the ever-shifting polities of a vast multiplicity of peoples, a classically Greek view of barbarians in relation to the peoples writing the histories have only ad-hoc military forces.¹³ That David Potter probably did not consciously choose this word highlights the nature of the problem: despite the modern recognition that the “barbarians” are a category much more complex than the Greeks and Romans like to acknowledge, older and occasionally negative holdovers in the English language subtly reinforce outdated ideas about certain people groups. Such ideas also influence the questions that we ask. As Brent Shaw has recently noted, how the Romans could have performed better at Adrianople has been an on-going question, but no one asks how the Huns could have performed better at Châlons.¹⁴ The intellectual cage created by language is not one that can ever be overcome, but a constant awareness of the use of subtle but value-implicit language is needed.

The names used to refer to barbarian groups will remain inexact based upon the limited source material available. No information survives from nearly all the groups in question. The Greek historical sources which make up the bulk of the evidence used here often deliberately employ imprecise terminology. For example, Procopius calls a particular group from beyond the Black Sea Massagetai, but then also claims that contemporaries used the term Hun (οὗς νῦν Οὐννοὺς καλοῦσιν).¹⁵ Archaizing terms will be disregarded here when a clear equivalent is available. However, it should be recognized that even a

¹² Potter 2004: 246.

¹³ Geary 1999: 107-108 For a convincing view of the regular creation and collapse of sizable barbarian states on Rome’s borders, see Kulikowski 2007: 37-41. One cannot help but wonder whether a barbarian writer looking on the same classical Greek world that produced these stereotypes would have viewed the fluidity of alliances and frequent war between the city-states in much the same manner.

¹⁴ Shaw 1999: 133-134.

¹⁵ Procop. *Wars* 3.11.9, 11.

contemporary term like “Hun” may not actually be accurate but rather may be a general label applied by partial observers who may not know or care about the truth, particularly given the interests of classical ethnography.¹⁶ The label “Hun” implies to a modern reader a degree of continuity with the famous group of Attila’s from the mid-fifth century. Demonstrating that the Huns in Procopius’ account were in any way associated with groups descended from the steppe empire or viewed themselves as linked to some sort of Hunnic idea or culture is impossible. The important point is simply that readers must be aware that these labels were applied by ancient historians and present a one-sided view of barbarian identity.

Two tenses are used throughout the thesis. The simple past tense is typically used throughout the analysis with the exception of the internal examination of the sources. This section is written in the present tense since it deals with the sources themselves on a largely individual basis. As the sources are not a perfect reflection of the past but rather a construct of the ancient historian which is then re-interpreted by the present author, they do not exist in the past but rather in the present. The medium through which the source speaks is as authentic or more authentic than the actual event.¹⁷ On account of this, Agathias is speaking to the present author more than he speaks timelessly, and since the interpretation takes place in the present it is only proper to retain the present tense for these sections.

The style of this thesis is set up in such a way as to give each source individual treatment and examine it on its own terms. The inspiration for this derives from a spate of recent work in Byzantine Studies which treat the author of an ancient or medieval text as creator of a piece of literature rather than a simple record of historical “facts.” From both historical and literary perspectives, Catherine Holmes and Leonora Neville have revealed that the texts they studied (John Skylitzes and Nikephoros Bryennios, respectively) subtly manipulate the presentation of history for pragmatic or ideological reasons.¹⁸ These

¹⁶ Kulikowski 2008: 14-15, 56-60, Halsall 2008: 22-24, 45-57, Geary 2002: 75-84.

¹⁷ Batstone 2009: 35.

¹⁸ Holmes 2006: 9-10, 171-239. The first four chapters are methodologically relevant, while her exposé of the political climate of the 1090s as fundamental to the organization of Skylitzes’ history is a particularly

scholars have devoted substantial studies to individual historians, and nothing similar can be attempted here. However, the reasoning behind this approach is to look at each source and see how it uses the terms under examination here to determine if some scheme has been constructed within the text itself. Only once this has been done can broader conclusions be drawn.

good example of why texts need to be taken on their own terms before being used more broadly. Neville 2012: 173-178, 194-199.

Chapter 1: The Φοιδερῶτοι

The *foederati* have attracted a great deal of attention. The φοιδερῶτοι have not. Interest in the so-called barbarization of the Roman army, the collapse of the western empire, and the establishment of new kingdoms has dominated the question of the *foederati*.

However, the definition was not unchanged throughout antiquity and the Greek and Latin terms are not synonymous, as Olympiodorus and Procopius were among the first to note.

Modern scholars began to examine the term's Greek meaning in the early twentieth century. Jean Maspero's work on the late Roman army led him to categorize the φοιδερῶτοι as an elite field regiment composed of both Romans and barbarians.¹⁹ This conclusion was largely followed by A.H.M. Jones in his magnum opus.²⁰ Subsequently, the φοιδερῶτοι of the fifth and sixth-century Greek texts have either carelessly been considered as equivalent to the *foederati* of the fourth-century Latin texts or authors have followed in the tradition established by Maspero and Jones.²¹

Background

While the *foederati* of the fourth century are not under scrutiny here, some context needs to be provided. A significant stumbling block to the study of the *foederati* of this period has been removed (or created) by Heather, who argued convincingly that Jordanes' use of the terms *foedus* and *foederatus* are questionable, and that Ammianus uses the terms indiscriminately to describe a wide variety of relationships, including the treaty Jovian made to extricate the Roman army from Persia in 363.²² Since the Romans were hardly becoming the client soldiers of the Persians, Heather argued that Ammianus needs to be used with great caution. At the most basic level, the *foederati* were barbarian groups in an agreement with Rome. These agreements varied. Some were little more than bands or armies that effectively served Roman commanders as mercenaries such as Uldin's Huns

¹⁹ Maspero 1912a: 106-109.

²⁰ Jones 1964: 664-665.

²¹ Examples of the former: Hughes 2009: 26, and Jacobsen 2009: 306-307, of the latter: Southern and Dixon 1996: 50, 64, and Greatrex 1998: 36-37.

²² Heather 1991: 108-113. For a more cynical take on Ammianus' views of the interactions between Roman and foreign peoples, see Kulikowski 2008: 105.

who aided Stilicho in defeating Radagaisus.²³ Other agreements, particularly with the group that came to be known as the Visigoths, proved far more complex. Scholars have rightly wondered how typical their settlement in 382 was and how closely they were integrated into the Roman system. Both the contemporary rhetorician Themistius and the sixth-century Jordanes had reasons to portray this event as one demonstrating Roman continuity, Themistius to create a precedent to explain Theodosius' failure to disperse the group completely and Jordanes to maintain an image of a long series of agreements between Roman emperors and Gothic kings.²⁴ That some Goths were settled and that others were drafted into the army is not in doubt but the specific details remain lacking, particularly in respect to the allotment of land or supplies to the Goths.²⁵

Gothic units in the Roman army first appear in the third century in the *Res Gestae Divi Saporis*, where Goths and Germans (ἀπὸ πάσης τῆς Ῥωμαίων ἀρχῆς Γούθθων τε καὶ Γερμανῶν ἐθνῶν...) are listed amongst the forces Valerian brought against Shapur.²⁶ Early in the fourth century they appear to have served in the Persian campaigns of Galerius.²⁷ However, only in the later fourth century do the Goths become particularly important to any discussion of the Roman army. Zosimus claimed that heavy casualties were taken by Theodosius' σύμμαχοι at the Frigidus, although it is worth noting that the commander he mentions killed alongside them was an Armenian.²⁸ The “traditional” *foedus* has the barbarians fighting alongside the Romans while under the command of their own leaders, but the evidence does not permit us to determine whether this was true in every case with the Goths after 382. Alaric, Gainas, and Tribigild are examples of Goths leading Goths, but their loyalties to their heritage and people as a unique group, particularly after two decades inside the Roman Empire, may matter less than the power struggles in which they they engaged inside the hierarchy of the Roman military.²⁹ That Marcellinus *Comes* was able to refer to Gainas as preparing his own barbarians to engage

²³ Jones 1964: 199.

²⁴ Sivan 1987: 762-764.

²⁵ Kulikowski 2008: 152-153, Wolfram 1988: 133-134, Halsall 2008: 184-5.

²⁶ Maricq 1958: 307.

²⁷ Wolfram 1988: 59.

²⁸ Zos. *Historia*, 4.57.2, 4.58.3, cf. Liebeschuetz 1988: 30-31.

²⁹ Kulikowski 2008: 164-169. Crocus, allegedly involved in the accession of Constantine, is an earlier example of a high-ranking barbarian involved in Roman politics: Kulikowski 2012: 357.

in civil war in Constantinople (*ad praeperandum civile bellum barbaros suos occulte ammonet*) is indicative of this fluid and complex situation in which the simple dichotomy of “Roman” and “barbarian” are insufficient.³⁰

Individual Goths also found their way into Roman service in a variety of ways. Theodosius was desperate for troops following Adrianople, and it is likely that Goths formed new, regular units such as the Visi and Tervingi, which appear in the *Notitia Dignitatum*, as well as being recruited into pre-existing units and serving under their own commanders alongside regular Roman units.³¹

A great deal of discussion has been conducted on the issues surrounding precisely how revenues and supplies were appropriated to support the nascent Visigothic kingdom following Alaric's death. This picture is further complicated by much of the specific evidence deriving from the Ostrogothic settlement in Italy and the Burgundian law codes, both late sources for Visigothic settlement.³² The West is not under discussion here, although this brief survey should have sufficiently demonstrated the extent of the problem. Barbarians in the Roman army or theoretically at the call of the Roman army can be called *foederati*, as can regular army units of the fifth and sixth century. Although desirable, a clear dictionary definition is simply not possible, given the variety of forms *foederati* took. Despite the legal training of many of the historians, particularly those from the sixth century, the types of work they produced evidently did not require legal precision.³³ Thus even if the Roman state had a perfectly clear definition of what service parameters produced a *foederatus*, this is obscured from modern scholars.

³⁰ Marc. *Comes*, 399.3. Gainas is said to have recruited the soldiers himself, so the issue of loyalty to one commander over another is particularly pertinent: Liebeschuetz 1988: 36-37.

³¹ *Not. Dign.* V.20, VI.20, Liebeschuetz 1988: 26-29, 35-36. How long these units remained “Gothic” is an open question, much as one might question just for just how long the *numerus Tigrisiensium* in Britain was composed of Mesopotamians: *Not. Dign.* XL.22. For interpretational issues, see Kulikowski 2000.

³² Sivan 1987: 767-770, Goffart 1980: 103-126. In particular, see Halsall 2010: 99, 105.

³³ Stickler 2007: 496, Greatrex 2001: 149-152.

Sources and Dating

At the heart of the problem are terminological issues – what does it mean to be a *foederatus*? Both *foederatus* and *foedus* have a long pedigree in Latin and appear in some of the literature from the republic and early empire in authors such as Tacitus, Horace, and Livy, although the former does begin to appear more frequently in late antique literature.³⁴ That the term appeared in Greek is not surprising, given that the largest group of Latin loanwords pertain to the army.³⁵ However, how rarely it is used in Greek indicates that it was a term technical enough to be avoided unless otherwise necessary. Additionally, it may very well be that the *foederati* were not simply important enough to warrant regular attention, or that in the sixth-century confusion between the *foederati* and σύμμαχοι had grown sufficiently for most Greek writers to prefer to avoid the term. Only a few authors such as Procopius provide a detailed breakdown of military units participating in a given campaign or battle, and thus the few uses of the term are unsurprising. A search of the *Thesaurus Linguae Graecae* database using the stem φοιδερ- returns only 84 results, of which fourteen alone derive from Procopius. The *Novellae* of Justinian provide the second-largest quantity with twelve. Later material makes up the bulk of the references. The works commissioned by Constantine VII and the epitome histories of the twelfth-century Byzantines John Zonaras and George Kedrenos, along with some scattered entries in ninth-century legal documents make up the next largest corpus. The remainder of the uses of the term appear in no significant concentration save for five references in the *Strategikon* of Maurice. Theophanes Confessor, John Malalas, John of Antioch, Malchus, Nilus, and Theodore Lector round out the complete body of references, with one to three each. Fortunately, many of the later Byzantine references are excerpted from fragmentary late antique texts.

The chronological scope of this material in itself is relevant. A substantial portion of the references to the φοιδερῆται can be placed in the sixth century, particularly in the reign of Justinian. This is likely a result of a combination of surviving legal documents which

³⁴ *TLL* F: 994-1007, esp. 994-995.

³⁵ Mason 1974: 5.

took pains to delineate classes of soldiers, and the personal interests and experiences of Procopius. Although Agathias followed in the wake of Procopius, his literary predilections limited his capacity to use more accurate terminology.³⁶ Menander and Theophylact are no better in this regard, and neither uses the term. Its continued existence is only known from Maurice and Theophanes, as well as the scattered references in the later Byzantine compilers and chroniclers. A few known grave *stelai* have the word inscribed upon them as well, and their rough fifth to seventh century dates also match the general conclusion drawn from the literary sources. Unfortunately, Maspero's conclusion that no papyri are known to contain the term remains true today.³⁷ Although computer-aided terminological work on this scale is only as accurate as the corpus of material it relies on, there does seem to be a general trend towards the use of the term and its variants around the sixth century. While one cannot entirely be certain that these results are not due to an accident of survival, it does appear that the literary flourishing in the east in the sixth century provides most of the material on the *φοιδεράτοι*, supplemented by a few fifth-century references. That no example can be proved to pre-date the fifth century is an important piece of evidence that suggests this institution became noteworthy enough then to deserve its own Latin loanword in Greek and was unlikely to have existed before. However, this raises the question as to why the term was translated into Greek at this time, when *σύμμαχοι* sufficed before. That *σύμμαχοι* co-existed with *φοιδεράτοι* is the crux of the problem.

A specific terminological search must begin with the standard definitions provided by the dictionaries. Despite the large chronological sweep of Liddell and Scott's *A Greek-English Lexicon* the term only appears in the supplement. Citing a few examples from the laws of Justinian, the definition reads, “Lat. *foederatus*, bound (to Rome) by a treaty”. The adjectival *φοιδερατικός*, ἢ, ὄν appears just above it, with reference to a law of Justinian where it is simply rendered as “connected with a treaty or alliance,” leaving out the explicit link to the Roman state in the previous definition.³⁸ The law cited remains in

³⁶ Cameron 1970: 68, 71.

³⁷ Maspero 1912b: 61-63.

³⁸ Sophocles' *Greek Lexicon of the Roman and Byzantine Periods* is similar. Despite a lack of attestation, he allows feminine and neuter forms of *φοιδεράτος*. He defines it as “foederatus = ἔνσπονδος, σύμμαχος,

accord with the general usage of the *novellae*: the term consistently appears with other classes of soldiers, most frequently just στρατιῶται.³⁹ The Greek adjectival form appears only in the *novellae*, Maurice's *Strategikon*, and a Constantinian excerpt identified as John of Antioch, indicating that the definition may be a bit more specific than Jones and Mackenzie believed it was.⁴⁰ The parallel structure in the *novellae* with the στρατιῶται is particularly important, since it suggests the term is more than just a general adjective referring to those connected by alliance but to a particular class of soldiers in the sixth century.

Chronological Survey

A brief survey of the chronological attestations of the term is now necessary. For the sake of simplicity those fragments preserved in late Byzantine compilers but generally identified as belonging to specific late antique authors will be assigned their earlier date. Some references, such as the grave *stela*, Nilus, and John of Antioch are more problematic and cannot be dated precisely. Since a more comprehensive picture is required, this survey is not limited to Greek, but rather to the Late Roman or early Byzantine east, starting in the fifth century.

The Theodosian Code

The first source to mention the *foederati* in a specific legal context is the *Codex Theodosianus*.⁴¹ A law of Arcadius, Honorius, and Theodosius dated to 406 permits slaves to fight in the army, and urges the slaves of soldiers, *foederati* and *dediticii*

confederate, ally.” Once again, despite the established work of Maspero, the definition of the term is directly equated to its Latin form. This direct equivalency presumably is why Sophocles chose to include neuter and feminine forms, since in Latin the word can be a noun or an adjective. This is not the same in Greek, where φοιδεράτος is always a masculine noun. Sophocles' conflation of the φοιδεράτοι and the σύμμαχοι is not surprising given the problems inherent in defining the distinction, but the equivalence of the term ἔνσπονδος is significant and will be discussed more fully below in the following chapter.

³⁹ Including *nov.* 148 and one other example of the adjectival form στρατιωτικός (*nov.* 147), eleven of the twelve references to φοιδεράτοι in the *novellae* are accompanied by a form of στρατιῶται.

⁴⁰ Note that an adjectival form appears also in the *de Insidiis* version of Malalas. See Jeffreys, Jeffreys, and Scott 1986: 205.

⁴¹ Laniado 2006: 265-6.

(*foederatorum nihilo minus et dediticiorum*) to join up.⁴² The first mention of the *foederati* in the east, although in Latin, is in a *novella* issued by Theodosius II and dated to 443, stating that the dukes were not to make deductions from the subsidies owed to the Saracen *foederati*.⁴³ The first is certainly a response to the invasion of Italy by Radagaisus and Stilicho's desperate need for soldiers.⁴⁴ The *novella* is particularly interesting because it reveals some important details about one relationship and indicates that the unidentified “Saracen” group in question was receiving supplies as part of their agreement, something hinted at elsewhere but never directly stated.⁴⁵ This reference to the Saracens as *foederati* is a significant pillar of Irfan Shahîd's arguments concerning Rome's Arab allies as *foederati* from Diocletian through to the Islamic conquest.⁴⁶ Nowhere else are Rome's Arab allies explicitly called *foederati* or φοιδεράτοι. Despite Shahîd's continued adherence to the idea of the Arabs as *foederati*,⁴⁷ they are never even referred to as φοιδεράτοι. The term's appearance in a *novella* clearly denotes a relevant legal status for the middle of the fifth century. Unfortunately, the general context is unknown. The law is clearly aimed at curbing abuses and presumably was drafted in response to a complaint, but all that can be said is that at one point in the early 440s the government in Constantinople had an agreement with some Arab group that could be called a *foedus*. The lack of other attestations of the term from this immediate period and from within the *Codex Theodosianus* itself, where it appears three times (the unmentioned example is a Novella of Valentinian III from 440, noting that Sigisvuldus is coming with guards of soldiers and federate allies to defend the shores from Geiseric⁴⁸), presents a problem for interpretation. Just what the bestowal of the position of *foederatus* means in the middle of the fifth century in the East is unclear. Assuming that a Saracen group or groups were referred to as *foederati* at that times does not necessarily mean that this relationship remained unchanged or that it conforms to some clear definition that

⁴² Laniado 2006: 265-6, *Cod. Theod.* 7.13.16

⁴³ *Nov. Theod.* 24.

⁴⁴ Jones 1964: 184.

⁴⁵ Procop. *Wars* 4.11.9.

⁴⁶ Shahîd 1984a: xxviii, Shahîd 1984b: 15. The term “Arab” is used throughout this thesis with a full awareness of how it refers to a people who probably lacked a unified identity in the pre-Islamic period: Millar 2010: 201.

⁴⁷ Shahîd 1995: xx.

⁴⁸ *Nov. Valent.* 9.

modern historians would like to find. All this law reveals is that at least in official Latin documents of the mid-fifth century in the east the *foedus* referred to some specific relationship with a foreign group and in this case involved the provision of supplies by the Romans.

Olympiodorus

Precisely dating the composition of the fragmentary fifth-century historians is problematic, but a date in the second quarter of the fifth century is likely for Olympiodorus.⁴⁹ The actual fragment is very short, and states simply that during Honorius' reign the Goths were allowed into the *buccellarii*, and that this was a position originally made up of Roman soldiers. Likewise, a different and mixed body were called *φοιδερᾶτοι*:

Ὅτι τὸ Βουκελλάριος ὄνομα ἐν ταῖς ἡμεραις Ὀνωρίου ἐφέρετο κατὰ στρατιωτῶν οὐ μόνον Ῥωμαίων ἀλλὰ καὶ Γότθων τινῶν ὡς δ' αὐτῶς καὶ τὸ φοιδεράτων κατὰ διαφόρου καὶ συμμιγοῦς ἐφέρετο πλήθους.

“In the time of Honorius the name *buccellarius* was given not only to Roman soldiers but also to certain Goths. Similarly the name *foederati* was given to a diverse and mixed body of men.⁵⁰

This is the first attestation of the term in Greek, but whether it should be considered to belong to the *φοιδεράτοι* of East rather than those of the Latin west is a difficult question. In terms of content, the fragment does match what Procopius said a century later when he remarked that the contemporary *φοιδεράτοι* were a mixed company.⁵¹ At no point does Olympiodorus state what set of taxonomies qualify the men in the *φοιδεράτοι* as diverse. The implication of the preceding sentence on both Romans and Goths serving in the *buccellarii* is that the diverse body of men in the *φοιδεράτοι* include both Romans and barbarians. While Olympiodorus could be taken as support of Procopius' statement of mixed Roman-barbarian units, the possibility that the earlier passage refers to different

⁴⁹ Blockley 1981: 27, Treadgold 2007: 91-92.

⁵⁰ Olymp. frag. 7.4, (Blockley 1983: 158). The translation is Blockley's.

⁵¹ Procop. *Wars* 3.11.3-5.

groups of barbarians being put together in one federate group remains. This is not to say that the passage should be interpreted in light of Procopius; rather the above will hopefully serve as a *caveat* to demonstrate how the specifics of Olympiodorus' use of the term are not clear.

The second problem with Olympiodorus is whether the term should be taken in its later Byzantine sense alongside other Greek attestations, or whether it remains a Latin term. This is made additionally problematic by the use of a second Latin term in this context: *buccellarius*. The degree to which a Greek and Latin dichotomy exists is relevant to all the sources here, and even well into the sixth century an active Latin literary circle existed in Constantinople.⁵² Olympiodorus is rather fond of transliterated Latin terminology and had an active interest in affairs in the West.⁵³ The term *nobilissimus* appears a number of times, alongside other titles such as *quaestor*, *domesticus*, and *magister*.⁵⁴ Despite his apparent fondness for an accurate rendition of titles rather than classicizing vocabulary, Olympiodorus is not entirely consistent. For example, he refers to the urban *praefectus* of Rome as an eparch.⁵⁵ In another case where technical terminology might be expected (and appreciated), Jovius was said to have made Alaric an ally (σύμμαχον) which granted the latter some grain and territory on which to settle.⁵⁶ If the Greek form of *foederatus* was to be expected anywhere, the passage referring to concessions made to Alaric should qualify. Given the fragmentary nature of the text, too much should not be assumed, but the only attestation of φοιδερῆτοι does seem to have its later Greek sense rather than its earlier Latin meaning. In any case, it is important that Olympiodorus opines that it was in the early fifth century that a change came about in the composition of the *foederati*. How widespread this was is unknown, as the text only states that this took place in the time of Honorius (ἐν ταῖς ἡμέραις Ὀνωρίου).⁵⁷ The fragmentary state of the text does not allow further analysis on whether the new φοιδερῆτοι were a creation of the East or the West. At the same time, the evidence for

⁵² Cameron 2006: 18.

⁵³ Blockley 1981: 38, Potter 2010: 14.

⁵⁴ Olymp. frag. 33.1 (Blockley 1983: 196), 33.2 (198), 43 (206), 14 (172), 10.1 (162), 17.1 (176).

⁵⁵ Olymp. frag. 10.2 (Blockley 1983: 166).

⁵⁶ Olymp. frag. 8.1 (Blockley 1983: 162).

⁵⁷ Olymp. frag. 7.4 (Blockley 1983: 158).

what appear to be rather traditional *foederati* in Valentinian's *novella* should not be discounted. That both older and newer and Latin and Greek conceptions of the term coexisted with each other is almost certain. The evidence from Olympiodorus is too insubstantial to provide much detail beyond revealing an awareness of an evolution of the term which the historian felt was worth mentioning, although it may point towards an evolution of the federate system.

Malchus

Malchus' work is likely to post-date the death of Zeno in 491.⁵⁸ He mentions the φοιδερᾶτοι once, connecting them to ὑπόσπονδοι. The fragment states that envoys came to Zeno from allied Goths in Thrace, who are called φοιδερᾶτοι by the Romans (φοιδεράτους οἱ Ῥωμαῖοι καλοῦσιν).⁵⁹ To judge from the surviving fragments, Malchus did not use a large number of non-classicising terms, but when he does these terms are often explained. The *domestici* are explained because they are a Roman institution (οὓς δομεστικούς καλοῦσι Ῥωμαῖοι),⁶⁰ and are later referred to as the “so-called” *domestici*.⁶¹ Imperial mounted couriers are introduced in a similar manner, as are those who are called *magistriani* (οὓς μαγιστριανοὺς καλοῦσι) although no subject is specified for καλοῦσι.⁶² A barbarian priest is explained as a presbyter, a term used by the Christians (ὅν οἱ Χριστιανοὶ καλοῦσι πρεσβύτερον).⁶³ Malchus also explains his use of the un-classical term *Saracen* by suggesting that its Greek origins lie in the Saracens being tent-dwellers.⁶⁴ These examples make clear Malchus' conscious stylistic choice to avoid words of an un-classical vocabulary. This does suggest that Malchus' conception of the *foederati* is based on the classical version of the term rather than its late antique eastern permutation.

⁵⁸ Blockley 1981: 70-72, Treadgold 2007: 103-104.

⁵⁹ Malch. frag. 15 (Blockley 1983: 420).

⁶⁰ Malch. frag. 18.3 (Blockley 1983: 430).

⁶¹ Malch. frag. 20 (Blockley 1983: 438).

⁶² Malch. frag. 20 (Blockley 1983: 442).

⁶³ Malch. frag. 20 (Blockley 1983: 442).

⁶⁴ Malch. frag. 1 (Blockley 1983: 404). Shahîd 1984a: 122-142. cf. Fisher 2011: 76-77.

Although the fragmentary state of the text does not allow any further speculation, the general pattern that appears in Malchus is of the single introduction of a term followed by its occasional use accompanied with a form of *καλῶ* or *λέγω* without a subject. How many times he subsequently referred to *φοιδερᾶτοι* is unknown, although it may not entirely conform to this pattern. As noted in the fragment cited above, Malchus equates the Latin *foederatus* to the Greek *ὑπόσπονδος*. The latter term is used a number of times in the extant fragments. The terms of a treaty between Rome and Persia was said to include a clause which stated that neither power would grant immunity to the Arab allies of the other should they revolt. This sets the stage for the story Malchus is telling in which after revolting from the Persians and taking the island of Iotabe, Amorkesos wished to become a phylarch and ally of the Romans (*Ῥωμαίοις ὑπόσπονδος γενέσθαι*) in contravention of the treaty.⁶⁵ A Sidimund is also referred to as a questionable ally of the Romans (*Ῥωμαίοις ὑπόσπονδον*).⁶⁶ Sidimund has been considered to be a *foederatus* given that he was called upon to serve the Roman state in a military fashion.⁶⁷ He demanded supplies from the city of Heraclea in order to feed his army. Presumably this was done under whatever agreement he had reached with Zeno, although his burning of the city when the citizens failed to provide him with those supplies is less likely to have been part of the original contract.⁶⁸ The conclusion of the *PLRE* (that Sidimund was a *foederatus*) is accurate so long as the traditional definition of *foederatus* is used. He possessed his own forces, received Roman supplies, and (at least, theoretically) took commands from the emperor.

In this case the attribution of federate status by both Malchus and modern historians to Sidimund makes sense, but the entire picture becomes more complicated when the two Theoderics are introduced. Theoderic Strabo made peace with Zeno under the specific conditions that the empire provide money and maintenance (*συντάξεις τε καὶ τροφὴν χορηγεῖν*) for thirteen thousand chosen men, that his property be returned, that his former honours be returned, and that he be given command of two *scholae* as well as being made

⁶⁵ Malch. frag. 1 (Blockley 1983: 404-406).

⁶⁶ Malch. frag. 20 (Blockley 1983: 438).

⁶⁷ *PLRE* III s.v. Sidimundus (p. 1007). Sidimund is only known from Malchus. Wolfram 1988: 274.

⁶⁸ Malch. frag. 20 (Blockley 1983: 440).

general of one of the praesental armies.⁶⁹ He was only given the money and the post as well as the recognition of his position as king of the Goths.⁷⁰ Likewise, during his subsequent revolt, Theoderic the Amal supported his forces from estates in Macedonia when negotiating with the emperor.⁷¹ At the conclusion of negotiations, Theoderic was to be given estates.⁷² The impression given by Malchus is the Thracian Goths were allied to the Romans, and yet his following story reveals the divisions between the camps of the two Theoderics. Theoderic Strabo's envoys came to Zeno and asked to make an alliance (σπείσασθαι) in favour of their group instead of Theoderic the Amal's.⁷³ What is curious about this passage is that Malchus claims the envoys are coming from the federate Goths in Thrace. Thus, they were already *foederati* but presumably were seeking to renegotiate an older and un-stated contract. This point is contested by Laniado who raises the obvious point of why the Goths were called ὑπόσπονδοι if no treaty existed.⁷⁴ He argues that φοιδεράτους corresponds to ὑποσπόνδων Γότθων and that φοιδεράτους may be a nickname. The idea is intriguing but unsubstantiated.⁷⁵ What Malchus describes matches a more traditional Latin definition of *foederati* in that they were settled on Roman soil and negotiated with the Roman state through their leaders in exchange for military service. They were *foederati* because they were at least theoretically settled in Roman territory. Not having a current agreement between their emperor and leader did not change that status and they were seeking a new, individual position.

However, it is worthwhile to note that Marcellinus *Comes* does not use this term *foederatus* concerning this agreement despite writing in Latin (and nor does Malchus). Rather, Theoderic was pacified with bounties (*munificentiis*) and held in his trust parts of two provinces, which certainly sounds like a more brief version of the above contract. Why Malchus never again refers to the Thracian Goths as ὑπόσπονδοι is thus explained:

⁶⁹ Malch. frag. 18.4 (Blockley 1983: 434).

⁷⁰ Jones 1964: 223.

⁷¹ Malch. frag. 20 (Blockley 1983: 436, 460 n. 46). Note that textual problems prevent a clear understanding of whether Theoderic Strabo's troops were being supported through some form of *hospitalitas*.

⁷² Malch. frag. 20 (Blockley 1983: 438).

⁷³ Malch. frag. 15 (Blockley 1983: 420).

⁷⁴ Laniado unpublished: 10.

⁷⁵ Laniado unpublished: 10.

their status was to be taken as a given since they were settled on Roman land, although the details of the agreements could change.⁷⁶ To a certain extent this theoretically applies to Amrokesos and Sidimund as well, as both were effectively independent “subjects” of the Romans inside or on nominal Roman territory. Since Marcellinus *Comes* effectively describes the same pact as Malchus, his failure to use the term *foederatus* should probably be ascribed to the general lack of technical precision in his work rather than any conscious decision to avoid the term.⁷⁷

While Malchus is clearly equating the two terms, the degree to which they should be seen as precise synonyms is debatable. He provides no information on what sort of agreements were reached beyond the broadest details. The agreement made between Amorkesos and Leo I reads more like the sort of ceremonial undertaken when an eastern dignitary visited Constantinople in the fifth century than that of a minor Arab ruler of an island whose location is uncertain.⁷⁸ Malchus’ antipathy towards Leo may explain why he chose to present the journey of Amorkesos as an entirely one-sided affair in which Amorkesos received lavish gifts and was not required to give anything in return.⁷⁹ Of further significance is that late in the fifth century the island of Iotabe was recovered by the Romans,⁸⁰ indicating that the alliance made between Amorkesos and his successors and the Romans was conducted at the state level. The Romans appear to have been unable to prevent the fall of the island or enforce any of the obligations that Amorkesos was presumed to have agreed to.

Two conclusions can be drawn from this example. First, assuming Malchus’ equation of ὑπόσπονδοι and *foederati* is correct and more broadly applicable, federate status is highly flexible⁸¹ and need not involve military obligations by which the smaller power would provide troops to fight alongside the Roman army. Second, Malchus recorded that Leo

⁷⁶ Marc. Comes 483.

⁷⁷ Treadgold 2007: 233-234.

⁷⁸ Canepa 2010: 128-139, *De Cer.* I. 89-90 (trans. Moffat and Tall 2012): 398-410, Shahîd 1989: 60, Mayerson 1992: 352-354.

⁷⁹ Bury 1958 v.II: 8.

⁸⁰ Procop. *Wars* 1.19.4, Theoph. *Chron.* p. 141.12-17, cf. Shahîd 1989: 60.

⁸¹ Heather 1997: 69-71.

persuaded Amorkesos to become a Christian.⁸² This is similar to the policies of Justinian, which resulted in the emperor baptising both the Herul and Laz kings, and Justin's interest in the spread of Christianity in the Red Sea, exemplified by aid provided to Axum.⁸³ The similarity here is that, like Amorkesos, they travelled to Constantinople for negotiations, but their people existed at the very limits of Roman power in states that were effectively independent. That both the Lazi and the Heruli sought out Roman military aid against the encroachment of other enemies indicates their virtual independence. From these examples, Malchus' ὑπόσπονδοι-*foederati* appear to be minor barbarians in an agreement with the empire but beyond its power. Their compacts seem to have been pragmatically handled by both sides: Sidimund had military forces but acted according to what served him best, and Amorkesos was far enough beyond Roman power that he was effectively free of obligations beyond what Malchus calls a sham conversion to Christianity.

If federate status can be said to be defined by land, leadership by individual barbarian chiefs, money, and supplies, all these appear in Malchus in connection to the persons of the two Theoderics. This is despite just one explicit reference to the allied Goths in Thrace, suggesting that the status of those Goths was sufficiently well-known as not to require further explanation. It follows that the federate agreement was with the individual groups but the terms could be re-negotiated by individual leaders. The overall picture of the *foederati* as provided by Malchus is one more closely associated with its Latin form than the later Greek definition or the one provided by Olympiodorus, indicating that federate status was something that was still being given to groups of foreigners that remained together on Roman soil, a continuity of the older sense.⁸⁴ To a certain degree, the example of Amorkesos fits this pattern by being an effective “rubber stamping” of the takeover of Iotabe. By theoretically bringing him into the empire the Romans retained

⁸² Malch. frag. 1 (Blockley 1983: 406). Malchus considers Amorkesos' conversion as false, but the testimony of one hostile source on something as complex as religious conversion should not be given too much weight.

⁸³ Procop. *Wars* 1.15.25, 6.14.33-34, Bowersock 2012: 12-25. The extent of the aid provided to Axum may be overstated by Bowersock, as no evidence of direct Roman intervention exists despite his claim that Justin provided both troops and ships: Bowersock 2013: 106.

⁸⁴ cf. Blockley 1992: 161-162 on treaties always conducted between individuals and not states. It seems here that the presence of barbarians inside the *limes* may provide a partial exception to that rule.

their claim on the island. Zeno's government probably calculated that attempting to bring Amorkesos into the Roman orbit was cheaper and less risky than a military campaign, and certainly a better option than letting a distant corner of the empire fall to a barbarian without protest from the central authorities. Any sort of actual settlement on Roman land simply did not exist in this case beyond the theoretical level.

Nilus

One of the letters ascribed to Saint Nilus uses the term φοιδερᾶτος. Its inclusion here is largely for the sake of completeness, since it says little and cannot be securely dated.⁸⁵ A much earlier date seem likely for the relevant letter as it is addressed to a Julius the foederatus.⁸⁶ Assuming an eastern origin and addressee, a Julius was more likely to have existed before the fifth century.⁸⁷ The very brief letter goes on to inform Julius in one sentence that he should not be eating more than is necessary for growth or he will get sick and is presumably an answer to a question posed to Nilus. Little can be assumed about Julius. He was presumably a Christian, but whether he was of Roman or barbarian origin is unknown. A Latin name like Julius might suggest a Roman pedigree, but equally he could have taken a different name upon joining the army. Whether he actually belonged to a military unit is unknown; φοιδερᾶτος could be a cognomen or nickname ascribed to him for any variety of reasons. The provenance is unknown. Unfortunately, this little letter raises more questions than can be answered.

Theodore Lector

Early in the sixth century Theodore Lector (Anagnostes), a junior cleric of Hagia Sophia was commissioned to write an ecclesiastical history by combining Socrates, Sozomen,

⁸⁵ The difficulties in dating Nilus are exacerbated by some tenth-century manuscripts ascribing some works to a Nilus of Ancyra, but this is by no means certain. The editors of a recent translation of some of Nilus' works opined that the *terminus ante quem* for Nilus is A.D. 886: Caner, van Bladel, Price 2010: 73-76.

⁸⁶ Nilus bk. I, epistle 284.

⁸⁷ The great linguistic variety of the Roman east means such an assumption is by no means concrete: Millar 2006: 84-92.

and Theodoret into one work. This was completed and he set out to continue it, ending with his apparent death around the time of Justin's accession.⁸⁸ Only the later books are of any historical interest, and but they survive only in an epitome.⁸⁹ A brief mention is made of a certain Vitalian who aided a revolt against Anastasius. This Vitalian was the son of Patriciolus, a κόμης φοιδεράτων.⁹⁰ The primary importance of this text is to provide an earlier witness to one of the references to κόμης φοιδεράτων in Theophanes.⁹¹ Assuming the text of Theodore has been accurately reconstructed this provides a much earlier attestation to the office of κόμης φοιδεράτων than the ninth-century work of Theophanes.

Malalas

Twice in the work of John Malalas the term *foederatus* appears, both in reference to two different *comites foederatorum*, and both of whom happened to be honorary consuls.⁹² A third instance may exist, in which Malalas claims that Aspar's followers were *foederati*, although not all modern scholars believe that this is authentic, instead pointing to the redactors of Constantine VII for an addition to the Malalas in *De Insidiis*.⁹³ Malalas' willingness to use official Latin terms such as κόμης or ῥήξ does give these references some weight,⁹⁴ although little can be drawn from them beyond the official title of κόμης φοιδεράτων.

John of Antioch

The fragments of John of Antioch include one reference to φοιδερᾶτος and are of a problematic date, with one recent edition ending with Anastasius and another ending with

⁸⁸ Treadgold 2007: 169-170.

⁸⁹ Treadgold 2007: 171-172.

⁹⁰ Theod. Lect. 503, Theoph. *Chron.* p. 157.11

⁹¹ Mango and Scott 1997: 241, n. a.

⁹² Areobindus, who was said to have been a Goth (Malalas 14.23) and Eusebius (Malalas 18.141.)

⁹³ Jeffreys, Jeffreys, and Scott 1986: 205. Laniado unpublished: 1 appears to accept this, however.

⁹⁴ James 1990: 222-223.

Phokas in the seventh century.⁹⁵ According to one fragment, the same Vitalian referred to by Theodore Lector was deprived of the so-called *annonae foederaticae* (καλουμένων φοιδεραιτικῶν ἀννῶνων), which helped him bring the soldiers of Thrace and Scythia (τοῖς τὰ περὶ Σκυθίαν καὶ Θράκην πληροῦσι τάγματα) over to his side.⁹⁶ The solution to understanding this passage lies in other sources. From Theodore Lector and Theophanes Vitalian's position as a κόμης φοιδερᾶτων is known.⁹⁷ The parallel passage in Malalas, while not making use of any relevant terms, notes that Vitalian had a large army of Bulgaric Huns (ἔχων μεθ' ἑαυτοῦ πλῆθος Οὔνων Βουλγάρων).⁹⁸ Although not very informative, these sources indicate that in the early sixth century there were barbarian soldiers in the Balkans ultimately under a Roman leader and who received supplies from the state. What is unclear at this point is what position the κόμης φοιδερᾶτων actually held in relation to these groups and whether a clear transition to the φοιδερᾶτοι regiments of Procopius and Maurice has yet occurred. Vitalian appears to have had some influence over these units, and his title suggests that he probably led them, but whether they were individually commanded by barbarian leaders is unknown. It is, however, interesting to note the discrepancy between Procopius and what these accounts suggest. Assuming that these Huns and Bulgars were trans-Danubian, they are more akin to Procopius' σύμμαχοι than his φοιδερᾶτοι. No source specifically calls the Huns and Bulgars *foederati*, but being supplied by an *annonae foederaticae* and under the leadership of a κόμης φοιδερᾶτων suggests that these soldiers might qualify. The use of the Latin terms *annona* and *comes* suggests that the sense here is Latin rather than Procopian Greek. The confluence of two different, independent uses of what appear to be the Latin form of *foederatus* here is highly significant, as it lends weight to the suggestion that the σύμμαχοι of Justinian's day could be old-style *foederati*.

⁹⁵ Van Nuffelen 2012: 438-439, Treadgold 2007: 311-312 is confident of the seventh-century date and the attribution of those fragments, but it should be noted that his book was published prior to Mariev's edition.

⁹⁶ Ioan. Anti. frag. 311 (Umberto); 242.1 (Mariev). The two texts are fundamentally the same here.

⁹⁷ Theod. Lect. 503, Theoph. p. 157.11.

⁹⁸ Malalas 329.14+*11

Procopius

Procopius of Caesarea deserves pride of place for providing the largest and most militarily-detailed account of the sixth century, bolstered by his own personal experiences on several of the campaigns of which he wrote. Procopius lived and wrote in a time that was vastly different from that of his literary model, Thucydides.⁹⁹ This creates a problem for Procopius, who has to deal with terms which do not appear in a Thucydidean lexicon if his work is to have any accuracy. To accomplish this, Procopius often explains new terms when he introduces them, or attempts to preserve his high style by coupling the new word with a form of the verb *καλῶ*. This is an oft-used and effective technique which allows Procopius to introduce technical or non-classical vocabulary. For example, he uses this method to explain what a monk is, claiming that they are those “whom [the Christians] customarily called monks” (*οὔσπερ καλεῖν μοναχοὺς νενομίκασι*).¹⁰⁰ Monks were ubiquitous in Procopius' day, but his careful phrasing and word choice reveals a conscious attempt to distance himself from the Christian context of his own day in order to follow the diction of Thucydides. In the enumeration of forces marshalling for the Vandal campaign, Procopius uses a term new to Late Antiquity, which first appeared in the late fifth century: *δρόμων*.¹⁰¹ Unlike the monks, the sense here is more familiar and less distant, as he simply states that contemporary men simply called those boats *δρόμωνες* (*δρόμωνας καλοῦσι τὰ πλοῖα ταῦτα οἱ νῦν ἄνθρωποι*).¹⁰²

This does not mean that Procopius' knowledge or representation of all military matters is exceedingly clear or exact, however. Before the Battle of Ad Decimum, Procopius notes that Belisarius sent forward his household (*τοῖς οικείοις*) troops, which consisted of *δορυφόροι* and *ὑπασπίσται*.¹⁰³ One might be inclined to refer to these “household troops”

⁹⁹ Cameron 1985: 20, 24-25.

¹⁰⁰ Procop. *Wars* 1.7.22, Baldwin 1979: 227. For a general survey of similar circumlocutions in late antique literature, see Cameron 1970: 75-88.

¹⁰¹ Pryor and Jeffreys 2006: 13, Procop. *Wars* 3.11.16.

¹⁰² Procop. *Wars* 3.11.16.

¹⁰³ Procop. *Wars* 3.19.13. At the present state of research, the *δορυφόροι* appear to be a fairly generic term, while *ὑπασπίσται* is an archaic word in which the meaning has shifted. It is worth noting that these two terms often appear together, such as in Procop. *Wars* 3.19.13, 14, 23, 3.23.8, 4.3.13, 4.8.20, 4.14.23, 5.27.11, 6.11.22, 7.39.17, et al., Procop. *Anek.* 3.5.

as *buccellarii*,¹⁰⁴ but Procopius never uses the term. This reveals that Procopius' military terminology is not necessarily as precise as the example of δρόμων illustrates. While the terms φοιδερᾶτος and φοίδερα were felt to be important enough to warrant a small description, Procopius notes the difficulty with the term in the sixth-century, how it is a Latin loanword, and how at one point a *foedus* involved settlement, payment, and service in the Roman army.¹⁰⁵ Procopius' use of terminology in military matters is rarely precise enough to please the modern historian. He regularly uses the term στρατηγός, but gives no indication as to what sort of title the general held, such as whether he was a *magister militum praesentalis* or *per Armeniam*, for example.¹⁰⁶ This is not entirely confined to Procopius, as Maurice prefers to use simple Greek terminology as well if a viable equivalent was available.¹⁰⁷ For example, when referring to a place that was called "Shield Mountain" in Latin he uses the Greek form (Ὄρος Ἀσπίδος τῆ σφετέρᾳ γλώσσει καλοῦσι Λατῖνοι τὸν χῶρον) rather than a word like *scutum*.¹⁰⁸

Procopius frequently refers to a particular word as Latin when he is forced to use it, such as explaining the *secunda* in Justiniana Secunda, or that a funeral pyre was called a *busta*, in reference to Narses' battle.¹⁰⁹ Thus it appears that Procopius used a variety of Latin terms, particularly those related to the military. Some of these are archaizing and some are not, and he did not always adequately explain them. This provides an important note of caution when studying terminology, as the exact nature of a given term should not be taken for granted, especially with a broad term like συμμάχος, although it does suggest that φοιδερᾶτος remained important enough to use a Hellenized form.

Φοιδερᾶτος appears in Procopius' works much less frequently than συμμάχος and its related forms. It appears only fourteen times, in contrast to over 120 references of συμμάχος. The term receives some specific explanation by Procopius, but most of the

¹⁰⁴ Haldon 1984: 102, Ravegnani 1988: 14.

¹⁰⁵ Procop. *Wars* 3.11.2-3, 8.5.13.

¹⁰⁶ Parnell 2012b: 3-4. For an exception, Belisarius was στρατηγός τῆς ἕως (Procop. *Wars* 1.13.9).

¹⁰⁷ Rance 2004: 109.

¹⁰⁸ Procop. *Wars* 4.13.34.

¹⁰⁹ Procop. *Aed.* 4.1.30, *Wars*, 8.29.5. Generally, Procopius explains names of places that are in Latin: *Wars* 2.1.7, 3.16, 5.11.2, 5.15.4-5. Procopius explains a few Latin terms: *referendarius* (*Wars* 2.23.6), *magister* (1.8.2).

references are to commanders who operate *φοιδερᾶτος* groups. The passage in which Procopius explains the issue deserves to be cited in full:¹¹⁰

ἐν δὲ δὴ φοιδερᾶτοις πρότερον μὲν μόνοι βάρβαροι κατελέγοντο, ὅσοι οὐκ ἐπὶ τῷ δοῦλοι εἶναι, ἅτε μὴ πρὸς Ῥωμαίων ἠσσημένοι, ἀλλ' ἐπὶ τῇ ἴσῃ καὶ ὁμοίᾳ ἐς τὴν πολιτείαν ἀφίκοιντο. Φοίδερὰ γὰρ τὰς πρὸς τοὺς πολεμίους σπονδὰς καλοῦσι Ῥωμαῖοι. τὸ δὲ νῦν ἅπασι τοῦ ὀνόματος τούτου ἐπιβατεύειν οὐκ ἐν κωλύμῃ ἐστὶ, τοῦ χρόνου τὰς προσηγορίας ἐφ' ὧν τέθεινται ἥκιστα ἀξιούντος τηρεῖν, ἀλλὰ τῶν πραγμάτων ἀεὶ περιφερομένων, ἧ ταῦτα ἄγειν ἐθέλουσιν ἄνθρωποι, τῶν πρόσθεν αὐτοῖς ὀνομασμένων ὀλιγοροῦντες.

Now at an earlier time only barbarians were enlisted among the *foederati*, those, namely, who had come into the Roman political system, not in the condition of slaves, since they had not been conquered by the Romans, but on the basis of complete equality. For the Romans call treaties with their enemies “foedera.” But at the present time there is nothing to prevent anyone from assuming this name, since time will by no means consent to keep names attached to the things to which they were formerly applied, but conditions are ever changing about according to the desire of men who control them, and men pay little heed to the meaning which they originally attached to a name.¹¹¹

The fundamental issue raised by Procopius here, and the one addressed by this study, is that despite stating that the *φοιδερᾶτοι* are no longer recruited in the traditional manner, he does not give a precise definition for what the term meant in the middle of the sixth century. Nor do the other references provide much in the way of specific information. The most consistent use of the term *φοιδερᾶτος* is connected to those who commanded the regiments, and generally confined to the wars in Africa.¹¹² However, a few points should be noted. Procopius’ statement that the *φοιδερᾶτοι* were no longer composed purely of barbarians is important in two ways. First, it implies that in Procopius’ mind, at least, the *φοιδερᾶτοι* were once purely made up of barbarians, although this does not provide any indication as to just how “regular” a unit the *φοιδερᾶτοι* were. Second, it

¹¹⁰ Procop. *Wars* (trans. Dewing) 3.11.3-5.

¹¹¹ Procop. *Wars* (trans. Dewing) 3.11.3-5.

¹¹² Procop. *Wars* 3.11.6, 3.19.14, 4.3.4, 4.7.11, 4.15.50.

suggests that the ethnic composition of the φοιδερᾶτοι in Procopius' time was mixed, a point that will be discussed further below.¹¹³

The Justinianic *novellae*

After Procopius, Justinian's *novellae* are the single largest repository of mentions of the φοιδερᾶτοι, with the term appearing twelve times. The volume of references and incidental information here matters more than what the laws are saying on the surface about the φοιδερᾶτοι, which is effectively little more than that they were soldiers. Most of the regulations simply concern soldiers and list several classes, usually στρατιῶται and φοιδερᾶτοι¹¹⁴ but also *scholarii*.¹¹⁵ As these references are contained within a legal document they should rightly be expected to reflect contemporary reality, since the constant repetition of not allowing private individuals to employ φοιδερᾶτοι or στρατιῶται does suggest an attempt to close what may have been a loophole. This raises the question of the degree to which the στρατιῶται and φοιδερᾶτοι were distinct from each other. Was the state merely trying to ensure that it covered everything by including both classes of soldiers? Was the law that repeatedly prohibited private individuals from employing φοιδερᾶτοι or στρατιῶται (116) targeting a specific abuse or more systemic corruption? Straightforward answers to these questions are not forthcoming, although the evidence provided by the rest of the laws suggest that the repeated mention of the φοιδερᾶτοι is specific. The term is also specifically Greek, since the *novellae* uses Latin terms in Latin when necessary although they are usually of a specific legal or financial nature.¹¹⁶ The *novellae* uses forms of στρατιώτης and its adjectival form στρατιωτικός over 200 times in comparison to the twelve references to φοιδερᾶτοι; soldiers are thus referred to with far greater frequency. This suggests that the mentions of the φοιδερᾶτοι are a specific reflection of real problems.

¹¹³ Greatrex 1998: 36-37.

¹¹⁴ *Nov. J.* 103, 116, 117, 147, 148.

¹¹⁵ *Nov. J.* 117

¹¹⁶ For example, cartulariου: *Nov. J.* 117.11 line 21. quaestorou: *Nov. J.* 8.7 line 2. emancipationou: *Nov. J.* 81.2 line 14.

In *novella* 103, the governor of Palestine is placed in charge of the στρατιῶται, the *limitanei*, and the φοιδερᾶτοι, indicating that these three classes of troops could realistically expect to be commanded by someone in Palestine. The proconsul of the province was permitted to take over command of the forces of the *dux*, likely in order to handle Samaritan unrest.¹¹⁷ *novella* 116 is concerned with the private employment of φοιδερᾶτοι and στρατιῶται and bans them from all work outside of the army. Presumably, φοιδερᾶτοι were taking up private work and consequently Justinian felt it necessary to legislate against this. The significance of this is unclear. However, the relatively expensive fine of ten pounds of gold levied against anyone failing to return their illegally-employed φοιδερᾶτος to his *optio* does suggest that the potential employers were probably quite wealthy.¹¹⁸ The status of the φοιδερᾶτοι as line troops probably made them excellent candidates for recruitment into the private forces of those who could afford them, something the government was keen to prevent. Still, this neglects the στρατιῶται who are continually mentioned alongside the φοιδερᾶτοι in *novella* 116 who are subject to all the same conditions. While the state of available late antique military manpower remains a topic of debate,¹¹⁹ one safe assumption can be made: the Roman state had no desire to let soldiers in its employ fall into private hands whether they be φοιδερᾶτοι, *limitanei*, *comitatenses*, or named palatine units. This suggests that the φοιδερᾶτοι of *novella* 116 were perceived to some degree as sufficiently outside the military structure of the standard army that it was prudent to mention them in order to prevent their private employment. If these soldiers were entirely inside the ranks of the regular army then there would be no need to mention them, since it can safely be assumed that other classes of soldiers beyond the regulars of the *comitatenses* fall under the title of στρατιῶται here. Presumably the state would not accept the private employment of *scholarii*, indicating that στρατιώτης refers to many classes of soldiers, and thus the φοιδερᾶτοι must refer to something specific and not perceived as being entirely integrated within the regular military structure of the day.

¹¹⁷ Mayerson 1988: 68-69.

¹¹⁸ Sarris 2006: 57, Note that Evans 1996: 51 exaggerates the severity of the law when he states that the soldiers were to be executed (οὐ μόνον τῆς ζώνης ἀφαιρεθήσονται, ἀλλὰ καὶ τὰς εἰς ἔσχατον ὑπομενοῦσι τιμωρίας). This was a last resort and only to be used on those who directly flouted the law after having been given time to return to their units. First and foremost, the soldiers were ordered to be returned to their administrative officers.

¹¹⁹ Evans 1996: 51-52, Lee 2005: 118, Treadgold 1995: 165-166.

Novella 117 (Jan. 543) concerns the remarriage of the wives of soldiers. Here the language is more specific than the last case while at the same time being more ambiguous. The law refers to anyone said to be under arms for the state, whether στρατιῶται, φοιδερᾶτοι, *scholarii*, or others enrolled in the army (τὸ μέντοι παρ' ἡμῶν νομοθετηθὲν περὶ τῶν ἐν ἐξπεδίτῳ ὄντων καὶ ἐν στρατείαις καταλεγόμενων, εἴτε στρατιῶται εἴτε φοιδερᾶτοι εἴτε σχολάριοι εἴτε ἄλλοι τινὲς ὑφ' ἑτέραν οἴανοῦν στρατείαν ἔνοπλον καταλεγόμενοι) and informs them that they do not have to worry about their wives remarrying while they are away since a death certificate is required. This requirement is likely an attempt by the state to be inclusive of all classes of soldiers. Some more specific detail is given in this law by stating from whom the women acquire the death certificate. If the soldier was a *scholarius* the widow needs to collect it from the *actuarius*, whereas if he was a φοιδερᾶτος she needs to find the *optio*. The only information this provides beside noting the φοιδερᾶτοι as a class of soldier worthy of mention is that their administrative officer was an *optio*, a topic to be discussed later.

The Strategikon

The *Strategikon* attributed to the emperor Maurice provides some of the last contemporary evidence for the φοιδερᾶτοι. Early in the book the commanders of the φοιδερᾶτοι are listed alongside those of numbered divisions and *buccellarii* as those who are required to have their equipment in good order.¹²⁰ This command stretched down to the *pentarchoi* and all the way up the commanders of *meroi*. The *meroi* in Maurice's images are not large, ranging from roughly 80 to 140 men, which suggests that all the officers in this list are "non-commissioned" and thus their equipment needed to be functional for the battlefield and not just the parade ground.¹²¹ Of significance is that this section is on the equipping of the cavalry, indicating that the φοιδερᾶτοι had an important position in the battle line.

¹²⁰ Maur. *Strat.* 1.2.5-21, (trans. Dennis 1984): 12.

¹²¹ Maur. *Strat.* 1.2.5-21, (trans. Dennis 1984): 12.

Maurice mentions the φοιδερᾶτοι again when discussing formation depth. The implication from this passage is that better units had shorter files, whereas those made up of ordinary troops (τὰ λοιπὰ τάγματα) required eight to ten men to the seven of the φοιδερᾶτοι.¹²² In the diagrams of the battle line, the φοιδερᾶτοι are placed in the front and centre between the Illyriciani and the Vexillationes.¹²³ Both of these units lasted well into the Byzantine period, and at least the Illyricani appear to have been substantial in the seventh century given a reference to its fifteenth *bandon*.¹²⁴ Of some interest is the placement of the *hypostrategos* in the formation, as he is placed right in the front and centre of the φοιδερᾶτοι. While questions can certainly be asked about the military reality of any given formation, the placement of the sub-general in such a position does suggest that these φοιδερᾶτοι were more than just the *hastati* of an earlier era which were used expendably to reduce the casualties amongst the legionaries.¹²⁵

Theophanes

Although Theophanes' use of the relevant terms is slight, he deserves a brief discussion here in order to understand more fully his sources and technical terminology. This ninth-century monk used a variety of sources and is of value here for his role as a compiler of earlier material.¹²⁶ Despite the sources lurking close to the surface of Theophanes, the use of terminology in this manner raises questions of a methodological nature.¹²⁷ Given Theophanes' wide-range of material, including work that was originally in Syriac prior to its translation into Greek, he was forced to use a wide range of foreign and technical terms, but his success with them is mixed. Unsure of what to do with a *parasang* in a passage he derived from Theophylact Simocatta, Theophanes simply equates it to a

¹²² Maur. *Strat.* 2.6.20-21, (trans Dennis 1984): 28. In the same passage, the Optimatoi also have shorter files.

¹²³ Maur. *Strat.* 3.8.5, (trans Dennis 1984): 43.

¹²⁴ Haldon 1984: 173, 377-378 n. 55

¹²⁵ See, for example, Tac. *Agr.* 35. The *Strategikon* reveals also that the φοιδερᾶτοι had pages to assist them, something shared with the Optimatoi: Maur. *Strat.* (trans. Dennis 1984): 29, 41-3. Haldon 1984: 98. This requires some further exploration. Theodosius I's (ab)use of his *foederati* at the Frigidus may be relevant here, although whether his Gothic units were as well-integrated into the army as the φοιδερᾶτοι of ca. 600 is an open question.

¹²⁶ Howard-Johnston 2010: 289-295, Mango-Scott 1997: lxxiv.

¹²⁷ Mango-Scott 1997: lxxiv-xci.

mile.¹²⁸ In general, one should be cautious of reading too much into Theophanes' technical terminology since the author himself may be misrepresenting the term.

Theophanes' only makes three references to the φοιδερᾶτοι, and all are in the sixth century and all refer to three individuals who held the title κόμης φοιδερᾶτων.¹²⁹ Given that these titles exist within a known context, there is little reason to dismiss them, although as will be shown later one is not without difficulty. At least one of the three is so similar to Malalas that it seems certain that it is not an independent attestation, as mentioned above. The issue of the κόμης φοιδερᾶτων is discussed more fully below.¹³⁰

Analysis and Summary

The Comes Foederatorum and the Tiberiani

Scharf's conclusion that the κόμης φοιδερᾶτων was not a regular position in the military hierarchy is borne out through the limited number of attestations of the position.¹³¹ John Malalas and Theophanes are the only sources to mention the office.¹³²

The first case in Malalas refers to an incident of single combat on the eastern frontier between a Persian and Gothic κόμης φοιδερᾶτων, Areobindus (τινα Γότθον, κόμητα φοιδερᾶτων). Following his victory, Areobindus was made consul by Theodosius II.¹³³ Malalas' second reference is to the invitation of Eusebius, the κόμης φοιδερᾶτων, to a plot to murder Justinian. Unsurprisingly, both Areobindus and Eusebius are men of the very highest social standing. Areobindus was elevated to the office of consul while

¹²⁸ Mango-Scott 1997: xcii. A famously problematic example is his use of the term *themata* in the reign of Herakleios, which is no longer considered to have value as a technical term: Theoph., *Chron.* p. 300.6. Treadgold 1995: 23-24. A recent citation of Theophanes associates a term that is not technical with one that is, illustrating the hazards of expecting a distant author to fully understand and accurately represent the terms presented to him in his sources: Decker 2013: 75. The term used by Theophanes in Decker's reference is κλεισουροφύλακι (*Chron.* 350.4), which should not be confused with the formal establishment of the institution of the *kleisourarchai* in the eighth century: Haldon 1999: 79. Cf. McGeer 2008: 203-206.

¹²⁹ Theoph., *Chron.* pp. 157.11, 237.26, 251.27.

¹³⁰ Theoph., *Chron.* p. 237.26, cf. Malalas 18.141. See below.

¹³¹ Scharf 2001: 129.

¹³² Note that the fifth-century attestation of Malalas is considered anachronistic by Haldon, who unfortunately gives no justification for his position. Haldon 1984: 100.

¹³³ Malalas 14.23. PLRE III s.v. Eusebius 4 (p. 468).

Eusebius was placed highly enough to be invited to participate in a conspiracy against Justinian. The exact place of the κόμης φοιδεράτων in the military hierarchy is not made clear, but certainly the position was one equivalent to that of other comparable *comes*-level positions that involved groups of provinces or commanding field forces.¹³⁴ This is significant for clarifying the social standing of the holder of the κόμης φοιδεράτων title and thus also for excluding most of the ἄρχοντες φοιδεράτων of Procopius, the first attestation of this position. However, this is complicated by Artabanes, an honorary consul and ἄρχοντα φοιδεράτων.¹³⁵ Martindale identifies this office as that of the κόμης φοιδεράτων, a plausible suggestion given the social standing of Areobindus and Eusebius.¹³⁶ The κόμης φοιδεράτων must have been a much higher rank than that held by the ἄρχοντες φοιδεράτων accompanying Belisarius to Africa given the attested connection to the consulship.

Theophanes' first reference to the office is to the revolt of Vitalian against Anastasius, whom Theophanes claims was the son of Patriciolus the κόμης φοιδεράτων.¹³⁷ His second is to the story of Eusebius from Malalas, and the two accounts are sufficiently similar in wording as to indicate that Theophanes was using Malalas at this point. However, some additional details indicate that Theophanes may have had another source as Malalas does not mention that John was a *logothete*, nor does he note that Eusebius had been a consul.¹³⁸ Theophanes' final reference to the κόμης φοιδεράτων is to the future emperor Maurice holding the position. In this case it appears to have been a special command as he was leading the Tiberiani, a regiment allegedly 15,000 strong. They were

¹³⁴ Jones 1964: 104-105, Haldon 2005: 46.

¹³⁵ Procop. *Wars* 7.31.10.

¹³⁶ PLRE III s.v. Artabanes 2 (p. 128).

¹³⁷ Theoph. *Chron.* p. 157.11

¹³⁸ Malalas 18.141, lines 42-46: καὶ δὴ, τοῦ θεοῦ οὕτως εὐδοκήσαντος, εἷς ἐξ αὐτῶν τῶν τὴν ἐπιβουλήν μελετησάντων, Ἀβλάβιος ὁ Μελτιάδου, ἐθάρρησεν Εὐσεβίῳ τῷ κόμητι τῶν φοιδεράτων καὶ Ἰωάννῃ τῷ Δομετιόλου τὴν σκέψιν, ὅτι Ἐν τῇ ἐσπέρᾳ βουλόμεθα ἐπιβῆναι τῷ εὐσεβεῖ βασιλεῖ...

Theoph. *Chron.* p. 237.25-27. **καὶ τοῦ θεοῦ εὐδοκήσαντος ἐθάρρησεν ὁ Ἀβλάβιος Εὐσεβίῳ, τῷ ἀπὸ ὑπάτων ὄντι κόμητι φοιδεράτων, καὶ Ἰωάννῃ τῷ λογοθέτῃ, τῷ κατὰ Δομεντζιολον, λέγων, ὅτι “ἐν τῇ ἐσπέρᾳ ταύτῃ βουλόμεθα ἐπελθεῖν τῷ βασιλεῖ.**

Note that the *de Insidiis* version (174.9) of Malalas is identical with the text cited above with exception of the following: μελετησάντων ὄνομα Ἀβλάβιος ὁ Μελτιάδου. Brandes 2013: 223.

recruited by Tiberius II from foreign nations and organized as an army in his own name: ἀγοράσας σώματα ἔθνικῶν κατέστησε στράτευμα εἰς ὄνομα ἴδιον.¹³⁹

John Haldon sees the appointment of the κόμης φοιδερᾶτων in the middle of the sixth century as a foreshadowing of the placement of the professional φοιδερᾶτοι corps under the *magister militum praesentalis* late in the sixth century.¹⁴⁰ He connects the latter move with the creation of the Tiberiani based upon the assumption that such a large influx of barbarian soldiers could only have been enrolled in the φοιδερᾶτοι.¹⁴¹ Evagrius' account of the recruitment claims that Tiberius collected these men from a variety of nations (ἔθνῶν... γενῶν) and gives no indication that they were provided in groups by tribal leaders.¹⁴² Similarly, Theophylact Simocatta records that Tiberius brought together allied forces from the nations (τὸ συμμαχικὸν ἀπὸ τῶν ἔθνῶν ἠρανίζετο).¹⁴³ Considering that Theophylact mentioned diplomacy with the Persian king in the same breath as he first introduced Tiberius' recruitment drive, the absence of any indication that diplomatic overtures were being made to "the nations" suggests that the target was individual recruitment. This impression is strengthened by Theophylact's statement that the recruits were encouraged by the provision of gold, which further indicates that these Tiberiani were composed of individuals entered into Roman units rather than barbarian units provided by foreign leaders.¹⁴⁴ Although both Evagrius and Theophylact indicate that the recruitment was spread over a rather wide area, Evagrius includes Paeonians, Moesians, and Illyrians in his list.¹⁴⁵ The "Roman-ness" of these peoples is unlikely to have been greatly different from that of Justin's little band that had made its way to Constantinople early in the sixth century. This would support the conclusion of Procopius that the φοιδερᾶτοι were units mixed with Roman and barbarian soldiers, where distinction was likely to have been minimal once a shared military culture was forged. This is briefly discussed below. Although no such work has yet been carried out on late antique sources,

¹³⁹ Theoph. *Chron.* p. 251.25.

¹⁴⁰ Haldon 1984: 100-101.

¹⁴¹ Haldon 1984: 100.

¹⁴² Evagrius 5.14 (p. 209.27-33).

¹⁴³ Theophylact, *Historia* 3.12.8.2-3.

¹⁴⁴ Theophylact, *Historia* 3.12.2-4. Neither Evagrius nor Theophylact use the term Tiberiani, but the belief is that they are referring to the same unit as Theophanes: Whitby 1995: 89-90.

¹⁴⁵ Evagrius 5.14 (p. 209.32-33).

Eric McGeer noted that in the middle Byzantine period there was a direct correlation between the sources mentioning training and discipline and the success of their commanders.¹⁴⁶ The classicizing nature of the Byzantine historians is sufficient to posit a connection here between antiquity and the Byzantine period. Theophylact directly states that the Tiberiani were given good training, and this may provide the link with the *Strategikon*, where the φοιδεράτοι are troops placed in the centre of the front line. Such a position indicates that the φοιδεράτοι were considered to be reliable soldiers.

Maurice's appointment as κόμης φοιδεράτων over this regiment as narrated by Theophanes is likely the result of an official recognition of what the unit actually was. The φοιδεράτοι were an official, professional unit of the army in the sixth and seventh centuries and an exceptional unit required an exceptional command that would memorialize the name of the emperor who created it. The name Tiberiani was likely as ephemeral as many other re-namings in late antiquity such as Antioch as Theoupolis or Aphrodisias as Stauropolis. The Tiberiani thus fit well between the Procopius and Maurice: they were quality troops recruited from a variety of peoples.

Internal Structure

The internal structure of the Justinianic *foederati* is unclear, although the *Novellae* indicate that one of their higher officers held the rank of *optio*. During the imperial period, the *optio* was a deputy of the centurion allegedly so named for “adopting” the position of the centurion should he be incapable who held a variety of semi-military supervisory and administrative positions.¹⁴⁷ The context in which the *optiones* appear in Justinian's legislation upholds the conclusion that the *optio* of the *foederati* held an administrative position and was not a commanding officer. Twice in a law on the return of soldiers to the army from private employment, Justinian commanded that the στρατιῶται were to go back to their *arithmoi* and the *foederati* back to their *optiones*: καὶ τοὺς μὲν στρατιώτας εἰς τοὺς ἀριθμοὺς ἐκπέμψωμεν ἐν οἷς στρατεύονται, τοὺς δὲ

¹⁴⁶ McGeer 1995: 364.

¹⁴⁷ Vegetius 36.7, Breeze 1976: 127-30.

φοιδερᾶτους πρὸς τοὺς ἰδίους ὀπτίονας.¹⁴⁸ This is particularly curious since the *arithmos* is a unit whereas the *optio* is a person, perhaps suggesting that the link between φοιδερᾶτοι units and the government is different from that of other regular units. Another law mentions that wives wishing to remarry after having been married to a *foederatus* require a certificate of death from the *optio*, or if the husband had been in the *scholae* the document had to come from the *actuarius*: *παρὰ τῶν πρώτων τῆς σχολῆς καὶ τοῦ ἀκτουαρίου, εἰ δὲ φοιδερᾶτος, παρὰ τοῦ ὀπτίονος αὐτοῦ τὴν εἰρημένην κατάθεσιν κομίζεσθαι τὴν ἐκείνου γαμετήν.*¹⁴⁹ Elsewhere in the laws the *optio* is associated with the distribution of supplies and the issuing of receipts for the collection of those supplies, although not explicitly with the *foederati*.¹⁵⁰ Additionally, *optiones* appear on the military edict of Anastasius which has been found at Perge, although whether their placement in the list below *signiferi* and above *veredarii* is significant remains to be seen.¹⁵¹

While these laws indicate a continuation of a variety of administrative duties of the *optio* from the Principate, the parallel structures raise some questions. D. Breeze argued that from the third century the title *magister* increasingly came to replace the title *optio* amongst junior soldiers serving in a supervisory capacity. He suggests that perhaps new units raised in the third century and later had *magistri*, while older units retained their *optiones*, explaining why the title persisted but was inconsistently used.¹⁵² Constantine's creation of the *auxilia palatina* supports this thesis.¹⁵³ This requires further explanation in regard to the *foederati*. By Breeze's argument, if the *foederati* as a sixth-century military unit were a new creation, they should have had a *magister* rather than an *optio*. While no particularly clear solution is forthcoming, the specific mention in the legislation of parallel structures amongst special units may provide some information. An Egyptian papyrus now in the Ashmolean dating from the fifth or sixth century records an *actuarius* distributing money,¹⁵⁴ supplementing the legal evidence that the *actuarii* and *optiones* shared a similar function. While linking the *actuarius* in the papyrus to a military unit is

¹⁴⁸ *Nov. J.* 116.18-20.

¹⁴⁹ *Nov. J.* 117.10-13.

¹⁵⁰ *Nov. J.* 130.16-26.

¹⁵¹ Onur 2010: 33.

¹⁵² Breeze 1976: 130-1.

¹⁵³ Speidel 1996: 167.

¹⁵⁴ Rea 1996: 162-164.

impossible, the shared functions between the title in two different types of evidence is suggestive. An *optio* in the *Life of St. Auxentius* enrolled the saint in the *numeri* during the reign of Theodosius II.¹⁵⁵ A fragment of Peter the Patrician indicates the *optiones* were not confined to military units: an *optio* was associated with the *scrinia* of the barbarians, for the purpose of securing money for the entertainment of Persian ambassadors.¹⁵⁶ These examples suggest that while the *optiones* had administrative duties, they may have acted as a sort of intermediary between barbarians and Roman government. If this conclusion is valid, the *optiones* of the φοιδερᾶτοι make sense: they once managed the payment and provisioning of barbarian *foederati*, and as the units became a more regular part of the army they retained their position and name.

Ethnic Composition

The ethnic composition of the φοιδερᾶτοι is a subject that can be approached only at a distance, for a lack of demographic evidence makes any conclusions uncertain. The question is relevant, however, since both Procopius and Olympiodorus introduce the φοιδερᾶτοι by stating that what was novel about their respective contemporary φοιδερᾶτοι was that they were composed of Romans and foreigners.¹⁵⁷ This needs to immediately be put into perspective since the Romans had been filling their legions with men from the less Romanized parts of the empire for centuries. These men may very well have been indistinguishable from barbarians to the average urban elite.¹⁵⁸ The idea that the φοιδερᾶτοι remain largely barbarian has persisted on account of a lack of evidence to support the contrary.¹⁵⁹ The epigraphic evidence does include mostly barbarian names, however given the paucity of known φοιδερᾶτοι graves the single mention of Julius the φοιδερᾶτος in Nilus suddenly becomes interesting.¹⁶⁰ A reference in the Codex Justinianus does note that Goths were enrolled in the *foederati*.¹⁶¹ Maspero in particular believed that the φοιδερᾶτοι were principally barbarians and that occasionally Romans

¹⁵⁵ *Vita Sancti Auxentii*, col. 1380 line 14.

¹⁵⁶ *De Cer.* 401-2, lines 6, 8; p. 402, line 13.

¹⁵⁷ Procop. *Wars* 3.11.3-5, Olymp. frag. 7.4. (Blockley 1983: 158).

¹⁵⁸ Whitby 1995: 104.

¹⁵⁹ Greatrex 1998: 36-37.

¹⁶⁰ Scharf 2001: 91-99, cf. Laniado 2006: 270-271, Nilus bk. I, epistle 284.

¹⁶¹ *C.J.* i.5.12.17.

managed to get mixed in. Alongside that point he argued that since the στρατιῶται were the remains of the Roman army, barbarians were probably not admitted.¹⁶²

This issue is complicated by work done on ethnicity and identity in late antiquity, particularly the recognition that the constant renegotiation of social boundaries allows them to expand far beyond the Roman/barbarian dichotomy that appears in classicizing literature and is complicated by a lack of distinctiveness between Roman and non-Roman in this period.¹⁶³ Maspero's attempt to uphold this distinction is patently incorrect. For example, Procopius narrates a story in which some barbarians who were Roman soldiers (βάρβαροι μὲν γένος, στρατιῶται δὲ Ῥωμαῖοι) deserted to the Goths in Italy.¹⁶⁴ However, these soldiers were not in a φοιδερᾶτος unit but rather in amongst the regular cavalry (ἐκ καταλόγου ἰππικοῦ) of Innocentius. That they were both in a regular unit but only labelled as barbarians when they performed an action injurious to the emperor is worth noting.¹⁶⁵

A contrasting sixth-century example is provided by Pseudo-Joshua in which the populace of Edessa complained specifically about Goths being billeted on them since they were not receiving the promised tax rebates while others who were not supporting soldiers were. The rapacity of Goths billeted on the people and their apparent willingness to murder their commander Romanos are put forward as examples of bad behaviour.¹⁶⁶ That Romanos was commanding a group primarily composed of Goths is not impossible, and the implication is that their barbarian nature is what led them to such excesses. Eating too much, abusing civilians, and attempting to murder their commanders are hardly vices limited to barbarians as the rebellion of Stotzas in Africa following Justinian's reconquest shows.¹⁶⁷ Imperial edicts from the principate demonstrate a concern for the

¹⁶² Maspero 1912a: 106.

¹⁶³ Lincoln 1989: 9-11, Chryso 1997: 199.

¹⁶⁴ Procop. *Wars* 5.17.17.

¹⁶⁵ Parnell 2010: 46-47. Another example of barbarians in regular units were the Vandals where were enrolled (καταλόγους πληροῦντες) and sent to the eastern frontier: Procop. *Wars*, 4. 14.18. Amory 1997: 290-291.

¹⁶⁶ Pseudo-Joshua 91-97 (trans. Trombley and Watt 2000: 111-114).

¹⁶⁷ Procop. *Wars* 4.14.7-22, MacMullen 1963: 84-89. One could also note the petitions made by cities in the third century who were suffering the depredations of Roman soldiers (see de Blois 2002: 105). That this

What ties these two incidents together is an *esprit des corps* centred on the military unit. In a similar fashion, the *barritus* war cry and the dragon windsock have been taken as examples of the barbarization of the army, but more recent voices have raised questions about tracing the so-called barbarian nature of these and instead posited them as example of a distinct military culture.¹⁷³ This culture is what set the so-called Goths under Romanos apart from the civilians in Edessa. Discerning where the individual loyalties lay is impossible, and a more productive approach is to accept that multiple and overlapping loyalties that may seem contradictory to a modern audience could clearly exist: hence the famous stele found in Budapest that reads *Francus ego cives, Romanus miles in armis*.¹⁷⁴ Likewise, Innocentius' barbarian cavalry decided that a loyalty to something other than the Roman state was preferable and deserted. By informing his audience that they were barbarian by birth (βάρβαροι μὲν γένος) Procopius implies that it was their barbarian nature that caused them to fight against the Romans, but such a statement should not be taken at face value even though it may be true. Earlier, elite barbarians and Romans seem to have mixed at the highest echelons of the military hierarchy with little tension. Some generals like Fravitta or Stilicho had relatively normal careers for the early fifth century.¹⁷⁵

Identity is mutable, cognitive, and performative and whether one was a Roman or barbarian extends beyond loyalty to the emperor or birth in Roman territory.¹⁷⁶ Heavy Roman recruitment from frontier zones contributed to the creation of a common culture in the military. Perhaps most telling of all is the invisibility of ethnic tension in the army during periods of strife. Stotzas' revolt in Africa was concerned with issues of service, while the suggestion of the questionable loyalty of the Huns in Belisarius army and the unwillingness to recruit Italians are the most visible issues here and do not appear related

¹⁷³ Nicasic 1998: 107-110, Halsall 2008: 102-109. See also note 139.

¹⁷⁴ *CIL* III.3576.

¹⁷⁵ Elton 1996a: 99-101.

¹⁷⁶ Kaldellis 2012: 390-392, 400, Halsall 2008: 37-55, cf. Greatrex 2000 and Teall 1965. Dmitriev 2010 has a more restricted and linguistic view of what constitutes a Roman in this period, although one should note that the idea of a culturally “Greek” sixth-century Byzantium is poorly defended and has the hallmarks of Greek nationalist arguments. Parnell 2010: 47 notes that political loyalty to the emperor is insufficient since the σύμμαχοι were allied non-Romans who were loyal to the emperor.

to ethnic concerns.¹⁷⁷ The attacks on Goths following Gainas' revolt seem to have occurred since they were following Gainas, not because they were Goths, and Gainas' Roman troops were attacked as well.¹⁷⁸

The purpose of this section has been to demonstrate the futility in attempting to define the “barbarian” or “Roman” nature of these sixth-century military units. These categories are particularly complicated during this period of imperial history with so many individuals of non-Roman origin inside the empire and the *φοιδερᾶτοι* are an example of that.¹⁷⁹ Olympiodorus and Procopius felt that the mixing of these two categories was an essential part of what made the new *φοιδερᾶτοι* distinct, but the reality is that this probably mattered very little once the men were assimilated into the dominant military culture of their units.¹⁸⁰ In some sense, the actual origin of recruits and the general demographic of these units matters less than the (possibly coerced) expressions of identity that took place at the army, unit, and *contubernium* level. The *φοιδερᾶτοι* may have been mixed, but so was the rest of the army in the sixth century and historians would do well to give the taxonomies “military” and “civilian” as much attention as “barbarian” and “Roman.”

Conclusion

From the above survey some general conclusions can be drawn from the limited evidence. The *foederati* cannot entirely be separated from the *φοιδερᾶτοι* before the sixth century. Just because the term appears in Greek where it is a noun and never an adjective¹⁸¹ (since *φοιδερατικός*, -ή, -όν serves that purpose) does not entirely give it a distinct status. While Olympiodorus may be hinting at the *φοιδερᾶτοι* of Procopius or Scharf's “neuen *foederati*,” Malchus appears to be using the term as a loanword for what

¹⁷⁷ Procop. *Wars* 4.1.6; 4.14.7-22, Kaegi 1981: 44-50, Liebeschuetz 1996: 231-234. See especially Amory 1997: 290-291 for a discussion of how the armies of both Theodoric and Justinian were very similar, as both had men of varying religious beliefs and who spoke a wide variety of languages but shared a common military slang. Amory highlights that ease by which contingents of either empire changed sides since the soldiers on the other side were not fundamentally different.

¹⁷⁸ Elton 1996b: 105.

¹⁷⁹ Pazdernik 1997: 153.

¹⁸⁰ The *στρατιόται* were almost certainly mixed, too. See the case of Innocentius' cavalry: Procop. *Wars* 5.17.17. Also, Amory 1997: 290-291.

¹⁸¹ Laniado unpublished: 9-10.

seems to be rather traditional federate arrangements.¹⁸² Perhaps this is less surprising than it might first appear given increasing administrative division of the empire from the time of the Tetrarchy.¹⁸³ Even disregarding the specifics of the various negotiations carried out by the Theodorics with Zeno's government in that text, at no point are the *φοιδερᾶτοι* ever considered to be a unit in the Roman army. Only in Procopius, the legislation of Justinian, and Maurice do the *φοιδερᾶτοι* appear to be a proper and regular part of the eastern Roman army. The appearance of the *comites foederatorum* might signal a regularization of the *φοιδερᾶτοι* into the military structure, but the relative obscurity of the position raises questions regarding what it actually was. The office appears to have been a roughly continuous one, but little more can be said. Elton noted that the term *φοιδερᾶτος* is not used dogmatically, and this conclusion appears to be borne out.¹⁸⁴

Jean Maspero bemoaned that state of knowledge of the *foederati* but listed five things that he felt were known for certain. First, he proposed that they were a collection of barbarians under one of their own leaders and later became a mixed group of Romans and barbarians.¹⁸⁵ This conclusion is beyond debate. The evidence from Procopius and Maurice clearly indicate a professionalization and regularization of the *φοιδερᾶτοι*. Maspero's second point was that the *φοιδερᾶτοι* had Roman commanders who were either the more general *ἄρχοντες* or the more specific *κόμητες φοιδεράτων*.¹⁸⁶ While one may doubt that the former term is anything other than a classicizing archaism little different from *strategos* in place of *magister militum*, the latter is not in doubt given its multiple attestations, although just when the office was established is unknown for lack of evidence. The third point is that alongside regular soldiers they were part of the *tagma*, which appears to be borne out by the campaign narratives and certainly is confirmed by the *Strategikon*. The fourth point is that they became regular soldiers and that they were

¹⁸² One must also wonder about the context of the Nov. 408 law of Honorius banning heretics from the army (*Cod. Theod.* 16.5.42). The law is not very chronologically distant from Olympiodorus, and could be conceived of as a way to prevent the recruitment of Arian Goths into regular units, and thus creating the fluid situation that appears in the sixth century. This western law also matches eastern behaviour at this time. Jones saw an attempt to “de-Germanize” the army, based on a choice made in 408 to not enrol captured Sciri: Jones 1964: 203.

¹⁸³ Potter 2010: 22-32, Kulikowski 2000: 374-375.

¹⁸⁴ Elton 1996b: 91-4.

¹⁸⁵ Maspero 1912a: 99.

¹⁸⁶ *Ibid.*

paid from the treasury. This is well-founded, based upon the above survey of the evidence, although the *optio* was likely to have been a remnant of an earlier period when the φοιδερᾶτοι regiments were *foederati*. The details of the *annona foederaticia* are not forthcoming, but their funding seems similar to that of other soldiers. Maspero's final point is that the φοιδερᾶτοι were largely legally similar to the στρατιῶται. Their wives could not remarry without a death certificate and they were unable to farm land.¹⁸⁷ When the evolution between the classical *foederati* and the φοιδερᾶτοι took place remains unknown. Bury's belief that it took place in the fifth century is as good an assumption as any,¹⁸⁸ although this relies on a simple statement from Olympiodorus which only finds secure support in Procopius a century later. *Foederati* units which had served for a time evolved into mixed, professional φοιδερᾶτοι corps. The *foederati* served alongside Roman armies under their own leaders for a time in exchange for a stipend and supplies, as per a treaty. The φοιδερᾶτοι were a mixed unit in the Roman army and administered by it in a manner similar to other regular units. This transition likely took place over a period of time rather than on a particular date, as Olympiodorus and Procopius indicate a blurring of the lines between these two distinctions in their purer forms.

¹⁸⁷ Maspero 1912a: 99-100.

¹⁸⁸ Bury 1923: 53 (v. I).

Chapter 2: The Ὑπόσπονδοι

Laniado listed six terms which may also be the Greek equivalent of the Latin *foederatus*.¹⁸⁹ One of those, ὑπόσπονδος, is examined in this chapter. As it has a long Greek pedigree, a complete study goes far beyond what space permits here, and so the texts have been restricted to the fifth and sixth centuries, the period in which the φοιδεράτοι appear.

The term ὑπόσπονδος was regularly used throughout classical historiography, with a plethora of examples appearing in authors such as Thucydides, Xenophon, and Diodorus. Thus a complete examination of the term is unnecessary, since an established dictionary definition will suffice. Liddell and Scott define it as “under a truce or treaty, secured by treaty”. Combined with the widespread ancient use of the term, this definition suggests a rather general definition. However, as noted above in the section on Malchus, he used the term as an equivalent of *foederatus*, and many of the other references conform to the general pattern outlined in that work. The ὑπόσπονδοι are peoples theoretically under Roman authority moreso than directly under imperial control, and a notable number of the entries using ὑπόσπονδος explicitly mention Arabs, mostly in the sixth century.

Eutropius

The first of the late antique historians to use the term was Paeanius, one of the Greek translators of Eutropius, although the only late antique reference is to Maximian making the Quinquegentiani ὑπόσπονδοι. The term is unlikely to imply any specific type of arrangement since the Latin simply claims that Maximian reduced the Quinquegentiani to peace (*ad pacem redacti*).¹⁹⁰

¹⁸⁹ Laniado unpublished: 9-10. These are ἔνορκος, ἔσπονδος, ἐνσύνθηκος, ὁμόσπονδος, ὑπόσπονδος and σύμμαχος. Space does not permit a discussion of these words. Cf. Pohl 1997: 79-84.

¹⁹⁰ Eutr. *Epit.* 9.23.

The Ecclesiastical Historians

Socrates makes a reference to the Arabs, the first to a group of Saracens connected to Mawia who had once been *ὑπόσπονδοι* to the Romans but were in revolt. This state of revolt was ended with the conversion of her forces to Christianity.¹⁹¹ The second is to forces of Mawia who provided aid to the eastern empire following the defeat at Adrianople in 378.¹⁹² No specific information is given by Socrates on the nature of the arrangement, and all that can be said about it is that it appears to be a somewhat unusual case of distinct Arab forces operating far from the eastern frontier. What sort of agreement led to this situation is unknown, although the marriage between Victor, the *magister equitum praesentalis*, and a daughter of Mawia suggests typical client-management.¹⁹³ This example should not be taken as one explaining a regular *ὑπόσπονδος* relationship, since the situation in the Balkans following the Battle of Adrianople was unprecedented and just when and why Mawia's troops were summoned is unknown. Ammianus mentions only that they had recently been summoned (*recens illuc accersitus*) to Constantinople, so whether they were supposed to join up with Valens' original army or were emergency forces is important.¹⁹⁴ The former would suggest a unique case of an Arab regiment serving in the Balkans, something perhaps made possible by the close marriage ties with the Roman military hierarchy rather than the traditional sorts of arrangements with Arab peoples. The latter option is one born out of severe emergency for the Roman state, and thus presents the likelihood that the Romans would enact atypical arrangements purely for the sake of getting troops to the Balkans.

Sozomen has only a single reference to *ὑπόσπονδοι*, which he uses to describe Mawia's forces after Adrianople in a manner effectively the same as that of Socrates.¹⁹⁵ The fragments of Philostorgius mention spear-bearing Saracen *ὑπόσπονδοι* who were in the

¹⁹¹ Socrates, *Hist. eccl.* 4.36.2.

¹⁹² Socrates, *Hist. eccl.* 5.1.9.

¹⁹³ Lewin 2007: 248-249.

¹⁹⁴ Amm. Marc. 31.16.5.

¹⁹⁵ Sozom. 7.1.1.4.

employ of the Persians during Julian’s campaign.¹⁹⁶ This is certainly a general use of the term, as nothing suggests that Philostorgius had detailed knowledge of how the Persians dealt with their Arab clients or that he was making any comparison to comparable Roman institutions although it may just be the case that he equated “Saracen” and ὑπόσπονδος.

Procopius

In the sixth century, Procopius uses the term once. It appears in the letter of the Moors to Solomon, but only after the Moors referred to themselves as friends and allies (φίλους... καὶ ξυμμάχους) of the Romans.¹⁹⁷ Admonish the Romans for their faithlessness, the Moorish letter uses a third-person verb with no subject (λύουσι γὰρ τὰς σπονδὰς).¹⁹⁸ This clarifies Procopius’ use of the hypothetical letter and the sense of σπονδὰς: it is in a generic sense and does not refer to any specific treaty obligation.

Agathias

ὑπόσπονδος is used twice by Agathias. The first use is in reference to Gubazes and is rhetorical. Agathias describes the plot of the Laz king to discredit the power of the Roman emperor in the Transcaucasus and then remarks that it is certainly not what one would expect from a friend, a well-wisher, a king, or an ally (φίλος καὶ εὐνους καὶ βασιλεὺς καὶ ὑπόσπονδος).¹⁹⁹ According to Agathias, all those terms were applied in the context of a debate in Constantinople over Gubazes’ loyalty, and consequently suggest terms being used rhetorically. Certainly Gubazes had no official status as a well-wisher, and so to see ὑπόσπονδος here as a technical term in reference to anything other than an alliance in the broadest sense is impossible.

Agathias’ second use of the term is slightly more remarkable, but more so for what it is used with than for any specific information it gives. He relates that the Tzani had long

¹⁹⁶ Philostorgius 7.15.8.

¹⁹⁷ Procop. *Wars* 4.11.9.

¹⁹⁸ Procop. *Wars* 4.11.11.

¹⁹⁹ Agathias 4.9.4.

been Roman allies and subjects of the Romans (ὑπόσπονδοί τε καὶ κατήκοοι) but that they were raiding Roman territory all the same.²⁰⁰ While ὑπόσπονδος remains an unclear term in Agathias because of the rarity of its use, *katekoos* appears a number of times. Although the sense of being obedient is more forceful than that of just being under treaty, Agathias' use of the word is general. The permission granted to Teias' Goths to retain their lands after they became Roman subjects (Ῥωμαίων κατήκοοι) sounds specific.²⁰¹ However, counterbalancing this example are others where the term can be nothing other than completely general. The Alammani being subjects of Theodoric, the town of Ceneta being subject to the Franks, and Nisibis having long been subject to the Persians are all examples where Agathias gives no indication that he is making reference to any particular type of agreement referred to by *katekoos*.²⁰² Although the pairing of ὑπόσπονδος and *katekoos* is interesting, it is likely to be nothing more than a matter of Greek structure, much like how Procopius occasionally pairs συμμαχός and *philos*.²⁰³

Cyril of Scythopolis

Also in the sixth century, Cyril of Scythopolis referred to Arab ὑπόσπονδοί in his *Vita Euthymii*. The Arab Aspebetos had once been subordinate to the Persians but eventually went over the Romans.²⁰⁴ The *magister militum* then bound him by treaty (Ῥωμαίους ὑποσπόνδους ποιῆται) and he was made phylarch of allied Arabs in Arabia.²⁰⁵ Unfortunately, the *Vita Euthymii* appears to be the only source for Aspebetos and so further information on just what the agreement entailed is not forthcoming.²⁰⁶ The likelihood that Cyril was using the term generically is high since beyond the use of *phylarchos* and ὑπόσπονδος, no information is given. Aspebetos was presumably obliged to provide some sort of security-related services, but the sources were just not sufficiently

²⁰⁰ Agathias 5.1.2.

²⁰¹ Agathias 1.1.1.

²⁰² Agathias 1.64, 2.3.3, 4.26.6.

²⁰³ Procop. *Wars* 3.4.39, 4.1.5, 4.11.10, 6.6.14, 6.22.12, Pohl 1997: 86.

²⁰⁴ Cyril of Scythopolis, *Vita Euthymii* 18.19-20.

²⁰⁵ Cyril of Scythopolis, *Vita Euthymii* 19.7-9. In all probability Aspebetos would have been assigned to the marginal steppe lands on the edge of the arable zone: Liebeschuetz 2006: 137

²⁰⁶ PLRE II s.v. Aspebetus (pp. 169-170).

interested in the Arabs to provide the sort of details the modern historian would appreciate.²⁰⁷

Theophanes, Malchus, and the *Suda*

Theophanes refers to ὑπόσπονδοι once in this period, but in this case the subject people are Arabs under the Persians.²⁰⁸ The *Suda*, however, uses the term a few times, most notably in the entry on the φοιδεράτοι.²⁰⁹ As mentioned above, the suggestion of the translators that the passage was sourced from Justinian or Procopius is unlikely since neither of those authors connect φοιδεράτοι and ὑπόσπονδοι.²¹⁰ Malchus made such a connection and survived through the Constantinian excerptors of the tenth century, but the relationship between the work of the excerptors and the unknown author(s) of the *Suda* is unclear.²¹¹ While Malchus is the only surviving source in Greek from late antiquity to define the term clearly, the entry in the *Suda* is too different to posit a direct attribution.²¹² This raises more questions than it answers since it is possible that the *Suda*'s authors modified Malchus to suit their purposes by re-arranging the sentence and changing Γότθων to Σκυθῶν. This is a plausible change given Byzantine classicizing terminology for foreign peoples in general in the tenth and eleventh centuries.²¹³ Malchus as a source is a possibility, but no more likely a source than an unknown text which stated roughly the same. The *Suda* contains several other entries using the term ὑπόσπονδος but none provide any evidence for the term having been recognized as technical and specific

²⁰⁷ Millar 2010: 202-210.

²⁰⁸ Theoph. p. 141.5.

²⁰⁹ *Suda* Φ781.

²¹⁰ <http://www.stoa.org/sol-entries/phi/708>.

²¹¹ Wilson 1996: 144-145.

²¹² *Suda* Φ781: Φοιδεράτοι: οὕτω καλοῦσι Ῥωμαῖοι τοὺς ὑποσπόνδους τῶν Σκυθῶν.

Malchus (frag 15 (Blockley 1983: 420)): ...ὑποσπόνδων Γότθων, οὓς δὴ καὶ φοιδεράτους οἱ Ῥωμαῖοι καλοῦσιν...

²¹³ Note, for example, Anna Komnene's use of "Kelt" for "Frank" or "Norman". or "Scythian" for "Pecheneg."

despite it receiving its own entry. The *Suda* defines ὑπόσπονδος as ὑπὸ φιλίαν ὑποτεταγμένος, “having been made subject under friendship”.²¹⁴

Conclusion

From the survey of the above evidence, there is no reason to believe that the term ὑπόσπονδος had any specific meaning in late antiquity. The term was generic in antiquity and this appears to have continued into the Byzantine period. No inscription after 250 is known to have used the term. Malchus is the only one of the sources to equate it to a particular Roman institution. As argued in the first chapter, even the exact federate institution with which Malchus is equating the ὑπόσπονδοι is unclear. At this point, it seems better to conclude that he was searching for a term to best explain the old system of the Latin *foederatus*. That ὑπόσπονδος as a precise term for *foederatus* in Greek was not taken up is clear from his contemporaries and successors as they sought a word to explain the new φοιδεράτοι. Procopius’ single use of the term is in a rhetorical context and provides no indication that it should be taken as a particular type of agreement made with barbarian peoples. Likewise, Agathias is of little use. Cyril of Scythopolis’ attestations of ὑπόσπονδοι Arabs is interesting, but is lacking the necessary context before it could be of any use. Aspebetos may very well have referred to himself as a ὑπόσπονδος of the Roman Empire, but what that entailed beyond his having been granted the phylarchate of Arabia is completely unknown. The *Suda*’s choice to equate ὑπόσπονδος and φοιδέρατος is intriguing, particularly since it cannot be demonstrated that it derived its information from Malchus. On the other hand, it cannot be demonstrated that it did not derive its information from Malchus, and it is yet another dead end in the quest for the ὑπόσπονδοι. This evidence suggests that the term is classicizing and generic, and while it does refer to groups that have compacts with Rome, the word is so non-specific to be quite useless in determining what those compacts entailed. Fisher’s suggestion that ὑπόσπονδος was the Greek term for *foederatus* is not impossible, but if it was a technical term its life was short-lived, and Menander’s treaty

²¹⁴ *Suda* Y580. “Friendship” should probably be placed in inverted commas to better elucidate just what sort of friendship being a ὑπόσπονδος entailed.

document with the use of συμμάχος points the other way.²¹⁵ No evidence points to the ὑπόσπονδοι as an institution, although the number of references to Arabs is tantalizing.

²¹⁵ Fisher 2013: 120, Menan. Pro. frag. 6.1 (Blockley 1983: 70).

Chapter 3: The Σύμμαχοι

Understanding the σύμμαχοι requires a slightly different approach from that used for the φοιδερᾶτοι. The latter term was initially a Latin loanword that became a technical Greek word. On account of this relatively few attestations are known. Συμμάχος, on the other hand, is a common Greek term with a simple meaning: ally, or alliance in the case of συμμαχία. The standard implication of the term when used between states is that of a military pact, either defensive or offensive; hence σύμμαχεῖν means “to aid”. Since the meaning of the term is broad whereas the interest of this study is much more narrow and on how the σύμμαχοι and φοιδερᾶτοι appear as military institutions of the late Roman state, some restrictions are necessary. Together, the stems have over fifteen thousand attestations in the *Thesaurus Linguae Graecae*, only five thousand dating before the second century A.D. Thousands of references appear in late antiquity, with the largest corpus being those in Christian doctrinal and homiletic works. Given the general nature of the word, this is simply too many to adequately review and comment upon. Instead of skimming the corpus and picking out the terms that appear relevant upon a first glance a selection of sources will be used. The selected sources are broadly historiographical since they more frequently deal with matters that concern multiple states, and thus alliances, than other sources, although they are not intrinsically more valuable. The primary rationale here is that once a source is selected, all of its uses of the term are to be scrutinized. The reasoning behind this is that, because the term is so general, an attempt must be made to determine on a source-by-source basis how the term is used by a particular author and whether it has any technical meaning. An author may use συμμάχος in different ways and the only way to expose this is to examine each attestation of the term.

Socrates

The *Ecclesiastical History* makes a number of references to barbarians in alliance with Rome. The term appears four times.²¹⁶ The remaining references are noteworthy in that they all talk about barbarians working for Rome, suggesting that at least for Socrates the

²¹⁶ Socr, *Hist. eccl.* 5.14.14, 15, 27, 28; 5.18.45.

term had the sense of a *συμμαχία* as an agreement between Rome and a foreign power where the foreign power provided soldiers. The first is to the barbarians contracted by Constantius II for his war with the usurper Magnentius.²¹⁷ The complaint registered by Socrates is that the barbarians were pillaging Roman cities, which presumably indicates that while these contingents had been called up for a particular purpose they were not under the close supervision of Roman authorities. The second reference might be considered to be a classical federate arrangement. Socrates recounts that at the Frigidus the barbarians fighting alongside Theodosius (καθ' ὃ δὲ οἱ συμμαχοῦντες τῷ βασιλεῖ Θεοδοσίῳ βάρβαροι) turned the tide in his favour.²¹⁸ Although the use of the term here is as a participle, the general use of *symmach-* to refer to alliances with barbarians by Socrates should not be ignored.

The final reference in Socrates is to the usurper John attempting to strengthen his army by bringing in many barbarians in an alliance (καὶ πολλὰς μυριάδας βαρβάρων ἐπὶ συμμαχίᾳ).²¹⁹ Ultimately, Socrates has little specific to say on the case of the barbarian σύμμαχοι.

Priscus

Despite eleven uses of the *symmach-* stem, few of Priscus' references are specific enough to be of direct use in the discussion of the Romans and their "allies". Unsurprisingly given Priscus' role as an ambassador to the Huns, most of the references are to inter-state relations. The first deals with a condition laid down by the Huns that the Romans were not to make any alliances with barbarians against them.²²⁰ In an evident violation of the agreement, Priscus reports that the Romans had sent gifts to the Akatziri so that they would break their alliance with Attila.²²¹ Understandably upset by Chrysaphius' attempt on his life, Attila threatened to make an alliance (*συμμαχίαν*) with Theodosius II's

²¹⁷ Socr. *Hist. eccl.* 3.1.86.

²¹⁸ Socr. *Hist. eccl.* 5.25.32.

²¹⁹ Socr. *Hist. eccl.* 7.123.25.

²²⁰ Prisc. frag. 2 (Blockley 1983: 226).

²²¹ Prisc. frag. 11.2 (Blockley 1983: 258 line 245).

servants against him.²²² In further examples of state-level *συμμαχία*, Attila was called in as an ally in a Frankish civil war.²²³ Avitus also threatened Gaiseric, claiming that he would prepare his own forces and those of his allies.²²⁴ Although no specific allies are named, a later pair of fragments has Majorian recruiting Gothic allies for a campaign against the Vandals in Africa.²²⁵ Both texts are from the Constantinian Excerptors and state that the allies came from the Goths in Gaul.²²⁶ Majorian's campaign was not successful and on his way home he was murdered after dismissing his allies.²²⁷ Barbarian allies from effectively independent states were still being summoned for specific campaigns and then dismissed. Allied contingents were a regular feature of Roman armies in this time and place, and although Avitus may have attempted to make his threat sound greater by adding that Rome's allies would be joining him, Majorian's summoning of them for an African campaign reveals the reality of the situation.

Two more of Priscus' references pertain to inter-state relations. One has Peroz, the *shahanshah* of Persia attempting to make peace and an alliance with the Huns.²²⁸ Another has a war breaking out between the Goths and the Sciri, with both seeking allies. The Romans disagree on which side to support (*συμμαχεῖν*) but Leo's will prevailed and aid (*βοήθειαν*) was sent to the Goths. The Romans provided military aid to the Suani, and although they were deployed they never saw action.²²⁹ The final reference is more akin to Malchus' single surviving use of the term. Dengizich threatened war against the Romans if they did not provide him and his army with land and money.²³⁰ In response, Leo agreed if Dengizich would only obey him (since the emperor claimed to be good to foreigners in alliance with him: *χαίρειν γὰρ τοῖς ἀπὸ τῶν ἔθνῶν ἐπὶ συμμαχία ἀφικνουμένοις*.) The addition of the *ἔθνῶν* here is curious, but unlikely to be significant since in Priscus' view

²²² Prisc. frag. 15 (Blockley 1983: 296).

²²³ Prisc. frag. 20.3 (Blockley 1983: 306).

²²⁴ Prisc. frag. 31 (Blockley 1983: 334).

²²⁵ Prisc. frag. 36.1; 36.2 (Blockley 1983: 338).

²²⁶ Both texts read very similarly in the Greek, but Blockley has chosen to translate frag. 36.1 as "the Goths in Gaul" and 36.2 as "the Goths in Galatia". The existence of the so-called Gothograeci in Asia Minor possibly created confusion between Gallia and Galatia on the part of the copyists or the Constantinian Excerptors.

²²⁷ Prisc. frag. 36.2 (Blockley 1983: 338).

²²⁸ Prisc. frag. 41.3 (Blockley 1983: 348).

²²⁹ Prisc. frag. 51 (Blockley 1983: 358).

²³⁰ Prisc. frag. 48.1 (Blockley 1983: 354).

all *συμμαχία* were conducted between two different peoples, at least as the surviving fragments of his text would indicate. Nonetheless, this last example is similar enough to that of Malchus' more specific example that once again it appears as the Greek term for a relationship in which the non-Roman party was at least partially independent and provided troops. The passage on Dengizich never states that he was to supply troops.

Malchus

Malchus has only a single reference to a *συμμαχία*, but it follows Socrates in suggesting a rather traditional type of *foedus* agreement. The passage has Leo I eventually concede to Theodoric Strabo's demands and allow him to become the *magister militum praesentalis* and to receive 2000 pounds of gold annually.²³¹ In return, Theodoric agreed to fight against anyone the emperor chose (*συμμαχεῖν δὲ τῷ βασιλεῖ εἰς πᾶν ὃ τι κελεύοι*) with the sole exception of the Vandals.²³² This is an example of an agreement where the details are clearly specified, and it certainly seems that Theodoric would be providing troops in a traditionally federate fashion. The agreement explicitly mentions that Leo was to prevent anyone from crossing the territory of Theodoric, indicating that he had effectively negotiated himself an independent state in the Balkans. That he would fight alongside (*συμμαχεῖν*) the emperor is an indication of the unilateral nature of the agreement: Theodoric and Leo are not fighting as the allies of two states against a common enemy but rather Theodoric is joining Leo as a subject settled on Roman land and integrated into the Roman military hierarchy. This arrangement is quite traditional, and Theodoric appears to be thoroughly under Leo's control.

Malalas

Seventeen of Malalas' references to *σύμμαχοι* predate the Dominate and indicate a rather general usage, such as Trajan offering Parthamaspates the kingship if he became a Roman ally, or how Enathos (Odaenathus of Palmyra), a king of the Saracens sought to

²³¹ Malch. frag 2 (Blockley 1983: 408).

²³² Malch. frag 2 (Blockley 1983: 408).

make an alliance.²³³ More chronologically relevant but just as general is the example of how Zilbigi, a Hun fighting for the Persians received money to defect to the Romans at the beginning of a battle and to fight alongside them (συμμαχεῖν).²³⁴ Similarly, Queen Boa captured two Hunnic kings who had agreed with the Persian king to fight against the Romans (εἰς τὸ συμμαχεῖσαι αὐτῷ κατὰ Ῥωμαίων) and the Samaritans agreed to fight for (συμμαχεῖν) the Persians.²³⁵ Specific references to Roman σύμμαχοι appear to lack any technical meaning. When Belisarius learned of an attack by Alamoundaras, he went into Osrhoene with eight thousand men to provide aid to the *duces* (ἀπελθὼν εἰς συμμαχίαν τῶν δουκῶν μετὰ χιλιάδων ὀκτώ) five thousand of those were said to have been Arethas' men, although this in no way implies that they were σύμμαχοι. At the same time, the *magister militum praesentalis* was ordered to give military aid.²³⁶ At no point does Malalas state that Sittas commanded any specifically Armenian units who could have been construed as σύμμαχοι: it seems that locals were directly recruited into the Roman army.²³⁷ The only remaining interesting reference to the term is in Malalas' brief description of the Eternal Peace, in which the rulers of the two empires agreed to aid each other with money or men (ἢ χρημάτων ἢ σωμάτων εἰς συμμαχίαν) if the situation required it.²³⁸ Malalas makes no useful contributions to the study of the σύμμαχοι, as his uses of the term in which foreign peoples make a contract with Romans are very general.

Procopius

The terms σύμμαχος and συμμαχία are used by Procopius in four primary meanings, referring to specific agreements in the context of *foedus* relationships, agreements between states, as well as historical and rhetorical references. The last three of these refer to an alliance or rendering aid and nothing more ought to be made of them. For example, the occasional invocation of God as an ally (or not) should not be taken to refer to any sort of specific treaty status, nor should Amalasuintha's letter outlining the general good

²³³ Malalas 11.6.6, 12.26.42.

²³⁴ Malalas 17.10.13.

²³⁵ Malalas 18.13.10, 18.54.7.

²³⁶ Malalas 18.60.73, cf. Ayvazyan 2012: 33-6.

²³⁷ Malalas 18.10.

²³⁸ Malalas 18.79.9.

behaviour of allies towards each other.²³⁹ The historical references are few and general, and when Procopius claimed that the Romans made an alliance with the Sciri and Alani which ultimately led to the occupation of Rome, one should be very careful in attempting to glean any specific information from such a source.²⁴⁰ The agreements made between states tend to be unspecific in Procopius' account, and belong to a category where *σύμμαχία* simply has its basic meaning of "alliance." Examples of this include the Frankish and Ostrogothic alliance with the Burgundians, or Teias planning to use the stored financial resources of the now-deceased Totila to purchase an alliance with the Franks.²⁴¹

While Procopius does not have a rigidly legalistic perception of what constituted a military pact with the empire in the sixth century,²⁴² five aspects pertaining to such alliances recur throughout the text. These are the following: (I) exchange of money, (II) the reception of supplies by the *σύμμαχοι*, (III) the operation of allies under their own commanders, (IV) autonomy of over foreign policy, and (V) subjection to Roman law. Unfortunately, not all of these categories are by any means clear from Procopius' text, but they serve to illustrate a general outline of what was generally discussed in the creation of military alliances. Many of the details of these alliances only appear in the text in the context of when problems arose, such as the grievance lodged by the "Massagetai" complaining that they were unaware of their subjection to Roman law under the treaty, or Moorish *σύμμαχοι* being concerned about receiving supplies.²⁴³ This makes determining what the components of a regular alliance were, but some general ideas can be drawn from how Procopius uses the term nonetheless.

While Procopius frequently mentions the exchange of money in alliances (I), the degree to which this defines an alliance is unclear. For example, Procopius' account of Justinian's alliance with the Franks against the Goths actually indicates that the Franks

²³⁹ Procop. *Wars* 5.3.23, 7.21.9, 8.30.2.

²⁴⁰ Procop. *Wars* 5.1.3-4, Pohl 1997: 78-9.

²⁴¹ Procop. *Wars* 5.12.24, 7.34.25, 8.33.7.

²⁴² Greatrex 2000: 270.

²⁴³ Procop. *Wars* 3.12.10, 4.11.10.

had complete foreign autonomy and never interacted closely with Byzantine forces.²⁴⁴ Lombards received money prior to joining Narses' expedition.²⁴⁵ The Moors appear to have required some incentive to join Solomon's forces and thus he was forced to grant to them a large sum of money.²⁴⁶

Unfortunately, the information on the provision of supplies (II) is very limited. Procopius records a letter supposedly from the Moors, in which they complain that Belisarius deceived them into becoming subjects (κατηκούσους εἶναι), but failed to provide them with "good things" (Ῥωμαῖοι δὲ τῶν ἀγαθῶν ἡμῶν οὐδενὸς μεταδόντες). Despite being σύμμαχοι, the letter continues, they were pressed hard by hunger (λιμῶ πιεζομένους), which suggests that the Moors had believed they were entitled to some supplies as befit their status as Roman σύμμαχοι.²⁴⁷ Since supplies are not mentioned in any of the other συμμαχία relationships in Procopius, the context is unique in this case. When the Huns in the Roman army were crossing the Mediterranean, the situation of supplies is more likely to have been made clear well in advance. Although Procopius provides no explicit information pertaining to whether they had to provide their own supplies, the expectation that they would, especially in light of the alleged speech of Belisarius in which he argues that soldiers are not to touch the property of others, is unlikely.²⁴⁸ The Moors, however, were in their own country. While this example does not provide a clear example of the supply situation as furnished by a συμμαχία, it does suggest that such expectations were not impossible.

The material for whether allied groups had their own commanders (III) is comparatively better given Procopius' predilection for detailed enumeration of armies. The Huns on the

²⁴⁴ Procop. *Wars* 5.5.10, 6.12.38, 8.24.13. Procopius does not think highly of Frankish fidelity in war: *Wars* 6.15.2. This is later echoed again, in which Procopius has the Byzantine ambassadors criticize the Franks for regularly making duplicitous alliances: *Wars* 6.28.17, 19. This attitude likely derives from the eventual necessity for Narses to take decisive action against Franks operating in Italy: Haldon 2001: 38-42. The claim of the Gepid ambassador that the Franks were granted cities by the Romans is a fiction: Procop. *Wars* 7.34.37.

²⁴⁵ Procop. *Wars* 8.26.12.

²⁴⁶ Procop. *Wars* 4.13.29-30.

²⁴⁷ Procop. *Wars* 4.11.9.

²⁴⁸ Procop. *Wars* 3.12.20. Unfortunately, Procopius only uses the general term *σπρᾶτιόται* when referring to the soldiers who were made ill by bad bread on the voyage to Africa, but at least this bread came from state ovens: 3.13.12-20.

African expedition were led by Sinnion and Balas, their own commanders, and the Heruli were led by Pharas.²⁴⁹ In the case of the Huns, some seventy appear in Africa shortly thereafter under Althias' command. Althias was a commander of the φοιδερῶτοι according to Procopius' original list.²⁵⁰ Solomon's recruitment of the Moors appears to have been conducted at a high level with their leader, Ortaïas.²⁵¹ Another Moor, Koutzinas, is reported to have been drawn into a συμμαχία and used to win a victory over other Moors and Leuathae.²⁵² The Heruli are more problematic. At Dara, Pharas is simply deployed with his countrymen (ὁμογενέσι) and Procopius makes no mention of a συμμαχία.²⁵³ In Constantinople during the Nika riot, the Heruli fight under Mundus, and while there is no mention of another Roman commander, Mundus may have had a special relationship with them.²⁵⁴ Narses' army in Italy likewise has members of the peoples of the Heruli, who this time are led by Philemuth, one of their own commanders.²⁵⁵ Godas, the rebellious subject of Gelimer who had taken Sardinia for himself proposed a συμμαχία to Justinian. Although his death meant that the agreement was never brought to a successful conclusion, he insisted upon commanding the troops Justinian was to send,²⁵⁶ which again suggests that leaders of σύμμαχοι could expect to be in charge of forces that served the emperor.

Autonomy over foreign policy (IV) is a crucial category as it provides an indication as to the degree to which σύμμαχοι are subject to Byzantium. The Franks had complete autonomy in their affairs, at least according to Procopius' hostile account, which claims that the Franks supported both the Romans and Vitigis by sending him Burgundians so as to appear to be maintaining alliances with both.²⁵⁷ Likewise, the Gepids and Lombards existed outside the empire's borders and were not subject to Roman control over their

²⁴⁹ Procop. *Wars* 3.11.11-12. Note that neither Sinnion nor Balas are specifically referred to as Huns, although Sinnion appears later in Thrace as one of the leaders of the Utigurs: *Wars* 8. 19. 7, PLRE III s.v. Sinnion (p. 1156) and Balas, (p.169).

²⁵⁰ Procop. *Wars* 3.11.5, 4.13.2. We should not discount the possibility that these Huns were *bucellarii* under Althias' personal command.

²⁵¹ Procop. *Wars* 4.13.28-9.

²⁵² Procop. *Wars* 4.28.44-50.

²⁵³ Procop. *Wars* 1.13.19.

²⁵⁴ Procop. *Wars* 1.24.41, PLRE III s.v. Mundus (pp. 903-905). Croke 1982: 131-5.

²⁵⁵ Procop. *Wars* 8.26.13, PLRE III s.v. Philemuth (p. 1020).

²⁵⁶ Procop. *Wars* 3.10.32.

²⁵⁷ Procop. *Wars* 6.12.38

respective foreign policies. In regards to the Heruli, Procopius mentions that the alliance was not entirely effective until the reign of Justinian, when the Heruli were subjected to Roman power first by force of arms and then by Christianity. When Anastasius defeated the Heruli, they begged the emperor's generals to spare their lives and make them σύμμαχοι (ἐδέοντο διασώσασθαι τε αὐτοὺς καὶ ζυμμάχους τε καὶ βασιλέως ὑπηρέτας τὸ λοιπὸν ἔχειν.)²⁵⁸ While this suggests a subject status, the rest of Procopius' story implies that the Romans had limited control over them before the reign of Justinian.²⁵⁹ Groups of Heruli often fought under their own leaders, and retained active military forces. When Narses arrived to recruit them for a campaign in 545, they had just defeated Slav raiders.²⁶⁰ This is particularly interesting, since the Heruli had at least a nominal role in the late Roman defence network in the Balkans, while concurrently negotiations needed to be carried out before forces joined the Roman army for a campaign. This is similar to a classical *foedus*, where the undefeated barbarians were settled on land as a semi-independent state required to provide troops. From these examples, some groups allied to the Romans through *συμμαχία* typically retained a considerable amount of freedom in their foreign policy, ranging from complete in the case of the Franks to much less in the case of the Heruli.

The subjection to Roman law is a category only revealed when problems occur, but has bearing on whether a particular group is felt to be inside or outside the empire. While delayed at Abydos in Asia some Huns murdered one of their own (τῶν τινα ἐταίρων) and the perpetrators were executed by Belisarius. Protests broke out against Belisarius' action, in which the argument invoked was that the treaty the Huns were under did not make them subject to Roman law (ὕπεύθυνοι εἶναι Ῥωμαίων νόμοις ἐξ ζυμμαχίαν ἤκειν).²⁶¹ The legal argument is unique amongst Procopius' accounts of σύμμαχοι. No other group ever claimed such status, although it must be reiterated that these matters only tend to appear in the literary material when there is some sort of conflict. The claim, however accurately it was made, suggests that at least some amongst the Huns felt that their status allowed

²⁵⁸ Procop. *Wars* 6. 14.31-32, Sarantis 2010: 371.

²⁵⁹ Procop. *Wars* 6. 14. 32-42.

²⁶⁰ Sarantis 2010: 378, 390.

²⁶¹ Procop. *Wars* 3.12.10.

them to present such an argument. The claim that they were not subject to Roman laws suggests that these Huns were not closely integrated into the Roman army despite being part of an expeditionary force, and may not have been from an area in the immediate borderlands of the Eastern Roman Empire.

The *novellae*

The use of φοιδερᾶτος in the *novellae* might lead to the expectation that the use of the term συμμάχος would similarly be enlightened by the legal corpus. Such a view would be mistaken, since the term is used only seven times, and just once in a way even pertaining to the topic at hand. Twice συμμάχος is used to refer to help from God.²⁶² In another two cases the word is used in laws pertaining to marriage and the legitimating of children.²⁶³ Yet another speaks of the elevation from monk to abbot.²⁶⁴ In only two others do soldiers even receive a mention.

The first relevant law is 103, which is notable for explicitly referring to φοιδερᾶτοι and *limitanei* and dates from 536. However, the συμμαχία in this law only refers to internal troop arrangements in Palestine and which official should receive control of the soldiers in a crisis.²⁶⁵ The συμμαχία relates to the troops' joining their fellows, not the use of foreign troops. Given the political situation in the provinces of Palestine, in which a phylarch had recently assisted in the quelling of the Samaritan revolt and in which a sheikh of Kinda would soon be given hegemony over the Palestines, one would expect a mention of allied troops but none is made.²⁶⁶ The silence here is rather curious, but is most easily explained if the phylarchs of the Palestines were not regularly supplying their (own) troops for normal Roman duties. Instead, the troops that were in the province were the regular στρατιῶται, *limitanei*, and φοιδερᾶτοι that the law mentions.²⁶⁷ The phylarchs

²⁶² *Nov. J.* 14, 30.

²⁶³ *Nov. J.* 34, 89.

²⁶⁴ *Nov. J.* 5.

²⁶⁵ *Nov. J.* 103.

²⁶⁶ Mayerson 1988: 68, Bowersock 2012: 25, Fisher 2011: 89-90.

²⁶⁷ This is indirectly corroborated by Procopius' not entirely convincing statement that Justinian's soldiers ensured that no Arabs were able to enter the Palestinian provinces: Procop. *Buildings* 5.8.9. Shahîd 1995: 201, 204-205 believes that these φοιδερᾶτοι were Arabs. He produces no evidence beyond his general

provided their troops as stipulated in their agreements with the Roman government. None of the details of these agreements have survived, but the explicit failure of novel 103 to mention foreign troops in the province when it specifically lists the types of troops deployed there suggests that the Arab allies present were not integrated into the regular military structure. The silence of this law is particularly illuminating on the status of the σύμμαχοι on the Arabian frontier, since after the appointment of Qays the provinces there had a foreign-born leader who presumably provided some of his troops and who was integrated into the Roman military hierarchy. A parallel could be drawn between some of the federate generalissimos like Stilicho and Alaric, although this idea must remain undeveloped for the paucity of information on Qays.²⁶⁸ The relative power and importance of Qays remain unclear because unlike Gainas, Alaric, or Stilicho, he was not close enough to Rome or Constantinople to play politics with the imperial court and consequently was of less interest to the historians who concentrated on palace politics and wars. While the situation with Qays hints at a possible rough equating of συμμάχος and *foederatus* in the sixth century, too little information is available here to build anything concrete upon this thesis.

The final reference in the *novellae* is in 130, dated to 1 March 545. This is the first and only explicit reference to actual σύμμαχοι soldiers. The law is concerned with civil officials providing the required supplies for soldiers and that such matters are properly accounted for. A specific clause in the law states that the troops from allied nations who were fighting on behalf of the Roman state (ἔθνους εἰς συμμαχίαν τῆς ἡμετέρας πολιτείας) were also entitled to the provisions when passing through Roman territory just as if they were Roman troops.²⁶⁹ This is a useful piece of evidence when brought in line with Procopius' information about the complaints of the Moors regarding supplies.²⁷⁰ While this law says nothing about the provision of allied campaign forces in the field, the explicit statement indicates that as far as provisioning was concerned foreign contingents were to be treated like Roman troops. That such a statement needed to be made implies

scheme where the Arabs were important enough on the eastern frontier that they must have been *foederati* and that since Arabs had recently fought in the Samaritan revolt.

²⁶⁸ Fisher 2011: 89-90.

²⁶⁹ *Nov. J.* 130.

²⁷⁰ Procop. *Wars* 4.11.9.

that civil officials needed a reminder in such matters. Justinian's law here is perfectly explicable: supplying allied contingents is a way to keep them from raiding Roman territory for their supplies. If the concerns in the *Strategikon* about allied troops are at all indicative of government attitudes a half-century earlier, then it was also a means by which to control the marches of allies: they had to go from supply dump to supply dump, rather than fanning out into the countryside and better assessing Roman territory while doing damage.²⁷¹

Agathias

Despite his position as Procopius' successor, Agathias has very little material of any use on the late Roman military. This is largely on account of his style, which avoids Latinisms and technical terms and was repeatedly called "bizarre" by Cameron.²⁷² First and foremost Agathias presents himself as a poet, which does not inspire confidence towards an interest in accurate military detail.²⁷³ His interests appear to have been more inclined towards style than serious history.²⁷⁴ While Agathias usually goes to much greater pains than Procopius to avoid terminology that is not classical, a few examples slip into his work such as μάγιστρος or σχολάριος. However, these are the exceptions to the rule and it should come as no surprise that he never uses a Latin term like φοιδεράτος.²⁷⁵

Agathias' use of the term συμμάχος follows his classicizing vocabulary, and provides very little useful information. Alliances are generally conducted at the state level. For example, the Goths are said to have wanted to make an alliance with the Franks, and the Romans were concerned that if the Goths were not crushed their survival would mean they could form alliances.²⁷⁶ The Colchians are said to be allies of the Persians and the

²⁷¹ Maur. *Strat.* 8.2.42, (trans. Dennis 1984): 84.

²⁷² Cameron 1970: 64, 65, 75-79.

²⁷³ Kaldellis 2003: 295-296.

²⁷⁴ Whitby 1997: 31-32.

²⁷⁵ Agathias 4.13.4; 5.15.2, Cameron 1970: 75-79.

²⁷⁶ Agathias 1.1.7, 1.16.7, 1.20.2.

Sabir Huns are criticized for frequently changing their alliances.²⁷⁷ More tantalizingly, Narses is said to have traveled to Ariminum with a sum of money to meet Theudebald in order to ensure that their alliance was concluded. However, Theudebald was a Frankish king, suggesting that this was another alliance between states. Elsewhere, money is mentioned as pay for allies.²⁷⁸ The only references of any interest are those pertaining to Goubazes, who is said to be a friend and an ally as well one who partakes in the empire through three terms that referring to dwelling together, eating together, and drinking together (φίλον ὑμῖν καὶ συνήθη καὶ ξύμμαχον καὶ ὁμοδίαιτον καὶ ὁμόσπονδον).²⁷⁹ However, this is the extent of Agathias' specific references with the term συμμάχος, and given the author's predisposition towards verbose and excessive language, attempting to read too much into these terms would be an error.

Evagrius

Evagrius' *Ecclesiastical History* makes only token mentions of the term and none are very specific. In the first example, Zeno made Armatus an ally instead of an enemy.²⁸⁰ The pairing of enemy and ally point to an attempt to balance the composition, and the attestation of the term here appears to fall into the rhetorical category. The second use is the refusal of Alamoundaras to cross the Euphrates to fight alongside Maurice (συμμαχήσαι τῷ Μαυρικίῳ) against the Persian Arabs.²⁸¹ While the Arabs are frequently enough referred to as σύμμαχοι that Evagrius' use of the term here is unsurprising, little can be gleaned from it. The third and final reference is also rhetorical, and blames revolting soldiers for not behaving as allies or servants the state should.²⁸² Evagrius specifically does not call them barbarians, however, for he states that despite their rage they still behaved more moderately towards civilians than barbarians. Thus this seems to

²⁷⁷ Agathias 3.10.11, 4.13.7.

²⁷⁸ Agathias 3.15.6, 4.12.2.

²⁷⁹ Agathias 3.3.3.

²⁸⁰ Evag. 122.4 (Whitby 2000: 159).

²⁸¹ Evag. 216.8 (Whitby 2000: 282).

²⁸² Evag. 225.22 (Whitby 2000: 296).

be another rhetorical usage where neither allies nor servants stood sufficiently on its own for the balance of the composition and another word was used.

The *Strategikon*

The *Strategikon* is one of the most important texts for understanding the σύμμαχοι in the late Roman Empire. The central value of the text is in its apparent recognition of the σύμμαχοι as an official designation. The methodology here has demanded a complete look at how each and every literary source uses the term because they are classicizing literature using an ancient term. The *Strategikon*, however, is a document devoid of literary pretensions and designed with a single purpose: the education of generals. As a result, one finds technical terminology relating to the organization of the military hierarchy, equipment, and many Latin terms.

Aside from this point, the actual uses of the term in the *Strategikon* mostly provide information on how the Roman army functioned alongside allied forces at the operational level. Perhaps most striking is the general distrust emphasized in the *Strategikon* towards the σύμμαχοι.²⁸³ In describing the movement and organization of the troop lines in open country the text remarks that its proposed strategy ensures that neither the enemy nor the allies will be able to easily understand the disposition of the Roman army.²⁸⁴ The manual also states that allied troops should not be mixed with Roman forces. They are to camp and march separately so that they will not learn the Roman way of war.²⁸⁵ Similarly, allied forces which are larger than the Roman army are not to be allowed into Roman territory at all, lest they become enemies.²⁸⁶ Finally, the manual states that allied forces should be composed of various nationalities (ἔθνῶν) to prevent them from uniting against the Romans.²⁸⁷ All of these references suggest that a Roman general could expect to have to deal with allied troops at some point in his career and that these allied troops were only

²⁸³ Shahîd 1995: 571-572 believes that the hostility towards allies in the *Strategikon* was inspired by recently-disgraced Arabs. While the possibility cannot be discounted, why the Romans would feel any particular trust towards, for example, Herul or Laz contingents on their territory is not explained.

²⁸⁴ Maur. *Strat.* 7.B.4.12 (trans. Dennis 1984): 70.

²⁸⁵ Maur. *Strat.* 8.2.228 (trans. Dennis 1984): 89.

²⁸⁶ Maur. *Strat.* 8.2.42 (trans. Dennis 1984): 84.

²⁸⁷ Maur. *Strat.* 8.2.44 (trans. Dennis 1984): 84.

marginally under his command. No conditions by which the allied troops are brought in are specified, but they are treated in the text as a distinct and vaguely threatening “other” to the Roman army. Particularly notable is that the σύμμαχοι had to make their own camp: the Romans did not trust their allies with their lives. Presumably these allied detachments had men who served as their leaders in the field and as liaisons with the Romans, even if a Roman commander theoretically had control over operations in a theatre. The text implies that these σύμμαχοι were provided by an independent or semi-independent state and functioned alongside the Roman army as troops that should not be relied upon. That most of these references are confined to the general advice sections for the general and make no appearances earlier in the sections on the organization of the Roman army indicate that however often σύμμαχοι might be attached to armies they were not regularly integrated into them. This also provides some slight evidence to suggest that the σύμμαχοι of the late antique east might share common features with the traditional *foederati* who were enlisted to fight alongside the Roman army.

The *Strategikon* has three other references to σύμμαχοι. One is an unspecific reference to the hoped-for arrival of allies following a Roman defeat. This use should not preclude the σύμμαχοι being Roman reinforcements and not necessarily allied barbarians.²⁸⁸ The second is that the general ought to be equitable to both his allies and his troops (τοὺς συμμάχους καὶ τοὺς στρατιώτας) in the distribution of gifts. Presumably this is to maintain morale and the general’s control over both.²⁸⁹ The final reference is problematic. The *Strategikon* states that “the auxiliary [allied] soldier or shield bearer of one of the Optimates is called man-at-arms” (Καὶ ἀρμάτος προσαγορεύεται ὁ σύμμαχος τοῦ ὀπτιμάτου ἦτοι ὁ αὐτοῦ ὑπερασπιστής.)²⁹⁰ This section enumerating officers and ranks contains a variety of foreign vocabulary, all Latin, which suggests that it is a list of the ranks as they actually appeared rather than an attempt to create an army on paper as Vegetius did. The origins of the Optimates are obscure but they likely were created during Tiberius II’s recruitment drive that resulted in the Tiberiani.²⁹¹ These soldiers

²⁸⁸ Maur. *Strat.* 7.B.11.25 (trans. Dennis 1984): 73.

²⁸⁹ Maur. *Strat.* 8.2.144-145 (trans. Dennis 1984): 87.

²⁹⁰ Maur. *Strat.* 1.3.24 (trans. Dennis 1984): 15.

²⁹¹ Haldon 1984: 96-97.

were thus originally foreign, and it is not impossible that the σύμμαχοι in this unit owe their origins to a translation of a foreign word. While such a solution would normally be considered novel, Haldon has argued that the unique internal structure of the Optimates probably owe its origin to Germanic organization.²⁹²

Theophylact Simocatta

Although the vocabulary of Theophylact Simocatta has been described as eclectic, for our purposes here his use of terms appears to be broadly along classical lines, even if they can be so strict as to feel artificial.²⁹³ The only term used by Theophylact Simocatta pertinent to this study is συμμάχος, and while following the trend in the other sources the uses here are often unspecific. Several attestations hint at allies who might have been defined by Procopius as φοιδεράτοι. Simocatta has a particularly high number of rhetorical uses, typically appearing in speeches, in which a variety of abstract forces or common objects are invoked. Opportunity, justice, and courage are referred to as allies, shields are an ally, and Phokas' co-conspirators are his "allies in evil."²⁹⁴ Actual allied groups are also frequently referred to, although the specifics are rarely given. Justinian, the son of Germanus, collected allies from the nations (τὸ συμμαχικὸν ἀπὸ τῶν ἐθνῶν) but just which nations he gathered them from is never explicitly stated.²⁹⁵ The account clearly took place on the eastern frontier, and the army that was recruited from amongst the allies is described as Roman throughout the next campaign.²⁹⁶ In other cases Theophylact refers to Roman allies serving alongside the army, such as how the *phylarchoi* Ogyrus and Zogomus were leaders of the Roman allies who in Latin are called Saracens (φύλαρχοι οὗτοι τῆς συμμάχου τῶν Ῥωμαίων δυνάμεως οὗς Σαρακηνοὺς εἴθιστο Λατίνοις ἀποκαλεῖν.)²⁹⁷ Roman troops in Thrace appear to have been enumerated alongside their allies, suggesting some difference in status between groups

²⁹² Haldon 1984: 98.

²⁹³ Whitby 1988: 341-342, 347.

²⁹⁴ Theophylact, *Historia* 2.13.2, 2.14.10, 3.13.13, 3.13.17, 8.15.9.

²⁹⁵ Theophylact, *Historia* 3.12.8, cf. Evagrius 5.14 (p. 209.32-33).

²⁹⁶ Theophylact, *Historia* 3.12.6 – 3.15.3.

²⁹⁷ Theophylact, *Historia* 2.2.5.

fighting alongside each other.²⁹⁸ Most notably, the combined forces of the Persian-Roman alliance are regularly referred to in this manner. While marching with the Romans against Bahram, Theophylact reports that Persian units under Bindoes and Sarames gained the discipline of their Roman allies, and that the Romans had to teach their Persian allies the camp password so as to avoid potential fratricide.²⁹⁹ More generally, Bahram both collected and lost allies.³⁰⁰

From these examples, Theophylact's use of the term *συμμάχος* and its variants reveals a few cases where groups of unknown origin were serving alongside regular Roman forces, or even providing recruits for regular units. The reference to the Arab *phylarchoi* is particularly interesting given Theophylact's reference to the Latin name Saracen, although this single piece of evidence alone should not be taken to imply that the Arabs were *σύμμαχοι* rather than *foederati*. Theophylact does use Latin terms, and his legal training would suggest that he was familiar with the language³⁰¹ but he rarely provides much specific military detail. The Arabs also appear as *σύμμαχοι* in one other place, although they are explicitly referred to as such. In a speech in the mouth of Justinian the general exhorts his nervous troops to forget past misfortunes since they have allied forces with them.³⁰² Alamoundaras appears on the next campaign, suggesting that at least part of the *σύμμαχοι* who were listed amongst Justinian's forces may have been Arabs although they are not referred to with the specific term in this case.³⁰³ From these examples in Theophylact, the conflation of *foederati* and *σύμμαχοι* is possible. When troops in the Balkans were upset with the distribution of spoils, Priscus attempts to alleviate their anger with a speech. In doing so he addresses them as men, friends, soldiers, and allies (ἄνδρες καὶ φίλοι καὶ στρατιῶται καὶ σύμμαχοι). Whether this is actual evidence for allies fighting alongside the Balkan troops in their own contingents or mere rhetorical verbosity remains to be seen, although it is yet another example of *σύμμαχοι* alongside *στρατιῶται*. No details are forthcoming from Simocatta's work on how these units

²⁹⁸ Theophylact, *Historia* 6.6.4.

²⁹⁹ Theophylact, *Historia* 5.9.12, 5.10.4.

³⁰⁰ Theophylact, *Historia* 4.1.1, 5.3.9.

³⁰¹ Theophylact, *Historia* 4.2.2, Treadgold 2007: 330-331.

³⁰² Theophylact, *Historia* 3.13.8.

³⁰³ Theophylact, *Historia* 3.17.7.

operated, but the inclusion of the Arabs is particularly interesting, as is the hint that the σύμμαχοι provided troops for units fighting alongside Roman regulars.

Theophanes

The σύμμαχοι in Theophanes appear more frequently, although relevant late antique examples are limited to about a dozen. Theophanes rarely has the detail and precision of more contemporary sources, and the usefulness of his terms suffer as a result.

Nonetheless, a number of sixth-century examples appear in reference to Huns,³⁰⁴ Heruls,³⁰⁵ and Moors,³⁰⁶ likely influenced by Theophanes' use of Procopius.

Interestingly, Zamanarzos, the king of Iberia is reported as having come to Justinian seeking an alliance (παρακαλῶν αὐτὸν τοῦ εἶναι αὐτὸν σύμμαχον Ῥωμαίων καὶ φίλον γνήσιον), although it has been noted that Theophanes' source for this passage is unknown and it has been rejected on the basis of Procopius.³⁰⁷ Herakleios is also said to have had Laz, Iberian, and Abasgian allies, which continues the general paradigm of allied states providing military support to Roman forces on campaign.³⁰⁸ Beyond this, nothing specific can be drawn from Theophanes alone.

The term συμμάχος is consistently used within this context with sufficient frequency in the fifth and sixth centuries to argue that the word has a specific meaning. The word is not precisely specific, but in its examination several themes appear. The σύμμαχοι are generally allies called in to help fight alongside the Roman state, or allied states capable of furnishing soldiers for such a purpose. When the sources mention them, these contingents appear to be individually led, rather than placed under the immediate leadership of a Roman commander. Based on the evidence furnished from Justinian's *Novellae* on the *φοιδερᾶτοι*, however, one can reasonably assume that these armed groups were assigned an *optio* (or approximate equivalent) as a liaison officer and who was in

³⁰⁴ Theophanes, *Chron.* 167.6, 175.13, 14, 15.

³⁰⁵ Theophanes, *Chron.* 174.28.

³⁰⁶ Theophanes, *Chron.* 215.32.

³⁰⁷ Theophanes, *Chron.* 216.9-10, Mango-Scott 1997: 131, n. 1.

³⁰⁸ Theoph. *Chron.* p. 309.15.

charge of money and supplies.³⁰⁹ The question of money and supplies also appears frequently, suggesting that allied contingents who came to serve were either paid or supplied or both. These conditions fit well within the general understanding of traditional federate relationships. While late antique western federate relationships were very concerned with settlement on land, this is less of a contentious issue in the east. With eastern land remaining largely unconquered until the seventh century, the government never had to create a pseudo-legitimacy for barbarian conquests.³¹⁰ As a result of this, many of the non-Balkan σύμμαχοι come from client states on the frontiers rather than from groups settling on Roman territory.

³⁰⁹ *Nov. J* 116.18-20, 117.10-13, 130.16-26.

³¹⁰ Of note here is the lack of reference to the Slavs, suggesting that either no attempt was made to come to agreements with them, or that they lacked the centralized organization necessary to form lasting agreements. Sivan 1987: 770.

General Conclusion

Although neither Maspero nor Jones carried out a systematic study of the φοιδερᾶτοι, the basic conclusions that Maspero posited and that Jones endorsed remain valid with a few minor qualifications. No longer can the φοιδερᾶτοι be considered the equivalent of the *foederati*. Reservations were first noted by Olympiodorus and Procopius, who felt it necessary to give an excursus on why they were using a Latin term and how that term had changed meaning. The late Roman *foedus* and the *foederati* that result from it cannot be considered to be a static system. Rather, it is one where the term's traditional meaning of allied contingents fighting alongside Roman regular forces for specific campaigns evolved in the east to be defined as a regular division of the army made up of a mix of both Romans and barbarians. Precisely when this change took place will never be known, but the work of Olympiodorus suggests that the transition was already happening by the beginning of the fifth century, whereas by the middle of the sixth the process was complete. By the time of Maurice's *Strategikon*, the φοιδερᾶτοι were sufficiently well-established as a regular military unit that they were placed in the battle line. The practical and candid nature of the handbook gives it a sense of authenticity: the φοιδερᾶτοι had become regular enough in Roman armies of this period that the author believed his prospective readers would have them at his disposal. The φοιδερᾶτοι retained a unique position in the Roman army. Although information on their specific conditions of service is unknown, the references to them in several laws of Justinian indicate that they were considered to be a special class of soldier alongside the *bucellarii* and the στρατιῶται. These laws reveal that the overseeing officer of the φοιδερᾶτοι was the *optio*, a position that was probably a remainder of the days when the φοιδερᾶτοι were barbarians serving under their own leaders and needed to communicate with Roman commanders and officials.

It is necessary to underline the accuracy of Maspero's conclusions. The reinforcement of these conclusions is important since despite the age of the work the nuance of φοιδερᾶτοι has not always been appreciated. Most notably, Irfan Shahîd's *Byzantium and the Arabs in the Sixth Century* consistently refers to Arab *foederati*. Shahîd recognizes that they

were never called φοιδερᾶτοι, and he equates *foederati* to σύμμαχοι or ἔνσπονδοι. The problem lies not in the supposition that these terms in the sixth century were similar to the *foederati* of the fourth, but rather with his consistent use of the term *foederatus*, since according to Shahîd “they were truly such.”³¹¹ This leads to the confusion, since the Arabs were most definitely not φοιδερᾶτοι in the sixth century eastern sense, the very part of the empire in which they lived. Shahîd’s attempt to reconcile his views with those of Maspero invoked Mommsen, who believed that when φοιδεράτος was applied to Goths or Saracens the older sense of the term was retained.³¹² Nothing in this study supports that conclusion. Shahîd uses this to claim that the φοιδερᾶτοι referred to in novel 103 were Arabs.³¹³ The main contemporary witnesses, Procopius, other references in the *novellae* and the the *Strategikon* all indicate that the φοιδερᾶτοι were a particular class of soldier and none given any indication of a connection to Arabs. That Arabs served in the φοιδερᾶτοι is a good possibility, but no evidence suggests that the φοιδερᾶτοι of Palestine happened to be Arab *foederati*. Certainly, Arabs served the Roman state along the eastern frontier and even fought alongside the Roman army when on campaign against Persia.³¹⁴ Theophanes refers to a certain eunuch failing to pay Arab tribesmen in the opening years of the Islamic conquests. These Arabs promptly removed themselves from Roman service.³¹⁵ This is akin to traditional federate arrangements, and helps to explain the use of the term σύμμαχος by the sources. Using Shahîd’s term *foederatus* to describe this relationship is insufficient, for while it draws a useful connection to the *foederati* of the fourth century and earlier, it fails to account for the term’s new meaning in the sixth century.³¹⁶ These groups were paid by the Roman state and operated under their own leaders, as Arethas’ failure to lead his men across the Tigris shows.³¹⁷ Whether land grants were included is a more vexing question, but Robert Hoyland’s suggestion that the Arab confederations effectively ran client states on Rome’s

³¹¹ Shahîd 1995: xx.

³¹² Shahîd 1995: 203.

³¹³ Shahîd 1995: 204-205.

³¹⁴ Miller 2010: 210-213.

³¹⁵ Theoph. *Chron.* p. 335-336.

³¹⁶ This has led others astray. Decker 2013: 71-72, Mayerson 1994: 342-343, PLRE II s.v. Fl. Vitalianus II (p. 1171).

³¹⁷ Procop. *Anek.* 2.23.

frontiers makes a great deal of sense.³¹⁸ This nuance between the fourth and sixth century uses of the terms needs to be recognized, for both include a very different set of assumptions.

The study of the term ὑπόσπονδος yielded nothing. A few enigmatic references suggest that the term was employed for a specific purpose, but so few actual attestations make saying anything specific about the word impossible. It seems best to conclude that the word simply makes reference to Roman allies.

Likewise, in the case of the σύμμαχοι, all that can be said is that this manner of investigation did not produce any useful results. The term describes relationships between Rome and barbarian allies, but can be used in other ways, such as with the divine. The fundamental problem with the word is that it is not specific. In order to say anything substantial about the σύμμαχοι, assuming that such a particular order of allies existed, a much more complete study of the use of the term in classicizing historiography is needed. That itself would entail a massive task, given the huge number of attestations of the term prior to late antiquity. At the present state, very little can be said with confidence about the σύμμαχοι.

Ultimately, the *Thesaurus Linguae Graecae* was a very useful tool in this project. It was not without its flaws, however. It lacked access to some legal evidence contained within the *Corpus Iuris Civilis*, and of course, has no epigraphic material. The sole focus on material from the TLG also occasionally led to a certain decontextualization, since it largely eliminated Latin from the entire project. As a result, historians such as Jordanes, who might have been useful given that he was writing in the sixth century, were not given much consideration.

³¹⁸ Hoyland 2007: 226-232.

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