

The Judicial Punishment of *Decalvatio* in Visigothic Spain:
a Proposed Solution based on Isidore of Seville and the *Lex Visigothorum*

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Abstract

The Visigothic judicial punishment known as decalvation has been widely studied for more than a century, yet there exists no general agreement concerning its exact nature. Scholars concur that decalvation involved a shameful mutilation of the head and hair, but there is disagreement about whether the punishment involved scalping or merely shaving one's head. Some well-known texts seem to suggest scalping, but several little-known passages from Isidore of Seville and the *Lex Visigothorum* clearly indicate that enduring decalvation did not preclude one's hair from growing back, and that decalvation could be inflicted on a malefactor more than once. Additionally, a thirteenth century Castilian translation of the *Lex Visigothorum* renders decalvation as *ráyanle la cabeza*, shaving the head. These and other medieval texts support my contention that in the Visigothic kingdom decalvation normally involved shaving the head, or perhaps shearing the hair very closely, but that it did not normally involve scalping.

Keywords: visigothic, Isidore, Jews, decalvation, law

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The earliest of the Medieval Spains¹ was Visigothic Spain,² which flourished for almost three centuries, until the realm was destroyed by a wave of Muslim invasions in the period 711-722.³ The Visigothic realm, which at its territorial peak in the sixth century stretched from Ceuta in north Africa to Arles in France, was irretrievably lost, although some of the Spanish realms that emerged as centers of resistance to Muslim rule, such as Asturias, asserted continuities between themselves and the Visigothic kingdom.⁴ The Muslim destruction of Visigothic Spain was so complete that little has survived from the Visigothic era that would allow historians to reconstruct a detailed narrative account of the realm: a few chronicles, king lists, a history of the reign of King Wamba, a few financial records, but not much else that pertains to the history of the kingdom. Moreover, the Visigothic cities are so overlain with Muslim and later medieval structures that the archaeology of Visigothic Spain has only begun with the last century, although tremendous advances have been made within the past forty years.⁵ What has survived from the Visigothic era of Spanish history pertains almost exclusively to the intellectual activities of the elite: canons from Church councils, law codes, letters, liturgical texts, and prodigious amounts of religious and philosophical writings by churchmen. Accordingly, any narrative history of Visigothic Spain is characterized by huge gaps in our information, gaps often partially illuminated by puzzles. One of these puzzles is the infamous Visigothic punishment of decalvation. This paper attempts to solve that puzzle.

Our tale of early medieval Spain and the western Mediterranean world of post-Roman Gaul, Iberia and North Africa, begins with the crime of treason, known and understood, and proceeds through the Visigothic judicial punishment of decalvation, frequently mentioned but

much less well understood by us moderns. The Visigothic kingdom in Spain and Gaul, which came into existence in the early fifth century and lasted until the Muslim conquest of Spain in the early Eighth century, was a realm afflicted with frequent rebellions. Contemporary chroniclers and historians such as John of Biclaro, Gregory of Tours, Isidore of Seville, and Julian of Toledo reported an almost incessant series of conspiracies, treasons, and rebellions among the Visigoths. Only two of these rebellions concern us: rebellions wherein the defeated rebels endured the mysterious punishment known as decalvation.

In John of Biclaro's *Chronicle*, composed in the early 590s, we discover that in the year 590 Duke Argimund led an unsuccessful rebellion against King Recared. The king swiftly crushed this revolt and captured Duke Argimund, had him whipped, and had his right hand chopped off, whereupon the defeated rebel, described as "*turpiter devalvatus*," was paraded through the streets of Toledo astride an ass, thereby providing a rather graphic example of what would happen to anyone who dared to lead a rebellion against the Visigothic king.⁶ Writing some 80 years later the bishop and historian Julian of Toledo described a rebellion against the King Wamba that occurred in the year 673, wherein a certain Duke Paul proclaimed himself king in northeastern Spain and southern Gaul. After an extensive campaign, described in detail by Julian of Toledo, King Wamba put down this rebellion. The defeated rebel Paul and his seditious followers, described as "*decalvatis capitibus*," were publicly displayed in Toledo with their beards shorn, their feet bare, dressed in squalid clothing, and paraded about on camel-drawn carts,⁷ a very intense example of ritual public humiliation, of which decalvation was only one part. In neither of these famous instances of Visigothic judicial decalvation, however, are we told exactly what happened to the person subjected to this enigmatic punishment, except that it involved public shame and

diminishment of social status. Whatever the precise nature of *decalvatio*, and we know that at a minimum it involved removing one's hair (and many scholars hold that it involved scalping), the malefactor was usually described as being paraded about in public spaces after decalvation as an object of derision and to reinforce the infamy and loss of face that had been laid upon him. Additionally, anyone who had either been religiously tonsured or endured judicial decalvation was prohibited from becoming king, thereby forestalling (at least in theory) any additional attempts at usurpation. Also, in the particular cases of Argimund and Paul, mentioned above, this public humiliation of defeated enemies was part and parcel of the triumphal entry into Toledo of Visigothic Kings, who were returning victoriously to their capitol city after crushing rebellion and usurpation.⁸ The purpose of this paper is to argue that, on the basis of unambiguous evidence, in the Visigothic kingdom in Spain and Gaul the judicial punishment known as decalvation normally involved shaving the head, or perhaps cropping the hair very closely, rather than scalping - and I shall present a few texts from the writings of Isidore of Seville and from the *Lex Visigothorum*⁹ that I believe can settle the matter.

Scholarly opinion concerning judicial decalvation in the Visigothic kingdom has long fallen into several patterns, patterns whose wide divergence reflects the ambiguous nature of the texts that are most frequently cited. Scholars such as Jean Hoyoux,¹⁰ Percy Ernst Schramm,¹¹ P. D. King,¹² Edward James,¹³ and Roger Collins¹⁴ have held that judicial decalvation involved scalping. Others, such as Floyd Seyward Lear,¹⁵ Katherine Fisher Drew,¹⁶ Robert S. Lopez,¹⁷ and Kenneth Baxter Wolf¹⁸ believed that judicial decalvation involved shaving the head, and not scalping. In 1874 the German historian Felix Dahn insisted that decalvation involved pulling out the hair by the roots.¹⁹ In 1910 the American

legal historian S. P. Scott argued that decalvation may have involved either scalping *or* shaving the head, depending on the social status of the malefactor and the severity of the crime.²⁰ More recently, scholars such as Solomon Katz,²¹ E. A. Thompson,²² Michael McCormick,²³ Alexander Bronisch,²⁴ and Herwig Wolfram,²⁵ have considered the evidence to be so ambiguous that we cannot know precisely what occurred when someone endured judicial decalvation in the Visigothic realm. A candid example of this last school of thought comes from the late E. A. Thompson, who wrote in 1969, “I use the cowardly term ‘decalvation’ because I cannot decide whether the victim was scalped or whether he merely had his head shaved.”²⁶ In 1990 Herwig Wolfram noted that “the meaning of the term has not been fully determined.”²⁷ In September 1996 at a conference in San Marino on the Archaeoethnology of the Visigoths there was a brief but very useful discussion on the meaning of judicial decalvation. This discussion demonstrated that many of today’s most prominent Visigothologists incline towards explaining decalvation as shaving the head, but the proceedings also demonstrated that there is still no overall scholarly consensus, and there are no known proof texts. More recently, in 1999 Kenneth Baxter Wolf translated John of Biclaro’s *deinde turpiter decalvatus* as “then his head was shaved in disgrace”²⁸ whereas in 2004 Roger Collins translated the same passage as “then [he] was scalped as a mark of his shame.”²⁹ In 2005 Joaquín Martínez Pizarro noted that “whether *decalvatio* involved actual scalping or only a shameful and brutal shaving of the head remains a question,” although he suggested that the rebel Paul was shaved or shorn rather than scalped.³⁰ My object is not to make sport of these different interpretations, far from it, but to reaffirm that significant difficulties remain concerning what Peter Heather calls this “vexed question,”³¹ particularly

as regards any proposed solution that is too cut and dry, or, as the case may be, too cut and bloody.

The absence of a scholarly consensus reflects the frustrating nature of the surviving evidence from the Visigothic realm in general, as mentioned at the outset. Moreover, the most frequently cited texts pertaining to judicial decalvation in the Visigothic realm, usually taken from chronicles or canons from Church councils, are themselves particularly ambiguous. This is almost certainly one of the reasons why there are differing scholarly opinions on decalvation, but, apart from casual discussions at professional conferences, no significant scholarly debate, and no consensus. One of my purposes in this article is to invoke and to apply a series of less frequently cited Visigothic era texts that refer to decalvation in contexts are either clear themselves, or that allow us resolve the ambiguities, thereby to achieve a clear understanding of what it was. That is, there indeed are proof texts, albeit in unexpected places.

The judicial punishment of *decalvatio* is decreed in some 29 articles of the *Lex Visigothorum*, where decalvation is imposed on persons who disrupt or subvert the order of the realm, perpetrated on slaves, and inflicted especially on Jews in the infamous laws promulgated by King Erwig in the late Seventh century. Nevertheless, the particulars of the punishment are never precisely spelled out in the *Lex Visigothorum*. Evidently the nature of decalvation was sufficiently well-known to contemporaries that no further words of explanation were deemed necessary. A scant handful of historical texts from the Visigothic period reporting the imposition of judicial decalvation has survived, as mentioned above, but none of the extant narrative accounts reveals to us what exactly happened during decalvation,

or what the victim looked like immediately after the punishment, although they do make it clear that the punishment was not necessarily fatal. Thus one would very much appreciate any reference to judicial decalvation from the Visigothic realm that tells us who the victim was, and which also allows us to understand, or at least to reconstruct, what happened to him during and after decalvation.

Looking further afield to the north-central Mediterranean, in early medieval Italy no clear description is to be found in the Lombard Laws, although King Liutprand (712-744) imposed judicial decalvation on thieves and upon roving bands of female gangsters.³² Yet once again we do not know the exact nature of the punishment. One should note at this point that modern Latin dictionaries, even those focusing on late antique or medieval Latin such as Souter³³ or Niermeyer,³⁴ are not particularly useful. They tend to focus on literary usage, and are deficient (at best) in their lexicon of early medieval Visigothic legal terminology. In the 1774 edition of Du Cange's dictionary of medieval Latin, the word "decalvare" is glossed as *tondere, ad cutem caput radere*, but "decalvatio" is glossed by the more ambiguous *abscissionem capillorum*, which could mean either that the hair was simply removed or that it was torn out.³⁵ Both the 1842 expanded edition of Du Cange by Henschel³⁶ and the further expanded Du Cange of 1884 by Favre³⁷ continue these glosses, offering many citations, but still no discussion, and no citations to Isidore. If even Du Cange leaves us with ambiguities, where are we to turn?

As already mentioned, an explicit description of decalvation is not to be found in the writings of John of Biclaro,³⁸ nor is it to be found in the writings of Julian of Toledo,³⁹ even though each of these historians describe decalvation as being executed upon a would-be

usurper. Even more frustrating, Isidore of Seville's historical writings tell us nothing about decalvation, and in his *Historia Gothorum* Isidore does not even mention Argimund's rebellion against Recared.⁴⁰

Although Isidore of Seville says nothing in his historical writings about decalvation, one can find some extremely useful information about this troublesome punishment in several of Isidore's exegetical writings, including his *Allegoriae Quaedam Sacrae Scripturae*,⁴¹ his *De Differentiis*,⁴² in the *Orto et Obitu Patrum*,⁴³ in *Quaestiones in Vetus Testamentum*,⁴⁴ and even (although much less directly) in his *De Ecclesiasticis Officiis*.⁴⁵ For our purposes, the most important of these passages occurs in *Allegoriae* ch. 81.⁴⁶ I shall make use of several other passages from Isidore's writings during the course of this paper, but *Allegoriae* 81, along with *Lex Visigothorum* book 12, title 03, law # 11,⁴⁷ constitute my main proof texts.

In *Allegoriae* 81, Isidore wrote "Dalila ... Samson verticem decalvavit,"⁴⁸ clearly indicating that whatever decalvation was, it happened to Samson under the ministrations of Dalila. Patristic and Rabbinic exegesis concerning what happened to Samson [in Judges 16.19-23] is clear: his head was shaved, or perhaps his hair was cropped extremely closely, but certainly he was not scalped, although as with the aforementioned Argimund and Paul, who endured decalvation in the Visigothic realm, Samson was subsequently paraded about in ridicule and mockery.⁴⁹ Further, the removal of Samson's locks occurred while he was sleeping,⁵⁰ and so it could not have been painful. Also, Samson woke up as soon as Dalila called out to him,⁵¹ so he could not have been drugged during the process - again, this

suggests that decalvation was not painful. Finally, Samson's hair grew back.⁵² Clearly, he was not scalped.

Isidore, who was extremely interested in the function, meaning and origin of words, undoubtedly chose the word *decalvavit* very carefully.⁵³ Although used elsewhere in Scripture, the word was not used either in the Vulgate nor the *Vetus Latina* to describe what had been done to Samson; instead, the phrase used in scripture was *rasit septem crines ejus*. Thus, Isidore was not simply repeating a scriptural occurrence of the word, but instead was selecting the term for some particular purpose. Incidentally, given Isidore's etymological theories and his frequent associations of very different words on the basis of spelling or pronunciation, Isidore probably chose the word *decalvavit* because it would have recalled the word Calvary, and Isidore frequently compared the sufferings of Samson to the agonies that Christ endured *in loco Calvariae*, additionally in *Allegoriae* 80 he writes that Samson is a typological figure of the death and victory of Christ.⁵⁴ Also, the word *decalvatio* clearly was used in Isidore's day to name the judicial punishment under discussion here. Although we cannot know if Isidore personally witnessed the decalvation of the rebel Argimund in 590,⁵⁵ nevertheless Isidore had been a young man, perhaps twenty years old, at the time of Argimund's punishment, and he certainly knew of the incident, and knew what had been done to the unfortunate rebel, if perhaps only by reading about it in John of Biclaro's *Chronicle*. I submit that Isidore would not have used the word *decalvavit* in the context of the Samson and Dalila story if the judicial punishment of decalvation as normally inflicted in the Visigothic realm involved anything more permanent than shaving the head or cropping the hair very closely.

Further, Isidore did not believe that Samson had been scalped. In his *Orto et Obitu Patrum* ch. 31.2, Isidore describes Samson as *detonsis crinibus*,⁵⁶ that is, his hair had been shaved off. In *Quaestiones in Vetus Testamentum, in Librum Judicum*, ch. 8.6, Isidore uses the phrase *caput raserit*, shaved his head.⁵⁷ Although the word decalvation is not particularly common in Isidore's writings, it does occur in a few passages where Isidore clearly meant shaving the head or cropping the hair short, but not scalping. In his *Quaestiones in Vetus Testamentum, in Deuteronomium*, [ch. 18.2, which is a gloss on Deuteronomy 21.10-13,] Isidore uses the word *decalvare* to describe how the Israelites shaved the heads of female captives before compelling them to become their wives.⁵⁸ Elsewhere, in his *Differentiae* 1.130, Isidore links the word *decalvatio* to the practice of barbering, and notes that *caluus est natura; caluatus manu*.⁵⁹ Further afield, and certainly more obliquely, in *De Ecclesiasticis Officiis* 2.4 and 2.17.3,⁶⁰ Isidore recommends that penitents have their hair shorn closely (he does not use the word *decalvatio*) as an outward and visible sign of their guilt before God and man. There is perhaps no direct relevance in this last citation, but again, in Isidore's day having one's locks cropped was commonly associated both with public atonement for sins or guilt, and with public punishment for misdeeds.

Additionally, there is a rather slender but perhaps valid linguistic argument that can be made at this point. In *Allegoriae* 81, Isidore wrote "*verticem decalvavit*" rather than simply "*decalvavit*." If the word *decalvatio* normally meant scalping, then the word "*verticem*" would have been quite redundant. If, on the other hand, *decalvatio* normally meant shaving, then "*verticem*" would have been a useful explanatory word, indicating to the reader exactly what part of the body was shaved. That is, by the way, exactly what Isidore did in *Quaestiones in Vetus Testamentum, in Librum Judicum*, ch. 8.6, where he used the phrase

caput raserit to describe what happened to Samson.⁶¹ Certainly this is stretching the evidence more than a little thin, but there is a similar explanatory word in Julian of Toledo's *Historia Wambae*, where we find the phrase "*decalvatis capitibus*" applied to the rebel Paul.⁶² Why the redundant word *capitibus*? If *decalvatio* normally involved scalping, why then would careful writers such as Isidore of Seville and Julian of Toledo say "scalped his head" rather than just "scalped him." Again, this particular line of argument is perhaps over-fragile, and so let us proceed to something a little more clear cut, as it were.

In the *Lex Visigothorum*, judicial decalvation was decreed for Jewish malefactors (or at least Jewish refuseniks) more often than for any other group in the Visigothic realm. It was prescribed against Jews for no less than fourteen different offenses, ranging from consanguinity in marriage⁶³ or observing rabbinic dietary laws⁶⁴ to owning Christian slaves⁶⁵ or reading prohibited books.⁶⁶ In the *Lex Visigothorum* book 12 title 3 law # 11, a late seventh century law of King Erwig (680-687), one learns that if Jews were discovered to be studying blasphemous or impious books, or if they were discovered to be teaching those books to children, they would be subjected to public decalvation. Moreover, and more importantly, if they repeated the offense they would undergo decalvation a second time.⁶⁷ Unless human physiology has changed considerably in the last 1400 years, once a person has been scalped he stays scalped. That is, if judicial decalvation could be imposed on a malefactor more than once, then it necessarily involved considerably less than the permanent disfiguring that occurs when one is scalped. This supports my contention, based on Isidore's use of the term, that in the Visigothic realm decalvation ordinarily involved shaving the head or cropping the hair very short, but it did not normally involve scalping.

Additionally, the *Lex Visigothorum* continued to be used in Iberia long after the fall of the Visigothic kingdom in the eighth century. In 1241 St. Fernando III of Castile (1217-1252) not only reissued a Latin text of the Visigothic code, a version commonly called the *Forum Judicum*, he also issued a Castilian translation, the *Fuero Juzgo*.⁶⁸ Although the Latin text of the 13th century *Forum Judicum* is somewhat simplified when compared to the early medieval *Lex Visigothorum*, nevertheless in *Forum Judicum* book 12 title 03 law # 11 once again we see that Jews who are discovered to be studying or teaching blasphemous or impious books are to be subjected to decalvation, and if a Jew repeated the offense he would be subjected to decalvation a second time.⁶⁹ This would suggest that even 540 years after the fall of the Visigothic kingdom the judicial punishment of decalvation as imposed by the *Lex Visigothorum* involved shaving the head or cropping the hair rather than scalping. Additionally, in St. Fernando's Castilian translation of the *Forum Judicim* known as the *Fuero Juzgo* book 12 title 03 law # 11, as well as elsewhere in the Castilian text, *decalvatio* is translated by the phrase: *ráyanle la cabeza*, shaving the head.⁷⁰

Decalvation, by the way, was not necessarily linked only to Visigothic hirsuteness, because it was inflicted upon Jews, slaves, and other persons as well. Decalvation would have been doubly offensive to the Visigoths, not only because they prized their long hair, but also because decalvation was a rather long-lasting punishment: it would take a considerable time for one's hair to grow back to its original length, hence the "perennial infamy" that the punishment imparted. Perhaps decalvation was also particularly offensive to Jewish men, not only because of the usual public disgrace involved, but also because it is possible that at this time some Jewish men were already wearing a distinctive hair style, perhaps even *peyos*. Additionally, if both Goths and Jews wore distinctive hairstyles as an outward and visible

sign of their membership in a particular community,⁷¹ then decalvation would also have been a way of stripping them temporarily of their kin-group identities, thereby imposing further disgrace and isolation on the malefactor.

These things having been said, one must concur with Professor Andreas Schwarcz⁷² and others who insist that any definition of decalvation in the Visigothic realm needs to take into account the absolute cranial mayhem imposed elsewhere in the early medieval Mediterranean, and described in Victor of Vita's *Historia Persecutionis Africanae provincia*,⁷³ book two chapter nine. In this gruesome passage Victor of Vita described a summary and occasionally fatal punishment that was inflicted in Vandalic North Africa during the Kingship of Huneric (477-484), sometime between the years 480 and 484, as part of Huneric's campaign to discourage Vandal apostasy from the Arian heresy to the Catholic faith. The Arian King Huneric is said to have stationed *tortores* outside of Catholic churches in the Vandalic realm, commanding them to intercept anyone who looked like a Vandal and who was attempting to enter the church. These *tortores* would then thrust toothed instruments of some sort [*palis minoribus dentatis*] into the hair of any suspected Vandal apostate, and then, *vehementius stringentes*, rip the hair from the unfortunate man or woman's head, tearing off large chunks of skin in the process.⁷⁴ Victor recounted that sometimes so much skin was torn off the victims' heads that they lost their eyes; other victims died of the pain. Those victims who survived were paraded around the streets of Carthage, *capitibus pelle nudatis*, as an example to others.⁷⁵ The word *decalvatio* was not used anywhere in this account, and because this punishment occurred in the Vandal Kingdom, it is certainly not an example of Visigothic judicial decalvation. What then? This gruesome mutilation appears to have been a summary punishment inflicted exclusively on Vandal apostates from Arianism to

the Catholic faith, rather than a judicial punishment imposed on all malefactors for certain specific crimes, as occurred in the Visigothic realm, and as such this Vandalic punishment is quite different from what is found in the various versions of the Visigothic Code concerning decalvation. The narrative does, however, fit in very well with other stories Victor related that graphically illustrate the extreme cruelty and vindictiveness of the Vandals in the western Mediterranean. It also fits in with Victor's many stories about the tortures and martyrdoms and miracles that occurred in North Africa during the Vandal persecution.⁷⁶ In fact, one might suggest that this famous passage has much more to do with the tradition of North African martyrologies than it has to do with matters of Germanic or Visigothic law. It incidentally involves a grotesque mutilation of the hair and head, just as Victor's other stories of torture and martyrdom incidentally involve mutilation of ribs or backs or foreheads, or stories which incidentally involve burnings at the stake. Thus, I cite the passage only to argue that it has little or no relevance to judicially imposed *decalvatio* in the Visigothic realm. But back to Visigothic Spain, to Isidore of Seville, to the *Lex Visigothorum*, and back to the Visigothic judicial punishment of *decalvatio*.

In summary, the *Lex Visigothorum* makes it clear that decalvation was a punishment which could be inflicted on a person more than once, which indicates shaving or shearing rather than scalping. Similarly, Isidore of Seville tells us that "*Dalila ... Samson verticem decalvavit,*" which, given our knowledge concerning what happened to Samson, and given what Isidore says about Samson elsewhere in his exegetical and linguistic writings, clearly gives us to understand that in the Visigothic realm decalvation meant shaving the head, or perhaps cropping the hair very closely, rather than scalping. That's what happened to the unsuccessful rebel Argimund in the late sixth century, as described by John of Biclaro, and

that's what happened to the unsuccessful rebel Duke Paul in the late seventh century, as described by Julian of Toledo.

On a final note, insight into the history of the Visigothic realm in the western Mediterranean may be greatly enhanced by making aggressive use of Isidore wherever possible, and not only for items of intellectual or religious history. Although historians have been quite willing to use Isidore's *Etymologiae*, his *Chronicon*, and his *Historia Gothorum*, more attention needs to be paid to Isidore's exegetical and devotional works, not only those mentioned above, but also his *Sententiae*, the *Synonyma*, and even his frequently maligned *De Fide Catholica Contra Judaeos*. Also, even though one might not accept Isidore's etymological theories, nevertheless Isidore has written some extremely useful linguistic works, including *de Differentiis*, where pairs of words are compared and contrasted and analyzed in terms of meaning and usage. Also valuable is Isidore's lengthy word list in *Etymologiae* Book Ten. Although some of his writings, particularly certain sections of the *Etymologiae*, may reflect "book learning" rather than the conditions of Isidore's own day, there is also much in Isidore, such as the passages pertaining to decalvation, which can shed considerable light on troublesome aspects of Visigothic history. This is especially the case when we consider the specific words Isidore uses, as well as the meaning he explicitly imparts to them. In doing this, we can extend our understanding of various texts from seventh century Spania to include Isidore's conceptual vocabulary. Jeremy Adams has performed pioneering work along these lines with regard to Isidore's political vocabulary,⁷⁷ but Isidorian scholarship in this area is just beginning. If Isidore's exegetical and linguistic writings can be used to help solve the long-standing puzzle of decalvation, what other puzzles might they be useful in solving?

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² Recent scholarly accounts of Visigothic Spain include Luis García Moreno, *Historia de España Visigoda*, 2nd edition (Madrid: Cátedra, 1998), and Roger Collins, *Visigothic Spain, 409-711* (Oxford: Blackwell, 2004). Essential bibliographies include Alberto Ferreiro, *The Visigoths in Gaul and Spain, A.D. 418-711* (Leiden: Brill, 1988), and Alberto Ferreiro, *The Visigoths in Gaul and Iberia: A Supplemental Bibliography, 1884-2003* (Leiden: Brill, 2006).

³ For an introduction to the Muslim invasions and occupation, as well as the destruction of most of the surviving Visigothic nobility, see Roger Collins, *The Arab Conquest of Spain, 710-797* (London: Blackwell, 1989).

⁴ For a critical view of the legend surrounding the establishment of Asturias, see Collins, *The Arab Conquest of Spain*, pp. 141-167. For a brief consideration of the more traditional account, see Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia: University of Pennsylvania Press, 2003), pp. 4-14.

⁵ Recent studies of interest include Jerrilynn D. Dodds, *Architecture and Ideology in Early Medieval Spain* (University Park, Pennsylvania: Pennsylvania State University Press, 1984),

see especially chapter 1, "Visigoths and Romans and Some Problems Concerning Their Architecture. For modern excavations and assessments of the Visigothic city of Recopolis, see Lauro Olmo Enciso, "The Royal Foundation of Recopolis and the Urban Renewal in Iberia During the Second Half of the Sixth Century," in Joachim Hennings, ed., *Post-roman Towns, Trade And Settlement in Europe And Byzantium: The Heirs of the Roman West*, Millennium Studies, vol 5, Berlin/New York: De Gruyter, 2007, pp. 181-196. See especially the photographs in Lauro Olmo Enciso et al., *Recópolis: Guía del Parquet Arqueológico* (n.p.: Junta de Comunidades de Castilla-La Mancha, 2008).

⁶ John of Biclaro, *Chronica*, 75, ed. Theodor Mommsen, *Monumenta Germaniae Historica, Auctores Antiquissimi. Vol. 11, Chronica Minora. Vol. 2* (Berlin: Weidmann, 1894), p. 220. English translation by Kenneth B. Wolf, *Conquerors and Chroniclers of Early Medieval Spain*, second edition, *Translated Texts for Historians*, vol. 9 (Liverpool: Liverpool University Press, 1999), p. 76.

⁷ Julian of Toledo, *Historia Wambae*, 27, 30, ed. W. Levinson, in *Sancti Iuliana Toletanae Sedis Episcopi Opera*, *Corpus Christianorum Series Latina*, 115, ed. J. Hillgarth (Turnhout: Brepols, 1976), pp. 241, 244.

⁸ Michael McCormick, *Eternal Victory, Triumphal Rulership in Late Antiquity, Byzantium, and the Early Medieval West* (Cambridge: Cambridge University Press, 1986), pp. 303-304.

⁹ *Lex Visigothorum*, 12.03.11, edited by Karl Zeumer, in *Monumenta Germaniae Historica, Legum Sectio I, vol. 1. Leges Visigothorum* (Hannover: Hahn, 1902), p. 438.

¹⁰ Jean Hoyoux, “Paulus, duc rebelle vaincu, est condamné à être scalpé,” Jean Hoyoux, “Reges criniti, chevelures, tonsures et scalpes chez les Mérovingiens,” *Revue belge de philologie et d’histoire*, 26 (1948), 501. In “How did the Merovingian Kings Wear their Hair?,” *Revue belge de philologie et d’histoire*, 43 (1965) 1203-1216, Averil Cameron refutes Hoyoux’s argument about Merovingian hair styles, but she does not address his opinion concerning decalvation.

¹¹ Percy Ernst Schramm, “Zur Haar- und Barttracht als Kennzeichen im germanischen Altertum und im Mittelalter,” in *Herrschaften und Staatssymbolik, Beiträge zu ihrer Geschichte vom dritten bis zum sechzehnten Jahrhundert*, Schriften der Monumenta Germaniae historica (Stuttgart: Hiersemann, 1954), vol 1, pp. 118-127, especially pp. 126-127.

¹² P. D. King: “Scalping rather than simple shaving the head is conclusively indicated by [the Council of] Merida [canon] 15,” P. D. King, *Law and Society in the Visigothic Kingdom* (Cambridge: Cambridge University Press, 1972), p. 90, n. 5.

¹³ Edward James, “Bede and the tonsure Question,” *Peritia* 3 (1984), 85-98, see pp. 89-90.

¹⁴ Roger Collins, *Visigothic Spain, 409-711* (Oxford: Basil Blackwell, 2004), p. 69 (Argimund), 95 (Paul).

¹⁵ F. S. Lear: “It seems to me that the association of tonsure with decalvation in Conc. Tolet. VI (A 638), can. 17, may argue in favor of shaving the scalp with its accompanying insult and shame,” F. S. Lear, “The Public Law of the Visigothic Code,” *Speculum* 26 (1951), 15;

reprinted in F. S. Lear, *Treason in Roman and Germanic Law* (Austin: University of Texas Press, 1965), pp 136-164. See especially appendix B, “Decalvation.”

¹⁶ Katherine Fisher Drew: “The punishment known as ‘decalvation’ seems to have meant the shaving of the head,” Katherine Fisher Drew, trans, *The Lombard Laws* (Philadelphia: University of Pennsylvania Press, 1973), p. 525, n. 8

¹⁷ Robert S. Lopez, “Byzantine Law in the Seventh Century and its Reception by the Germans and the Arabs,” *Byzantion* 16.2 (1944), pp. 445-461, see p. 450.

¹⁸ Wolf, *Conquerors and Chronicles of Early Medieval Spain*, second edition, p. 76.

¹⁹ Felix Dahn, *Westgotische Studien, Entstehungsgeschichte, Privatrecht, Civil- und Straf-Process und Gesamtkritik der Lex Visigothorum* (Würzburg: Stahel, 1874), pp. 191-192.

²⁰ S. P. Scott: “There were several degrees of this punishment, all of which did not entail the same suffering and disgrace”, S. P. Scott, *The Visigothic Code* (Boston: Boston Book Co., 1910; reprint, Littleton, Colorado: Fred B. Rothman, 1982), p. 44, n. 1. For cautions regarding use of the Scott translation, see below, note 63.

²¹ Solomon Katz, “the meaning of *decalvatio* is uncertain,” Solomon Katz, *The Jews in the Visigothic and Frankish Kingdoms of Spain and Gaul*, Medieval Academy Monographs No. 12 (Cambridge, Massachusetts: Medieval Academy of America, 1937), p. 18, n. 4.

²² E. A. Thompson, *The Goths in Spain* (Oxford: Clarendon Press, 1969), p. 104, n. 1.

²³ McCormick, *Eternal Victory*, p. 303. n. 30.

²⁴ Bronisch very briefly refers to decalvation as “die Skalpierung oder das Scheren des Haupthaares.” Alexander Pierre Bronisch, *Die Judengesetzgebung im katholischen Westgotenreich von Toledo*, Forschungen zur Geschichte der Juden, vol 17 (Hanover: Hahn, 2005), p. 91. Bronisch emphasizes the intense social stigma that was attached to decalvation, especially in that it seems especially to have been applied more extensively to Jews than to Visigoths.

²⁵ Herwig Wolfram: “he [Argimund] either had his hair shorn or scalped; the meaning of the term has not been fully determined,” Herwig Wolfram, *The Roman Empire and its Germanic Peoples*, trans. Thomas Dunlap (Los Angeles, University of California Press, 1997), pp. 271-272

²⁶ Thompson, *The Goths in Spain*, p. 104, n. 1

²⁷ Wolfram, *The Roman Empire and its Germanic Peoples*, p. 272.

²⁸ Wolf, *Conquers and Chroniclers of Early Medieval Spain*, second edition, p.76.

²⁹ Collins, *Visigothic Spain*, p.69.

³⁰ Joaquín Martínez Pizarro, *The Story of Wamba, Julian of Toledo's Historia Wambae Regis* (Washington, D.C.: Catholic University of America Press, 2005), p. 54. Pizarro relies partially on Isidore's *Allegoriae Quaedam Sacrae Scripturae*, 81, which he cites from the Migne edition. In citing this passage of Isidore, Pizarro comes close to the mark, but he does not explore Isidore's treatments of the word decalvation, nor Isidore's other exegeses concerning what happened to Samson.

³¹ Peter Heather, ed., *The Visigoths from the Migration Period to the Seventh Century: An Ethnographic Perspective*, Studies in Historical Archaeoethnology, vol. 4 (Woodbridge, Suffolk: Boydell Press, 1999), pp. 378, n. 9; 397-399. Participants in this discussion included Giorgio Ausenda, Mayke De Jong, Pablo C. Díaz, Peter Heather, and Andreas Schwarcz.

³² *Laws of Liutprand*, 80.11 (14th year), *decalvit*; 141.3 (22nd year) *decalvere*, ed. F, Bluhme, *Monumenta Germaniae Historica, Legum IV, Leges Langobardorum* (Hanover: Hahn, 1869); English translation in Katherine Fisher Drew, *The Lombard Laws*, pp. 178, 209.

³³ Alexander Souter, *A Glossary of Later Latin to 600 A.D.* (Oxford, Clarendon, 1949).

³⁴ J.F. Niermeyer & C. Van De Kieft, *Mediae Latinitatis Lexicon Minus*, revised edition (Leiden: Brill, 2002).

³⁵ Du Cange, *Glossarium Manuale ad Scriptores Mediae et Infimae Latinitatis* (Halaë, 1774), vol 3, p. 20.

³⁶ G.A.L. Henschel, *Glossarium Mediae et Infimae Latinitatis* (Paris: Didot Fratres, 1842), vol 2, p. 751.

³⁷ Leopold Favre, *Glossarium Mediae et Infimae Latinitatis* (Niort: L Favre, 1884), vol 3, pp. 17-18.

³⁸ John of Biclaro, *Chronica*, 75, *Monumenta Germaniae Historica, Auctores antiquissimi*, vol. 11 *Chronica Minora*, vol. 2, p. 220; Wolf, *Conquerors and Chronclers of Early Medieval Spain*, second edition, p. 76. Wolf translates the phrase *deinde turpiter decalvatus*

as “his head was shaved in disgrace.” Collins translated the same phrase as “then [he] was scalped as a mark of his shame,” *Visigothic Spain*, p. 69.

³⁹ Julian of Toledo, *Historia Rebellionis Pauli adversus Wambam Gothorum Regem*, 30, Patrologia Latina 96, col. 796. Collins translates *decalvatis* as “scalped,” *Visigothic Spain*, p. 95.

⁴⁰ Isidore of Seville, *Historia Gothorum*, 52-56, edited and translated into Spanish by Christóbal Rodríguez Alonso. *Las Historias de los Godos, Valdalos, Y Suevos de Isidore de Sevilla: Estudio, Edición Crítica Y Traducción*, Fuentes Y Estudios de Historia Leonesa, No. 13 (León: Centro de Estudios E Investigación "San Isidoro," 1975), pp. 260-267. English translation in Kenneth B. Wolf, *Conquerors and Chroniclers of Early Medieval Spain*, second edition, Translated Texts for Historians, Vol. 9 (Liverpool: Liverpool University Press, 1999), pp. 102-104.

⁴¹ Isidore of Seville, *Allegoriae Quaedam Sacrae Scripturae*, ed. Faustino Arévalo, with additional notes by Cyprianus Suarius *Sancti Isidori Hispalensis Opera Omnia*, vol. 5 (Rome: Antonii Fulgonii, 1802), pp. 115-181. Jose Carlos Martín is currently (2010) preparing a critical edition of the *Allegoriae*, to be published in the Corpus Christianorum, Series Latina. See also Dominique Poirel, “Les rescensionnes multiples des *Allegoriae* d’Isidore de Séville,” in M.A. Andrés Sanz, J; Elfassi, and J.C. Martín, *L’Édition Critique des Oeures d’Isidore de Séville: Les Recensions Multiples* (Paris: Institut d’Études Augustiniennes, 2008), pp. 15-46.

⁴² Isidore of Seville, *Libri Differentiarum*, ed. Faustino Arevalo, with additional notes by

Pantinus, *Sancti Isidori Hispalensis Opera Omnia*, vol. 5 (Rome: Antonii Fulgonii, 1802), pp. 1-114. For a more recent edition with Spanish translation, Carmen Codoñer, *Isidoro de Sevilla, Diferencias Libro I*, Auteurs Latins du Moyen Âge (Paris: Les Belles Lettres, 1992).

⁴³ Isidore of Seville, *De Ortu et Obitu Patrum*, ed. with Spanish translation by César Chaparro Gómez, Auteurs Latins du Moyen Âge (Paris: Les Belles Lettres, 1985).

⁴⁴ Isidore of Seville, *Quaestiones in Vetus Testamentum*, ed. Faustino Arévalo, with additional notes by Joannes Grial, *Sancti Isidori Hispalensis Opera Omnia*, vol. 5 (Rome: Antonii Fulgonii, 1802), pp. 259-552.

⁴⁵ Isidore of Seville, *De Ecclesiasticis Officiis*, ed. Christopher M. Lawson, Corpus Christianorum Series Latina, vol. 113 (Turnhout: Brepols, 1989).

⁴⁶ Isidore of Seville, *Allegoriae*, 81, Arévalo vol. 5, p. 130; PL 83.112.

⁴⁷ *Lex Visigothorum*, 12.03.11, Zeumer, p. 438.

⁴⁸ “*Dalila, quae Samson verticem decalvavit, Synagogam significat, quae Christum in loco Calvariae crucifixit,*” Isidore, *Allegoriae* 81, Arévalo vol. 5, p. 130; PL 83.112.

⁴⁹ As described in Judges, 16.25-24.

⁵⁰ Judges, 16.17-19.

⁵¹ Judges, 16.20.

⁵² Judges, 16.22.

⁵³ On Isidore's attentiveness to words, see recently Mark Amsler, "Isidore of Seville and the Etymological Encyclopedia," chapter four of *Etymology and Grammatical Discourse in Late Antiquity and the Early Middle Ages*, Studies in the History of the Language Sciences, vol. 44 (Amsterdam: John Benjamins Publishing Company, 1989), pp. 133-172. Claudia Di Sciacca, *Finding the Right Words: Isidore's Synonyma in Anglo Saxon England* (Toronto: University of Toronto Press, 2008). A critical edition of Isidore's *Synonyma* has just appeared: Isidore of Seville, *Synonyma*, ed. Jacques Elfassi, Corpus Christianorum Series Latina, vol 111B (Turnhout: Brepols, 2009). See also articles by duQuesnay Adams, cited below, note 77.

⁵⁴ *Samson salvatoris nostri mortem et victoriam figuravit, Allegoriae* 80, Arévalo vol. 5, p. 130; PL 83.112.

⁵⁵ Isidore does not mention the rebellion of Argimund in his *Historia Regibus Gothorum*, 52-56, Alonso, pp. 260-267; Arévalo vol 7, pp. 124-125; PL83.1071-1072.

⁵⁶ Isidore, *Ortu et Obitu Patrum*, 31.53, Chaparro Gómez p. 151; Arévalo vol. 5, p. 165; PL 83.139.

⁵⁷ Isidore, *Quaestiones in Vetus Testamentum, in Librum Judicum*, 8.6, Arévalo vol. 5, p. 504; PL 83.390.

⁵⁸ "*Dicant ergo iudaei, quomodo apud eos ista serventur, quid causae, quid rationis est decalvare mulierem, et ungulas eius abscindi? Verbi causa, ponamus, quod ita invenerit eam is, qui dicitur invenisse, ut neque capillos, neque ungulas habeat, quid habuit, quod*

secundum legem demere videretur?” Isidore, *Quaestiones in Vetus Testamentum, in Deuteronomium*, 18.2, Arévalo vol. 5, p. 472; PL 83.368. I am indebted to Donald Uitvlugt for making me aware of this passage.

⁵⁹ “*Inter caluum et caluatum: caluus est natura; caluatus manu. Inde et decalvatus dicimus, valide manu decalvator,*” Isidore of Seville, *Libri Differentiarum*, 1.130, Arévalo, vol 5, p. 18; PL 83.24. Believing this passage to be an interpolation, Codoñer places it in an appendix on p. 460. If Codoñer is correct, and this passage was added at a later date, then my argument is reinforced rather than diminished; why would a later emendation associate *decalvatus* with barbering if instead it normally would have been associated with scalping?

⁶⁰ Isidore, *De Ecclesiasticis Officiis*, 2.4; 2.17.3, Lawson, pp. 55-56; 80, Arévalo vol 6, pp. 416-417; PL 83.279. An English translation of this work was published in 2008 in the Ancient Christian Writers series: Isidore of Seville, *De Ecclesiasticis Officiis*, trans. Thomas L. Knoebel, Ancient Christian Writers, vol. 61 (New York: Newman Press, 2008).

⁶¹ Isidore, *Quaestiones in Vetus Testamentum, in Librum Judicum*, 8.6, Arévalo vol. 5, p. 504; PL 83.390.

⁶² Julian of Toledo, *Historia Wambae*, 30, *CCSL*, 115, p. 244.

⁶³ *Lex Visigothorum*, 12.03.08, ed. Karl Zeumer, *Monumenta Germaniae Historica, Legum Sectio I, vol. 1. Leges Visigothorum* (Hannover: Hahn, 1902), p. 436; English trans. in Scott, *The Visigothic Code*, p. 389. Scott’s translation must be used with caution. He translates from the thirteenth century *Forum Judicum* rather than from the seventh century *Lex Visigothorum*,

based on the 1815 Madrid edition of the former. Moreover, he does not always translate the entire text of a particular law; when there are different versions of the same law from Reccesvinth and Ervig he will choose one or the other without always informing the reader; and his numbering system occasionally differs from that of Zeumer. The Scott text can be a handy guide to the *Lex Visigothorum*, but it is absolutely not a substitute for it.

⁶⁴ *Lex Visigothorum*, 12.03.07, Zeumer, p. 435; English translation of the medieval *Forum Judicum*, based on the 1815 Madrid edition, in Scott, p. 388.

⁶⁵ *Lex Visigothorum*, 12.03.12, Zeumer, pp. 440; English translation of medieval *Forum Judicum*, based on the 1815 Madrid edition, in Scott, p. 393.

⁶⁶ *Lex Visigothorum*, 12.3.11, Zeumer, p. 438; English translation of medieval *Forum Judicum*, based on the 1815 Madrid edition, in Scott, pp. 391-392.

⁶⁷ “*Illis commodare lectionibus sensum, quibus fas non est prebere adsensum, impietatis est potius, quam pietatis indicium. Et ideo, si quis Iudeorum libros illos legerit vel doctrinas adtenderit sive habitos in domo sua celaverit, in quibus male contra fidem Christi sentitur, et publice decalvabitur et centenorum flagellorum verberatione plectetur. Qui tamen cautionis vinculo alligabitur, ne unquam talium libros vel doctrinas apud se aut habere presumat aut adtendere audeat seu studiis meditandi assumat. Iam de cetero si post emissum placitum quodcumque tale repedare temptaverit, et decalvatus centenis flagellis subiaceat et ammissis rebus sub perpetua exilii conteretur, ut, quia iam secundo visus est erroris sui iterasse vestigium, perenniter illis res eorum deserviat, quibus principali fuerit conlatione concessa. Hec et similia illi percipient, qui quemlibet infantium talia presumpserint docere; id est, ut*

doctor ipse iniquitatis in prima transgressionis fronte deprehensus et centenis subiciatur decalvandus verberibus et placiti sui polliceatur cautione, se talia ulterius neminem debere docere. Quod si primeve huius sponsionis maculans fidem contingat illi ea, que abiecerat, repedare, omni eius facultate in principis potestate redacta ipse decalvatus centenisque verberibus abdicatus perpetuo erit exilo religandus. Infantes tamen ipsi vel pueri tunc a supradictis erunt damnis atque verberibus alieni, si hanc perfidie doctrinam intra X etatis sue annos positi meditasse fuerint visi. Ceterum post exemptos decem annos quisquis illorum talia adtendere vel meditari presumpserit, superioris institutionis damna vel verbera ordine superius adnotato sustineat.” *Lex Visigothorum*, 12.3.11, Zeumer, p. 438; English translation of the much later *Forum Judicum* version in Scott, 391-392. Note that there is no “*turpiter*” associated with the second decalvation.

⁶⁸ *Fuero juzgo en latin y castellano, cotejado con las mas antiguos y preciosos códigos*, Por La Real academia española (Madrid: Ibarra, Impresor de Cámara de S.M., 1815).

⁶⁹ *Forum Judicum*, 12.03.11, *Fuero juzgo en latin y castellano*, p. 153.

⁷⁰ *Fuero Juzgo*, 12.03.11, *Fuero juzgo en latin y castellano*, pp. 192-193.

⁷¹ On the general significance of hair among the Germanic tribes, in addition to the articles by Hoyoux, Schramm, and Cameron cited above, see J. M. Wallace-Hadrill, *The Long Haired Kings* (London: Methuen, 1962; reprint ed. Toronto: Medieval Academy of America, 1982), pp. 156-162.

⁷² Discussion remarks in Heather, *The Visigoths from the Migration Period to the Seventh*

Century, p. 398.

⁷³ Victor Vitensis, *Historia Persecutionis Africanae provinciae sub Geiserico et Hunirico regibus Wandalorum*, 2.9, ed. C. Halm, *Monumenta Germaniae Historica, Auctorum Antiquissimorum*, 3.1 (Berlin: Weidmann, 1877), p. 15. English translation in Victor of Vita, *History of the Vandal Persecution*, 2.9, trans. John Moorhead, *Translated Texts for Historians*, vol. 10 (Liverpool: Liverpool University Press, 1992), p. 27.

⁷⁴ “*At ubi homine dei tale responsum accepit, statuit in portis ecclesiae collocari tortores: qui videntes feminam vel masculum in specie suae gentis ambulantes, ilico palis minoribus dentatis in capite crinibusque in eiusdem colligatis, ac vehementius stringentes, simul cum capillis omnem pelliculam capitis auferebant. Nonnulli, dum fieret, statim oculos amiserunt, alii ipso dolore defuncti. Mulieres vero post hanc poenam, capitibus pelle nudatis, praecone praeunte per plateas ad ostensionem totius civitatis ducebantur.*” Victor Vitensis, *Historia Persecutionis Africanae provinciae sub Geiserico et Hunirico regibus Wandalorum*, 2.9, ed. C. Halm, *Monumenta Germaniae Historica, Auctores Antiquissimi*, 3.1 (Berlin: Weidmann, 1877), p. 15. English translation in Victor of Vita, *History of the Vandal Persecution*, 2.9, trans. John Moorhead, *Translated Texts for Historians*, vol. 10 (Liverpool: Liverpool University Press, 1992), p. 27.

⁷⁵ Victor Vitensis, *Historia Persecutionis Africanae provincia*, 2.9, Halm, p. 15.

⁷⁶ For example, Victor writes that Gaiseric “ordered that strong cudgels were to be made which had jagged edges like palm branches, in the manner of saws; as these beat upon their backs they would not only break their bones but, as the spikes bored through them, would

remain inside them. As their flesh was torn in pieces the blood poured out and their inner parts were exposed to view, but on each occasion, as Christ healed them, they were restored unharmed on the next day.” Victor of Vita, *History of the Vandal Persecution*, 1.33-34, trans Moorhead, p. 16.

⁷⁷ Jeremy duQuesnay Adams, "The Political Grammar of Isidore of Seville," *Arts Libéraux et Philosophie au Moyen Âge: Actes du quatrième congrès international de philosophie médiévale. Université de Montréal, 27 Août -2 Septembre 1967*, 763-775; Jeremy duQuesnay Adams, "The Political Grammar of Early Hispano-Gothic Historians," in *Medieval Iberia: Essays on the History and Literature of Medieval Spain*, ed. Donald Kagay and Joseph Snow (New York: Peter Lang, 1997), pp. 1-25.