

The Roman Empire and the legal status of the Visigoths: the context of the lower Danube War of 365-369



Viktor Melnyk^a  

^aDepartment of Political Science, Faculty of Philosophy, Taras Shevchenko National University of Kyiv, Kyiv, Ukraine.

Abstract The author in his academic paper offers an in-depth analysis of the most important historical events related to the battle that occurred in 369 in Upper and Lower Dacia, between the Roman troops under the leadership of Emperor Valentinus and the Visigoths led by Athanaric. The academic paper considers the consequences of this event, including the conclusion of a peace treaty and its impact on future relations between the parties. The author emphasizes the key role of diplomatic efforts made by Master Victor and the military commander Arinthaëus in reaching a compromise and concluding an agreement. A detailed analysis of the terms of the treaty, such as the return of the Visigoths under the authority of Constantinople and the obligations to support the Gothic federates, is presented to readers in the context of their impact on the economy and politics of the region. In conclusion, the author addresses Emperor Valentinus's next steps, including the triumph in Constantinople and the granting of the title "Gothic" by the Roman Senate. The academic paper provides a unique perspective on the interaction between the Roman Empire and the barbarians, identifying important aspects of their interaction and the impact on the historical picture of Eastern Europe. The purpose of the present academic paper is to study the history of the events of 365-369 in the context of the "Lower Danube War", as well as the nature of the fighting in Dacia between the Roman troops and the Visigoths, to raise the issue of the impact of the conflict on the political and economic situation, to compare various sources.

Keywords: Roman Empire, legal subjectivity, Ostgoths, Bessarabia, federation agreement, Lex Foedus

1. Introduction

This paper is devoted to the legal history of the Dacian Visigoths in the period of 365-369. The issues of relations between the Western Goths and the Eastern Roman Emperor Valentinus II are considered (364-378). The early period of the formalization of Augustus' personal power (364-370) is of particular importance. The invasion of the Goths through the Danube Limes did not simply coincide with the rebellion of Procopius and the seizure of Constantinople but was the result of conspiracy. In the spring of 366, Valentinus managed to regain control of Constantinople. Most of the Gothic adherents of Procopius were captured. In 366, the Gothic governor Athanaric negotiated with the emperor over the fate of these captives. Nevertheless, the emperor settled Gothic warriors along the old Danube border. During a visit to the present-day Ukrainian Odeschyna, the emperor's personal ambassador Victor was able to discover that Athanaric had secretly planned a Gothic invasion into Lower Moesia. The Goths simply wanted to confront the Roman government with the fact that migration to prosperous areas in the Balkans had taken place. Valentinus was forced to start a preventive war. On March-April 367, Valentinus built a military bridge across the Danube River. A powerful river fleet was created to speed up crossings and protect the old imperial borders (along the Danube). At the same time, a naval fleet departed from the harbor of Constantinople to the mouth of the Danube River. Near the estuary of the Danube, the eastern Romans hastily fortified fortress cities. Tyre, Istrion, and Olbia strengthened their garrisons at the expense of the Asia Minor reinforcements that arrived with the naval fleet. Valentinus managed to defeat the Goths by the results of the campaign of 367. The author's hypothesis about Valentinus's reconstitution of "titular provinces" – Upper Dacia and Lower Dacia – is expressed in the scientific work. The resumption of the Roman campaign in 368 was prevented by a series of floods and subsequent famine in Dacia. In the spring of 369, the Romans unexpectedly forced the Danube in northeastern lower Moesia, which entered modern Bessarabia through the fortress city of Noviodunum (now Isaccea in the Romanian town of Tulcea). In the present-day southern regions of the Odessa region and in southern Moldova, the Balkan field army of Valentinus met the Grewtung-Ostgoths. As a result of the negotiations, the Grewtungs received the legal regime of *lex foedus*. The military defeat in Bessarabia also forced the Visigoth leader Athanaric to petition for peace. The summer agreement of 369 was possible thanks to the diplomatic work of Master Victor and the military leader Arinthaëus. According to its terms, the Visigoths (Terwings) *de jure* recognized the supreme power of Constantinople and the legitimacy of the rule of Emperor Valentinus. The emperor recognized the authority of the "rex" Athanaric and undertook to support the



fighting ability of the Gothic federates with annual “contributions”. This was a method of monetary maintenance of the federate tribes, which had been practiced for centuries.

In a broader context, studies of Roman history and interactions with barbarian communities have attracted the attention of prominent scholars. Researchers such as Wirth and Veh (1974), in their work “Das römische Weltreich vor dem Untergang”, examine the state of the Roman Empire before its decline

A particular contribution to the study of Roman history was made by Eutropius (2003), whose work “Breviarium” was translated and commented upon by HW Bird. The works of Bâzru and Brezeanu (1991), “Originea și continuitatea românilor: arheologie și tradiție istorică”, cover the origin and history of the Romanian people.

Sanz Casanovas (2016), in his scientific article “Escribir con fuego. Amiano Marcelino y la ira de los emperadores panonios” considers in detail the theme of the anger of the emperors of Panonia in the works of Amiano Marcellinus. Gibbon et al. (2002) provide a valuable perspective on the history of the decline of the Roman Empire in “The History of the Decline and Fall of the Roman Empire”. Doležal (2019) analyzes Constantine’s military operations against the Goths and the Sarmatians in 332 and 334 in the study “Constantine’s Military Operations against the Goths and the Sarmatians”. Kienast (2009) provides fundamental information on Roman emperors in the publication “Römische Kaisertabelle: Grundzüge römischen Kaiserchronologie”.

Lenski (2002) discusses the failure of the empire in the IV century in the study “Failure of empire: Valens and the Roman State in the IV century AD”. Mecella (2013) presented a study on Dexippo of Athens in “Dexippo di Atene: testimonianze e frammenti”.

Other researchers, such as Zeumer (1973), Opreș (2020), Protase (1966), Schmidt & Zeiss (1934), Southern (2015), Walford (1853), and Dindorf (1832), analyze and translate historical texts of the time, covering a wide range of events.

Yılmazata (2018), in his scientific work “Notes on the res gestae and historiographical views toward the battle of Adrianople (378 AD)”, provides a historiographical perspective on the battle of Adrianople.

Studies of Christianity and its influence on the Roman Empire include the scientific works of Braichevsky (1988), in particular, “Khozariia i Rus. Askold – Tsar Kyivskiy” (2009).

Kim (2013) considers the influence of Huns on Roman history in his publication “The Huns, Rome and the Birth of Europe”. Egri (2014) examines the interaction between the Dacians and the Romans in the 1st century AD.

The study of Roman Britain and its relationship to Ireland is presented in the scientific work of Rance (2001) “Attacotti, Déisi and Magnus Maximus: the case for Irish federates in late Roman Britain”. An investigation of the fall of Rome and the rise of the barbarian West is covered in the research of V. M. Melynk (2023), “The Fall of Rome and the Rise of the Barbarian West”.

The bibliography list includes other scientific works focusing on the Romans, the barbarians, their invasion, and the influence of Christianity, as well as studies on Byzantine history.

Research methods: This research included the analysis of historical documents, including chronicles and literary works of the era. Comparative analysis is used to identify parallels and differences in the understanding of events by the parties to the conflict. Retrospective analysis provides contextualization of the events under study in a broad historical context.

2. Materials and Methods

The object of the research is the events of 365-369 in Dacia, in particular, the hostilities between the Roman troops and the Visigoths, as well as the consequences of the concluded peace treaty between Emperor Valens and the Visigoth leader Athanaric. The issues of the prehistory, meaning and consequences of this treaty constitute the special subject of the present academic paper.

The research methodology is based on historical as well as critical analysis of sources, including Roman and Gothic chronicles, with a focus on the context and motivation of the 365-369 events in Dacia. A multidisciplinary approach is also used to analyze the historical, diplomatic and social-cultural aspects of the research results. In addition, a detailed analysis of the decisions of Valentine and Athanaric is carried out to identify the dynamics and impact on Roman–Gothic relations, taking into account the historical context and the tools of comparative analysis. The following research methods were used: analysis of historical sources (including archaeological finds and written evidence), critical assessment of the reliability of sources, comparative historical analysis of events and processes in the context of the Eastern Roman Empire and comparison of these sources with similar phenomena in other regions.

3. Results

The Eastern Roman Emperor Valens (364-378), who became the senior emperor after the death of the ruler of the western provinces and his sibling Valentinian (364-375) (Sanz Casanovas, 2016), paid constant attention to the legalization of federated treaties with barbarian tribes, even before this event (Lenski, 2002). In actuality, he focused the majority of his reign over the Roman East on the Balkan provinces (Dacia, Thrace, and Hellas), where the main issue has been the raids of eastern Germanic ethnic groups since the severe socioeconomic and military-political crises of the IIIrd century AD.

Thus, in the Balkan Danube, the main trouble for the Roman administration of the province of Lower Moesia was caused by the belligerent Goths (Stathakopoulos, 2023), who had possessed the official legal regime of federates of the Empire since the times of Emperors Aurelian (270-275) (Mecella, 2013) and Constantine I the Great (306-337) (Doležal, 2019).

The concept of a “federate treaty”, used in relation to special agreements between Roman emperors and rulers of barbarian tribes (Germanic, Celtic, Sarmatian, Caucasian, Arab, African, etc.), meant the establishment of not only friendly and allied relations but also gave barbarians a special legal status (Rance, 2001). When one translates the phrase *lex foedus* as “law of treaty” or “law of union”, one can see the real legal meaning of the term. It is significant that this public law regime of Roman law produced the modern “federal” form of state organization. Most often, the *lex foedus* provided for an agreement between a barbarian tribe (conglomerate of tribes) and the person of the Roman emperor. The terms of granting the legal regime of “federation” to the barbarians obliged them to recognize themselves as subjects of the Empire (subjects, but not citizens) to provide military assistance to Rome at first request. However, while de jure federates came under the supreme power of the emperors, they de facto retained their political independence. For this reason, it is correct to translate the term “federates” not as “allies” but as “subjects liable for service”.

In the summer months of 365, the Lima guards (border guards) from Lower Moesia and Thrace reported to the Constantinople palace that the Terwings (the self-names of the Visigoths) had been living a “peaceful life” for too long and now wanted to make a robbery raid into the Empire’s borders (Wirth & Veh, 1974).

At that time, Emperor Valentinus reacted to the message properly and began to prepare his Asia Minor Legions for a campaign in South Dacia. However, the emperor’s plans were disrupted in the fall of 365, when the Thracian legions supported the usurpation of a pretender to the imperial throne—a cousin of Julian the Apostate (361-363) named Procopius (Gibbon et al., 2002).

It is assumed that the sudden invasion of the Western Goths (Terwings), which made an instantaneous crossing from the estuary of the Danube to Sardica, was not an accident or a simple “barbaric” desire for “plunder”. Considering that the usurper Procopius “disappeared” for some time from the field of vision of contemporaries (disappeared in June 363 and appeared with well-prepared troops in Constantinople around September 365), it is impossible to reject the version about the collusion of Procopius with a part of the Gothic federates (Gibbon et al., 2002). Given that Procopius emphasized in every possible way his kinship with the Emperor Constantine I the Great (306-337), who was honored in certain communities of the Goths because of the spread of Christianity (Braichevsky, 1988) (although of the heretical-Arian type, if we talk about the Black Sea or Dacian Goths), the performance of the East German federates on the side of his usurpation receives some legal justification. In fact, in contrast to Valentinus (364-378), who received by chance the supreme imperial power together with his brother Valentinian (364-375), Procopius still represented the dynasty of Constantine.

Interestingly, after the defeat of the Constantinople revolt and the restoration of power over the capital in the spring of 366, the legitimate emperor Valentinus captured almost all Gothic soldiers in Thrace without fighting and offered them land for settlement (Manconi et al., 2008). The Federate units accepted Valentinus’s offer and settled along the course of the Danube (Zosimus & Ronald, 1982) (modern Romanian-Bulgarian border).

Nevertheless, when the usurper Procopius (365-366) captured Constantinople in September 365 (Kienast, 2009), a “rex” (that is, “leader”, “commander”, later “king”) named Athanaric was at the head of the rebellious Terving Goths (Zeumer, 1973).

This Athanaric ruled the western part of the Gothic tribal union (the Terwings) from 363 to 381. Later, when the Great Migration of Peoples of the III-VII centuries entered its climactic stage, it was he who managed to preserve the fighting ability of the Visigoths. The decisive period of the Hun invasion (370-376) for the Black Sea steppes should be emphasized (Kim, 2013). In the early years of his tribal rule, Athanaric publicly and officially supported Procopius. The Westgoth official motive was to assist a relative of Constantine the Great.

Almost nothing is known about the political position of the neighbors of the Terwings, the Near-Dnieper Ostgoths (Eastern Goths or “Gretungs”) (Polonska-Vasylenko, 1976). Most likely, the Ostgoths were more dependent on trade ties with the Christian Greeks, which forced them to support August Valentinus, which was legally elected by the Senate. The important fact in this case is that rex Athanaric was known for his adherence to ancient Germanic Votanistic beliefs and refused to accept Christianity (Walford, 1853). Accordingly, he was close to the neo-pagan views of Procopius (in the recent past, a supporter of the anti-Christian policy of Julian the Apostate).

After Procopius’ head was sent to the headquarters of the Western Roman governor Valentinian and the Goths who had been sent by Athanaric to Thrace settled along the Danube, the Visigothic rex sent an embassy to Valentinus to protest against Constantinople’s settlement of Western Gothic cohorts on the Danube Limes. He called the Gothic settlers “captives” and asked Valentinus to “show mercy” to the Gothic tribes.

According to the evidence of historians Eunapius, Zosima and Ammianus Marcellinus, the negotiations between the Romans and the Western Goths lasted for the whole year 366. At the same time, Athanaric almost demanded the return of the Goths “captured” by the Empire. The basis of diplomatic argumentation was the thesis that Visigoths “merely” supported the pretender to the throne from the Dynasty of Constantine (Manconi et al., 2008). That is, Valentinus had to “forgive” the Visigoth rebels, letting them return to Dacia and the Northwest Black Sea region and confirming the legal regime of the *lex foedus* of 332 to all Western Goths (Egri, 2014).

Victor, the master of the Roman cavalry, was dispatched specifically to the borders of Dacia as an imperial legate (envoy) from New Rome (“*Nova Roma*” or “*Νέα Ρώμη*” – the formal name of the capital Constantinople) (Wirth & Veh, 1974). Somewhere within the border of modern Dobrudja, he personally discussed with the “*rex*” Athanaric the issue of forced settlement of those western Goths to the south of the Danube, who intended to support Procopius during the civil war of 365–366.

Through his envoy, Emperor Valentinian independently offered Athanaric the resumption of the legal regime of *lex foedus* on the terms of Aurelian of 271 and Constantine of 332. However, to return *the status quo* to the Goths, it was necessary to carry out several significant political-legal actions. First, the Goths were encouraged to redeclare allegiance to the Empire and, more importantly, to take an oral oath of allegiance to their brother emperors Valentinian and Valentinian. Second, the Visigoths were obliged to strengthen their own guard service in the Prut-Dniester interfluvium, where the Empire most of all feared the free migration of nomadic Iranian-speaking peoples (Sarmatians, Alans) toward Western Dacia and Eastern Pannonia. Third, Constantinople expected that the Terwings would renounce any territorial claims outside of Dacia.

The legal phrase “territorial claims”, when speaking about the Gothic union of tribes of the second half of the IV century AD, in no way envisaged the desire to conquer a certain territory and rule it independently (Yilmazata, 2018). This was the right to settle and cultivate land that accompanied any imperial grant of *the lex foedus* regime (Young & Salter, 2023). Obviously, the Goths of Athanaric were not at all opposed to settling in Moesia or Thrace, but they were eager to do it all together. Since Imperial Rome decided to forcibly settle only a part of the federates near the Limes, it deprived the rest of the Goths of such an opportunity. In addition, in the case of an attack by Sarmatians or other steppe nomads, the Visigoths had a relatively poor chance of defending themselves. In Thrace, the Romans captured the most combat-ready warriors of the Western Goths (Manconi et al., 2008). Therefore, in the process of long negotiations, the initial dispute about the punishment for the rebel federates was transformed into a discussion about the possibility of complete resettlement of the Dacian Goths south of the Danube Limes (in Thrace and Lower Moesia) or the eviction of the “captive” Visigoths back to Dacia under the control of the “*rex*” Athanaric.

Fundamentally, the Visigoths, while expressing a desire to migrate south of the Danube, *pursued two main goals*.

The first goal was to avoid the military and political threats that had already emerged in the eastern Black Sea steppes (in the Azov region and North Caucasus). In the areas of ancient Tanais (modern Don) and Meotida (Sea of Azov), the Hunnish horde had already crushed the fighting orders of Iranian-speaking nomadic Alans (Kim, 2013). Having suffered defeats, the Caspian tribes of the Alans split into several groups. Some of them had been actively resisting in the confines of the Kuban and Don Steppe. Numerous groups managed to break away from the Huns’ pursuit on the high right bank of the ancient Borisfen (modern Dnieper). In the late 360s–early 370s, the steppe lands of southeastern Ukraine became the scene of a bloody war, gradually approaching the lands of the Dnieper Ostgoths and subordinate forest Slavic tribes (Braichevsky, 2009).

The second goal was to try to find safe (protected by Roman limes and combat-ready Roman legions) farming areas. One should also bear in mind that contrary to established historiographical stereotypes, the Goths, who moved from the “cold” estuary of the Vistula River to the Ukrainian steppes in 150–240 AD, were not so much “bloodthirsty” robbers but rather cultivated land. The constant migrations of nomadic peoples (Sarmatians, Alans, and Huns, who had recently appeared in the east) prevented the peaceful arrangement of the East Germanic way of life in Dacia and in the lands that would later be called “Bessarabia” (that is, the Prut-Dniester interfluvium).

Despite mutual assurances of “alliance” and “friendship” between the Romans and the Goths, when in 366 the cavalry master Victor returned with a report to the palace of Emperor Valentinian in Constantinople, he reported the inevitability of a Visigothic invasion. The fear of Eurasian nomads and the desire to settle down to a quiet agricultural way of life were reinforced by the fact that the tribes subordinated to the “*rex*” Athanaric had “heard” about the riches of neighboring Roman Thrace and Lower Moesia. It is no secret that the economic appearance of the mentioned provinces even in the II–III centuries was significantly superior to that of the Dacian-Romanesque settlements of the Prut-Danube interfluvium. (Thanks to the city of Tyre, the situation in the Pruto-Dniester interfluvium looked somewhat better but could not compare with the urban settlements south of the Danube either).

In reacting to Master Victor’s warning, Valentinian initiated a preemptive war (Manconi et al., 2008). The emperor’s contemporaries assessed this preemptive attack quite favorably (Manconi et al., 2008). Greek authors, as in the case of the hostilities against the Goths in the 230–270s, nicknamed the new war “Scythian” (not Gothic!). It lasted from 367 to 369.

On March–April 367, Valentinian arranged a military bridge across the Danube (Egri, 2014). A powerful river fleet was created to speed up crossings and protect the old imperial borders (along the Danube) (Zosimus & Ronald, 1982). At the same time, a naval fleet departed from the harbor of Constantinople to the estuary of the Danube. Near the estuary, the eastern Romans hastily fortified fortress cities (“*castellum*”). Tyra, Istrion, and Olbia (presumably) strengthened their garrisons at the expense of the Asia Minor reinforcements who arrived with the naval fleet (Zosimus & Ronald, 1982).

The course of the further military campaign, following Ammianus Marcellinus, is often called “unsuccessful”. However, the “failure” assumed by Ammianus should have meant a military defeat, which did not occur in any case. At the very least, Emperor Valentinian was able to organize a large-scale attack of the Thracian army toward the depths of Dacia, while the Black

Sea contingents moved northwest along the Dniester River. The Romans captured the women and children of Visigothic warriors everywhere. The army of Athanaric, in turn, withdrew to the Dacian Carpathians (Wirth & Veh, 1974).

Apparently, the 367 campaign was considered “unsuccessful” by Ammianus Marcellinus since on the eve of the winter of 367-368, the Roman regular troops withdrew to their original positions (Wirth & Veh, 1974). However, in the spring and summer of 367, the Romans were able to briefly regain military control over lowland Dacia, which they had lost as early as 271. Roman advanced units were also encountered in Bessarabia between the Dniester and the Prut (as during the campaigns of Trajan or Aurelian) (Jones, 1904). It is believed that the sense of the spring-summer military operation was mainly ideological and propagandistic. After all, it turned out that the Visigoths were “frightened” by the Roman power (the cohorts of “rex” Athanaric actually fled to the Eastern Carpathians – to the western borders of historical Moldova).

The Roman Emperor “demonstrated” to all tribes of the North–West Black Sea region the existence of a military possibility at any time to restore imperial control over the Dacian provinces. The task of Imperial Rome, which Valentus was able to accomplish, was to convince the barbarian peoples that the Visigoths ruled Dacia solely by the “good will” of the Roman authorities. That is, the impressions deliberately created by the governments of Aurelian (the agreement with the Goths as of 271) and Constantine the Great (the agreement with the Goths as of 332) were restored (Doležal, 2019).

Some inscriptions (Opriș, 2020) and narrative data suggest that in the summer of 367, Valentus reestablished the “titular provinces of Upper and Lower Dacia”. These administrative entities disappeared from the legal sources after Constantine the Great granted the *lex foedus* to the Western Goths in 332 (Protase, 1966). It is well known that titular (that is, “nominal”) Dacian “provinces” were established by Emperor Aurelian (Southern, 2015). He placed some administrative institutions of Dacia in Moesia (on the right bank of the Danube) and appointed viceroys to oversee the process of evacuation of the Romanesque population from the left bank of the Danube River.

Despite the official demand of the Emperor Aurelian to the Romans of Dacia to “relocate” to Thrace, Upper and Lower Moesia, some Roman citizens still remained in their native fortresses and towns. Here, at home, the Daco-Romans met Visigothic rulership (Eutropius, 2003), a de facto occupation (Jones, 1904), formally regarded as the implementation of the Roman legal regime of *lex foedus* by the tribe of the Terwings. Many researchers believe that the Goths wanted to integrate into the cultural and civilizational context of Pax Romana as much as possible and, based on this logic, that the Daco-Romanesque population rendered an invaluable service to the Germanic barbarians-Federates with their presence within the borders of modern Wallachia and Transylvania (although to a lesser extent but also in Moldova). Some specialists in Romanian history even hypothesized that, thanks to the Daco Romans, the Goths acquired a “concept” of the forms and content of Roman public and private law, the principles of recruiting soldiers, and Roman military service (Bârzu & Brezeanu, 1991).

After fateful arrangements with Emperor Aurelian (270-275), the Goths repeatedly sent military contingents to support Rome. This occurred in the time of Constantius II Arian (337-361) and Julian Apostate (361-363). The contribution of the Gothic auxiliary (federate) units during Julian's Persian campaign in the spring-summer of 363 should be especially noted. Then, the Goths (most likely the Western Goths) accompanied the Roman army as far as the Persian capital of Ctesiphon. The precedent of the availability of voting rights for the Germanic Dagalaifus during the election of Emperor Jovian (Wirth & Veh, 1974) (and later Valentinian at Nicea) demonstrates the formal possibility of participation of the Goths in both general army assemblies and electoral procedures.

The presented data indicate the falsity of the argumentation of historians who consider the meetings of the Goths and Romans of the 360-410 s as “the first acquaintance” of allegedly feral Germans with the so-called “civilized world” of the Romans. Such variants of argumentation are extremely incorrect; however, to the greatest extent, they are still present in many general generalizations, as well as in special essays devoted to Roman–Gothic contacts. In contrast to such a simplistic viewpoint, one should bear in mind that the Western and Eastern Goths were neighboring Roman administrative provinces even from migration to the Black Sea steppes (150-240) (Musset & Viñoly, 1967). After 271, they were recognized as federates of Imperial Rome (Schmidt & Zeiss, 1934). Consequently, as of 367, the Goths had already been part of the formal-legal world of the Empire (*Pax Romana*) for approximately one hundred years and were an integral and important military-political part of it (Schmidt & Zeiss, 1934).

The possibility of the revival of the titular administration of Upper and Lower Dacia by Valentus is a purely working hypothesis that stems from the nature of the fighting against the Western Goths in the spring and summer of 367 AD. Confirmation or refutation of the hypothesis requires careful study of a number of inscriptions found in some areas of Budjak, Dobrudja and Wallachia. It can be assumed that Emperor Valentus installed so-called “mileposts” or post posts (*Latin: miliarium*), which had accompanied Roman roads (*Latin: Viae Romanae*) since the II-III centuries BC. It is also known that after crossing the old border of Dacia, Valentus was involved in the reconstruction of ancient Roman post roads destroyed by Gothic negligence (Dindorf, 1832).

The return of the Roman army for the wintering in 367-368 should not call into question the formal steps taken by Emperor Valentus to establish military and political control over Dacia. In the spring of 368, the Roman legions were in full battle readiness; they had rebuilt a bridge across the Danube in the Moesian-Dacian Limes section and had established a large bridgehead on the Wallachian left bank of the river. However, an unforeseen rise in the river's water level forced Valentus to withdraw the army to North Thracian cities (Wirth & Veh, 1974).

Nevertheless, the Goths were not very pleased with the impact of the natural forces. Melting snows in the Eastern Carpathians and floods in the Pruto-Dniester and Moldavian-Syretian Basins hit the agricultural potential of the Germans. The year 368 was considered a famine, and the year 369 promised to be even worse. Constant hostilities in the conditions of "frontier war" (skirmishes on the Danube left bank, expansion of the Roman "bridgehead") did not allow the "rex" Athanaric to seriously engage in food procurement, which required from him even greater efforts than the assembling of the army.

In the spring of 369, the Romans unexpectedly fortified the Danube in the northeast of Lower Moesia, entering the borders of modern Bessarabia through the fortress city of Noviodunum (currently Isaccea in the Romanian town of Tulcea).

In the modern southern districts of the Odessa region and in southern Moldova, the Balkan field army of Valentinus met the Grewtung-Ostgoths. However, the fact that Ostgoths came to help their western tribesmen (Visigoths) is far from certain. Most likely, negotiations between the Ostgoths and the emperor's ambassadors took place the day before. With these possible negotiations, the chroniclers' report about the alleged "swift flight" of the Ostgoths is associated. Presumably, the Ostgoths came to testify to Valentinus' adherence to the old federate treaties and to swear allegiance to the Eastern Roman governor. This is precisely why the Ostgothic contingents did not support Athanaric in the future (Wirth & Veh, 1974).

Indirect data allow us to consider the diplomatic contact between Valentinus and the Ostgothic ambassadors in the spring of 369 as recognition of the *lex foedus* legal regime in relation to the eastern Goths (Grewtungs). In this case, the Ostgoth Grewtungs did not "flee" from the Romans but simply returned to the main headquarters of their own "rex". The likelihood of such diplomatic development is high since the Ostgoths had every reason to truly fear the development of Roman military success. The defeat of the Visigoths could have led Valentinus to the Black Sea and Transnistrian steppes. The emperor, having no success in the geopolitical confrontation with Iran of the Sassanid Dynasty, would hardly stop before the possibility of extending direct control over the provinces once conquered by Trajan. It seems favorable for Ostgoths to receive support from the official Constantinople due to internal conflicts with Visigoths and the fear of Roman army forces. The very place of transition of the Roman units to the left bank of the Danube River testifies in favor of the mentioned version.

The summer attack of 369 deep into the Prut-Dniester interfluvium led to a decisive battle between Valentinus' Romans and Athanaric's Visigoths (Wirth & Veh, 1974). The battle, based on the average speed of the Roman army and the nature of the terrain, took place northeast of the course of the Jalpug River. Athanaric's Rex Terwings suffered a crushing defeat, and most of the Gothic cohorts withdrew to the northwest (Wirth & Veh, 1974). In pursuit of retreating soldiers, Emperor Valentinus issued a *rescript* on monetary payments for the head of each killed Germanic soldier (Zosimus & Ronald, 1982).

After starting to fortify the Danube and Black Sea fortresses (Oprish, 2020), Emperor Valentinus accepted the proposal of the defeated leader of the Terwings, Athanaric, to conclude an agreement to reach an agreement. This was because he did not want to disperse the field army's forces (Zosimus & Ronald, 1982). Ammianus Marcellinus called the agreement between Valentinus and Athanaric a "peace treaty" (Wirth & Veh, 1974). In content, it did indeed constitute a treaty. However, in addition to ceasing the conflict, the Visigoths had to again recognize the "supreme power" of the Roman emperors (Valentinus & Valentinian).

The summer agreement of 369 was made possible by the diplomatic efforts of Master Victor and the military commander Arinthaëus. Visigoths (terwings) returned under the authority of Constantinople, recognized the legitimacy of Emperor Valentinus' reign, and apologized to the Empire for the robber attacks south of the Danubian Limes. The emperor recognized the authority of the "rex" Athanaric and undertook to support the Gothic federates with annual "*contributions*" (another translation is "gifts"; the term "tribute" is incorrect in this respect). This was a method of monetary maintenance of the federate tribes that had been practiced for centuries.

Rex Athanaric, as can be observed from the absence of any mention on this subject, abandoned any claim at all about the Visigothic settler vigilantes in Lower Moesia "captured by Rome" (Wirth & Veh, 1974). (It should be emphasized that this was the original *casus belli*, that is, the reason for Athanaric's war against the Romans!). The Gothic leader was also obliged to send regular recruits for Roman military service. To validate the agreement, Athanaric and the soldiers of his army took a solemn verbal oath to "never again set foot on the lands of the Roman provinces" (Wirth & Veh, 1974).

To punish the Visigoths, the Emperor Valentinus introduced a clause in the text of the treaty to reduce the volume of mutual trade. Customs control and marketplaces for the Roman-Gothic trade exchange were designated only for two Moesian limestone fortresses (Wirth & Veh, 1974). All other settlements had no right to accommodate Visigothic merchants at all (based on data from Taurica, this condition of the treaty did not apply to *Ostgothic merchants*). The crossing of the Danube by Visigoths without the permission of the Limesian authorities was recognized as a crime (Zosimus & Ronald, 1982). In such a case, punishment was envisaged not only for the captured violators but also for Athanaric himself.

Given the interest of the Gothic side in maintaining peace over the long term, the "rex" was charged with personally supervising the security of the Limesian zone. At the very least, the Goths had to guard the administrative imperial borders to avoid infiltration by "their own" Visigothic brigands "on the Roman side".

Having received a promise of regular allowances from Emperor Valentinus, Athanaric transferred hostages to Constantinople (Wirth & Veh, 1974) from among the sons of the most prominent vigilantes and commanders. Thus, Imperial Rome created a new and impressive reserve for the education of future military leaders from the barbarian environment, as well as the most effective tool to interfere in the internal affairs of the Gothic tribes.

4. Discussion

One of the interesting aspects of the treaty of 369 is the direct conclusion of the treaty. The negotiations took place somewhere near the estuary of the Danube since the final ceremony of sealing the agreements by a personal meeting between the emperor and the “rex” took place in the middle of the river (Wirth & Veh, 1974). The Westgoth governor argued his refusal to cross to the right bank by “an oath not to set foot in the provincial boundaries”. However, most likely, he was afraid of possible arrest. The Westgoths, who initiated negotiations with Emperor Valentinus on their own (Wirth & Veh, 1974), were far from being in the best condition, which could have prompted the Roman ruler to break his promises, defeat the Visigoths and return direct authority in Dacia to Rome. In turn, the Eastern Roman Emperor showed great courage since he left his army on the right bank and came to Athanaric on a rowing ship with only a few guards. The bodyguards held the Imperial Standard and the insignia required for ceremonial occasions (Wirth & Veh, 1974).

5. Conclusions

There is a rather high probability that Valentinus concluded two federate agreements with the Goths in 369: in the spring, he granted the *lex foedus* to the Grewtungs (Ostgoths), and in the summer, he concluded a peace treaty with the ruler of the Terwings (Visigoths). Both events are remarkable because of the emperor’s personal presence in Budjak (Oprîş, 2020). Although Dacia remained in the hands of the Visigoths of Athanaric, no one could reproach Valentinus with a military defeat. After all, the Visigoths had sworn an oath of loyalty to the Empire (Dindorf, 1832).

Upon returning to the capital Constantinople, Valentinus organized a triumph. The Roman Senate voted in favor of granting him the title “Gothic”. The inclusion of the ethnonym in the titulature, as in the times of the previous Augusts, directly indicated that the emperor considered himself the supreme leader of the Gothic tribes. However, at that time, no one suspected that, less than seven years later, in 376, the Visigoths, who had taken an oath “never to cross the Danube with arms in their hands”, were forcing the river en masse, fleeing from the approaching steppe Huns (Yilmazata, 2018). It was not long before the ethno-political map of Eastern Europe completely changed.

Ethical considerations

Not applicable.

Conflict of interest

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