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RELIGIO AND RELIGIONES IN ROMAN THINKING

Despite the continuity of the term, the concept of “religion” as used in the history of religion and contemporary political discussion, is not identical with the concept implied in the Latin word *religio*¹. To explore the conceptual differences, I will analyse the meaning and maybe the history of the meaning of different terms that might pertain to our concept of “religion” as far as the Roman empire is concerned. The body of texts thus analysed is limited and restricted to Latin texts, as I am interested in the main lines of thought that determined political and juridical and religious action on a larger scale.

1. Cicero

Of all words, that might denote something like “religion”, *religio*, obviously, had the most consequential history. The word (and hence *religiosus*) is present from Plautus onwards (*Asinaria* 781, *Curculio* 350, *Mercator* 881), clearly implying religious language, from a direct relationship towards a deity till rather general scruple. The word is frequent in Cicero, in speeches as well as in philosophical texts. Exceptional are the speeches against Verres, collector of statues and unrestrained violator of human and divine property, that use the term and its adjective more than one hundred times. The much shorter speeches “On his house” and “On the answer of the haruspices” show between fifty and sixty occurrences, in similar order the philosophical treaty “On the Nature of the Gods” and *De legibus* with its second book concentrated on what we term religion — already the selection demonstrate the conceptual link between *religio* and religion.

Yet, differences are important. As Feil has shown, in Cicero *religio* is no umbrella term. Yet, his analysis, mostly based on *De natura deorum* fails to take into account, that Cicero’s use of the term in the dialogue, that is to say, by different speakers, is strategic and part of the *prosopopoeia*, the characterization of the participants. Thus, the triad of *pietas*, *sanctitas* and *religio* is part of the introductory section, only (1.3 and 1.14). As the

1. E. FEIL (1986), p. 16-82; J. Z. SMITH (1998).

Academic Cotta's later rendering of the title of Epicur's treatise Περὶ ὁσιότητος as *De sanctitate, de pietate aduersus deos* (1.115) shows, *sanctitas* as the science of venerating the gods (*scientia colendorum deorum*, 1.116) is an attempt to translate a Greek concept. Whereas the introductory section uses *sanctitas* in forms of questions or very general statements². Cotta questions the possibility of such a "science" within the Epicurean framework. When the Stoic Balbus generally talks of the growth of *deorum cultus religionumque sanctitates* (2.5) and shortly afterwards defines *religio* as cult of the gods (2.8), the general claim of the first instance is obviously characterized as obfuscating and hence undermined. The relationship of *pietas* and *religio* seems to me rather simple. The first describes the relationship towards a human or divine natural superior. *Religio* is the special consequence in the case of the gods. Hence the existence of the gods is the precondition for any piety or religiosity towards them (1.119).

Despite the initial triad, *religio* emerges as a central concept, frequent, however, only in certain opening or summarizing parts of the argumentation. The distribution among the discussants is unequal. The Epicurean Velleius never uses *religio*. The Stoic Lucius Balbus only in a few instances, talking about attention to public omina (e.g., 2.8. 10. 11), apart from the passage already mentioned and a rejection of *superstitio* as opposed to *religio*. It is the Academic and pontifex Cotta who most frequently employs *religio*. He uses both the singular and the plural. The plural juxtaposes *religiones* to *caerimoniae* (1.161) or *sacra* and *caerimonia* (3.5), in the first instance qualifying the *religiones* as "public". It is the task of the pontifex to defend these. Juxtaposition is supplanted by superposition in a passage dominated by the singular: *omnis populi Romani religio in sacra et in auspicia diuisa sit, tertium adiunctum sit, si quid praedictionis causa ex portentis et monstris Sibyllae interpretes haruspicesue monuerunt* — "the religion of the Roman people in general has two separate aspects, its ritual and the auspices, to which a third element is added when, as a result of portents and prodigies, the interpreters of the Sibyl or the diviners offers prophetic advice" (3.5, trsl. P. G. Walsh). *Religio* is not a vague feeling (as his opponents are criticized to hold) or an "empty fear" like *superstitio* (1.117), but something resulting from the acceptance of the gods as part of one's social order, a human disposition, a habitus, that finds its expression in corresponding ritual (*cultus deorum*, 1.117). Thus, the existence of gods is a precondition for it (*ibid.*), the unrestrained multiplication of gods could endanger it (3.60).

2. A. R. Dyck (2003), p. 60.

There is a last critical turn of Cotta and his academic position. In the exchange preceding Cotta's lengthy refutation of the Stoic position, Cotta qualifies his definition quoted above as the view of the pontifex and adds: "Since you are a philosopher, I must exact from you a rationale for religion (*rationem [...] religionis*), whereas I am to lend assent to our forebears even when no rationale is offered" (3.6). *Religio* is a social fact of the highest importance for the stability of the community (3.94), but it is no argument and cannot be introduced as such into philosophical discourse (see 1.118). Rather, *religio* is to be tamed by *ratio*, and this is the purpose of the whole work, as the author declares in the very opening of the first book: *quaestio [...] de natura deorum, quae et ad cognitionem animi pulcherrima est et ad moderandam religionem necessaria* (1.1). This is the philosophical agenda repeated in the subsequent treatise "On Divination", too (2.148-149).

For Cicero, singular and plural do not correspond to our notion of religion and religions. Religion in the singular denotes a necessary corollary of every theism and finds its expression in different religions. Expression and restraint. You can argue about theism, but not about *religio*. But you can judge *religiones* by social standards of legitimacy and common sense. Does a specific *religio* really refer to a deity? In the earlier books "On the Law", Marcus (Tullius Cicero) had dealt with the problem by rigorously restricting cults in his fictitious lawgiving to the public and familiar ones, new or foreign could legitimately enter the local cosmos only by public decision (2.19). It is noteworthy that Cicero dealt already in this second paragraph of his religious laws with the problem of religious separatism (*separatim nemo habessit deos neue novos neue aduenas [...]*). His attempt to list the gods — always seen as heavenly, consecrated due to merits, laudable virtues — points one by one to problems (*ibid.*). In *De natura deorum*, Cotta dealt with this problem by rigorously referring back to traditional practice (3.43: Numa) and a *reductio ad absurdum* of every historical, mythological or analogical reasoning. To summarize the lengthy argumentation: If those are gods who are known to have altars in Greece (3.46), would the lack of any known cult be an argument against other candidates (3.45)?

We will shortly have to examine the practical problems involved in these "solutions", but have to stay with the history of the term *religio* and its possible plurals for a moment. Obviously, the different *religiones* attain to different deities, but they could multiply, different religious ideas and their differing cultic consequences could be addressed to one god, by the same or different people. Hence, Tacitus' expression *religione Herculis* (*Annales* 12.13) is rather unusual. When — within a passage on conduct in

war — the same historian states that the *religio Veneris* of the Aphrodisienses and the *religio Iouis et Triuiæ* of the Stratonicensis had been preserved (3.62), he is unusual again, but points to another level of pluralising. As the Romans had their public *religio*, others had theirs (Cicero, *Pro Flacco* 69) and these might be compared (*De natura deorum* 2.8). Cicero, however, does not employ a plural here. *Sua cuique ciuitati religio, Laeli, est, nostra nobis* in the speech for Flaccus is an exclamation, a statement of radical differences, not of possible choice or meaningful coexistence.

2. Religio in texts of the third and fourth centuries

Religio does not figure prominently in later texts, from the Christian apologetics to the laws of the fourth century. Minucius Felix from Cirta, writing in the 240's³, was an attentive reader of Cicero. In his dialogue "Octavius", both contrahents employ the term *religio* in the very last sentences of their perorationes, paired with *superstitio* and *pietas* (13.5; 38.7). For the Christian, it is *uera religio* (in 1.5, too), not another one. In the body of the text, the context of the term is always ritual. That holds true for the more frequent usage in the speech of the Christian-to-be Octavius (6.2; 7.1; 9.1; 10.1) as for the two *nostra religio* in the Christian answer (29.2; 38.1).

Tertullian, writing earlier, basically conforms to this usage (e.g., *Apologeticum* 24; 33.1). *Religio* is based on the knowledge of (a) god(s) and results in cults of very different kinds. Freedom of *religio* is claimed as the choice of the deity (24.6, *optio diuinitatis*; 25), true *religio* is the cult of the one and true God (e.g., *De spectaculis* 1.4), Roman *religio* could be termed *Romanae religiones* minutes later (*Apologeticum* 26.3).

By the early 4th century, Lactantius follows Tertullian closely. *Religio* sets men apart from the animals (*Epitome diuinarum institutionum* 32.4), but the cult of a plurality of gods is *falsa religio* (e.g., 36.1).

Writing in the 340's, Iulius Firmicus Maternus prefers in his long list of ridiculous cults from all over the empire *sacra* and *superstitiones* to *religiones*, but uses these terms synonymously; interestingly enough, Firmicus uses *profana(e) religio(nes)* two times in passages referring to texts (*De errore profanarum religionum* [not an authentic title] 17.4; 21.1). Here, even if associated with the cult that must necessarily follow, *religio* offered the advantage to be more general. In a hierarchy of descending generality,

3. T. D. BARNES (2001), p. 151.

Cicero had listed *mos, religio, disciplina, ius augurium, collegii auctoritas* (*De diuinatione* 2.70).

Ammianus Marcellinus, writing in the second half of the fourth century, could thus write about the emperor Constantius II that he disturbed the *Christiana religio simplex* with empty *superstitio* and thus stirred many verbal controversies (21.16.18). But by his time, personal *religiones* could be generalized by the singular. The reforms of Julian intended, *pace* Ammianus, that everybody should fearlessly follow his religious disposition (*ut [...] quisque [...] religioni suae seruiret intrepidus*, 22.5.3). For the historian, cult dominated the perception of religion and religious differences. Thus he could oppose *cultus Christianus* to *deorum cultores* (21.2.4), could observe that *martyras [...] colet religio Christiana*, that Christian *religio* venerated martyrs (27.7.6), could encounter a *ritus Christiani sacrarium* (26.3.3), or run into a Christian festival (*casu Christiani ritus inuenit celebrari sollemnitate*, 27.10.2) — the image of a particular lifestyle in exchange for ritual, prominently professed by Octavius, belonged to the past. Christianity, however, had successfully established the image of a densely knit unit in contrast to a multitude of other religious practices, even for a critical writer like Ammianus.

3. *Secta* and *sectae*

When the proconsul Saturninus questioned a group of Christians at Scili by the end of the second century, he attempted to define the conflict by the term *religio*, quickly operated as oath by and prayer for the emperor (*Acta Scilitanorum* 3). The offer of the accused Speratus to discuss things religious led him to shift the accusation to terms like “being of such a persuasion” or “participant of insanity” (7-8). In the end the self-definition as *Christianus* was sufficient for the death sentence (10), as Tertullian — irritated — reported (*Apologeticum* 3). However, if we believe in the accuracy of the text already adapted to the purposes of communal reading, the final reason given by the proconsul was the confession “to live *ritu Christiano*” and to not return *ad Romanorum morem* (*Acta* 14). The conflict was not to be couched in terms of “religion”.

How did Latin speakers deal with the problem outside the courtyard? Minucius Felix, a Christian and Ciceronian, demonstrates the central option. Already in the prooemium, the notion of “error” sets the tone (1.4; 3.1; finally taken up in 40.1). Accepting the Christian God is a matter of intellectual cognition, Christianity is a philosophical option. The Christians are the better philosophers (20.1 against 13.1). Regardless of the development of the arguments, this perspective is explicitly given to the critic, probably built on the holder of high offices in Cirta Q. Caecilius

Q.f. Natalis ⁴. He characterizes himself as somebody who is not a member of the same “sect” (*ut non ipsius sectae homo*), talks of “your sect” and finally, rhetorically beaten by Octavius, of *sectae iam nostrae*, “already of my sect” (40.2).

Secta, obviously translating the Greek *hairesis*, was primarily used to differentiate the philosophical schools of the early Hellenistic age, but could be used for Jewish groups like the Saducees or Pharisees, too (e.g., in *Acta* 4.17; Josephus, *Bellum Iudaicum* 2.8.1). The term is rare in Cicero, who used it more frequently for political (e.g., *Epistula ad Brutum* 10.1) than for philosophical followers (e.g., *Pro Caelio* 40; *Brutus* 120), but frequent from the first century AD onwards. Tertullian uses the term explicitly in this sense (*Apologeticum* 3.6; 40.7; 46.2). It implied a legitimate choice among comparable options. By the beginning of the fourth century, in Lactantius and Firmicus, the term is no longer used as a self description in apologetic texts, but is attested in the so-called tolerance edict of AD 311 (Lactantius, *De mortibus persecutorum* 34) and is very frequently used for the “catholic sect” as well as for heretical and all varieties of sects in the norms collected in the 16th book of the *Codex Theodosianus* (in particular 16.5), even if 16.6.50 points out that all of them belong to *una perfidia*.

4. *Disciplina*

Another term within the field of philosophical schools was *disciplina*. It could denote both intellectual contents and a way of life. *Disciplina magorum*, *Etruscorum*, *Chaldaica*, *augurum* and *rei publicae* are phrases from the first centuries BC; Cato the Elder warns already by the second century BC of “foreign discipline” (1.4). Military discipline, directly or metaphorically, remained the main notion, but did not exclude other developments. Apuleius, for instance, made frequent use of the word, offering formulas like *diuinae disciplinae* (i.e. magic), *ex disciplina sectae* (*Metamorphoses* 3.19.4; 4.18) or *curia uerae disciplinae* as anthropological characterisation (*De deo Socratis* 3). Tertullian used the term, that was nearly absent from Latin translations of the New Testament (except seven times in Paul), for new traits of the Christian way of life (*Aduersus Marcionitas* 4.36; *De ieiunio* 12). Terminological fixation is missing in Minucius Felix, but the idea of a new way of life is given prominence (e.g., 5.1) and *disciplina* hence applied even to traditional cults (6.1; 8.2; 30.3). For Christians, it is something to be developed (35.3). Firmicus could polemicize against the *diaboli* [...] *disciplina* (*De errore profanorum religionum* 18.1).

4. *Ibid.*

A plurality of comparable choices could be expressed in terms of different philosophical schools. This implied a body of knowledge as a special way of life. By the term *disciplina*, this could be applied to certain types of religious specialists — *magi*, *haruspices*, even *augures* — already by the late Republic. To my knowledge, in Latin texts that usage was not extended to a wider variety of religions before the Christian apologetics since the end of the second century AD and did not reach official texts before the fourth century.

5. Reactions to religious plurality

Given the structure of the concept of *religio*, how did people react towards a growing religious plurality, unanimously observed by historical research? The foremost problem for a local community was the inflation in gods. It was and had been too easy to multiply them, turning every ethical concept, even every abstract concept not only into an image, but into a deity (Cicero, *De natura deorum* 3.61), and offering every excelling individual the prospects of divinization. Inflation of signs is a devaluation, producing something, to return to object language, that is not worthy (*digna certe non sunt deo*, *ibid.*) of the real god(s). The Academic and pontifex Balbus uses a large part of his speech to deplore this development (3.38-64). That was a primary concern of Cicero's literary legislation. The solution imposing itself in his traditionalist society consisted in curbing further proliferation by falling back on tradition. Yet, already his generation realized that even that is inconsistent. The forefathers' temple-building for the deity "Fever" is a stock example used in *De legibus* (2.28) and in *De natura deorum* (3.63). Varro adhered to the increased multitude by civic discipline, not by a philosophical rationale (*Antiquitates rerum diuinarum* 1, fr. 12). His historical research and systematization produced an even larger multitude offering material for generations of Christian apologists to poke fun out of it ⁵.

Gods could neither be controlled nor sanctioned. They could form the object of a philosophical attack, but not of political or military action. Object of control could not be *religio*, but *cultus*, or individual *sacra*, that could be spared or not. In *De legibus* Cicero's idea was to implement control by means of public priests, *sacerdotes*. In the commentary to his own formulations (2.30 on 2.20-21), stresses their competence regarding private religiosity. Without their help the citizens could not ritually satisfy their own private *religio*. Even if Cicero cannot offer a complete list of *sacra*, he produces a complete list of priests (thus I understand his

5. J. RÜPKE (2005).

formulation *discriptioque sacerdotum nullum iustae religionis genus prae<ter>mittit*, 2.30). Several priesthoods that gained high importance under the later Augustus, e.g., the *Fratres Aruales* or *Salii*, are not mentioned, but that is in concord with the pre-Augustan concentration of competition for priesthoods on four of the public collegia⁶, thus ensuring the effectiveness of aristocratic control.

It should be noted that Cicero does not refer to the *Senatusconsultum de Bacchanalibus* of BC 186 (*CIL* 1²,581) in this context. The only explicit reference found to that in Cicero's œuvre is to be found in the commentary on the ban on nocturnal sacrifices by women and the restriction of initiation rites to Ceres as a Roman form of the Eleusinian mysteries (2.21). Here, the senatorial decision and the ensuing military action figures as an example of the "harshness of the forefathers" (2.37). Given the prominence of the story in Livy and later (and modern) accounts, the lack is noteworthy. The decree that forbade any larger degree of organisation to Bacchic cults and made the foundation of a locale a matter of individual senatorial decisions obviously formed no model for Cicero.

Cicero's solution is incoherent by his own standards. On the one hand and in good republican tradition he is operating with a clear-cut division of public and private, regulated by public decision, that is certain procedures, and ultimately the nobility, and family tradition (*a patribus*). On the other hand, the private required public regulation.

Varro opted for another reaction. He did not only research into the identity of the images of the Samothracian deities, but declared that he was going to explain this to those who should know it (*Antiquitates rerum diuinarum* 15, fr. 206). At least by intention, this opened a space for communication about religion that transcended the own city.

In his praise of Italy and Rome, Pliny the Elder describes the mitigation of rituals (*ritus molliret*, 3,39) as one of the function of the establishment of the oikoumene. He implies a translocal discourse that implied local changes. The Roman dealing with the Druids and human sacrifice might offer an example⁷. In the second century, Lucian did not only present an assembly of gods critical of newcomers, but analyses the establishment of a new cult, an oracle, in his "Alexandros"⁸. Greek novels stage-managed their plot within an ecumenical Mediterranean imbued with mutually compatible religious practices⁹.

6. See J. RÜPKE (2005).

7. J. RIVES (1995).

8. D. ELM VON DER OSTEN (2006), A. BENDLIN (2006).

9. K. WALDNER (2006).

The positions assembled so far do not imply any hierarchical ordering. Yet such positions existed by the turn from the second to the third century. Celsus, as Arnaldo Momigliano has pointed out, produced during the last quarter of the second century a theology of the Roman empire:

If it is accepted that all of nature — everything in the world — operates according to the will of God and that nothing works contrary to his purposes, then it must also be accepted that the angels, the demons, heroes — everything in the universe — are subject to the will of the great God who rules over all. Over each sphere there is a being charged with the task of governance and worthy to have power, at least the power allotted it for carrying out its task. This being the case, it would be appropriate for each man who worships God also to honor the being who exercises his allotted responsibilities at God's pleasure ¹⁰.

Despite the concentration on the emperor, Celsus' suggested consequence is utterly traditionalist. Everywhere the (seemingly contingent) cults are part of the order of things, and hence participation is necessary and not bad, as it is ultimately referring back to the "great God".

Cassius Dio, perhaps writing in the 220's, a Roman consul of Greek background, is much more radical. His opposition to imperial cult (52.35.3) is combined with a strong insistence on the traditional (κατὰ τὰ πάτρια) form of (Roman) religious practices everywhere (52.36.1). For purely economic reasons he opts for Rome to be a religious centre by monopolising circus races and keeping extra-Roman festival expenses at a moderate level (52.30.4, 7).

A centralising model is implicitly present in Minucius Felix' non-Christian Octavius, too. The city of Rome is not only one of many, but the culminating place by attracting and venerating every god (6.1). Such a doubling or transfer is said to ensure Roman superiority on the scale of an empire. That, however, leaves open the function of the ongoing local cults; Tertullian's explicitly Christian position (*Apologeticum* 10 f.) stresses the destructive side of this process ¹¹. The inconsistency, due to the combination of an urbano-centric with what I called the bird-eye's view, remains unsolved; for the period analysed here, there is no idea of unification of the empire by religion. In practice, the symbolic load of the centre dominated. It is only by the decree of Decius in AD 249, that local cults and central authority were integrated in a common framework. Now, compliance with the worship of local deities was made a matter of central

10. P. 115 in the reconstruction of R. HOFFMANN (1987); see A. MOMIGLIANO (1986), p. 289-290.

11. H. M. ZILLING (2004), p. 171.

concern and regulation ¹². Still, the centre itself, personal — the emperor — not geographical — Rome —, does not emerge as subject of a proper theology.

All of this does not reflect anything like a theory of religious plurality, neither does the widespread phenomenon of *interpretatio Romana*, Roman names given to “foreign” deities. Yet it attests to a growing complexity of religion. Cult is more than the natural consequence of a religious disposition towards a contingent deity. It is subject to rational explanation. It is subject to universal standards of humanity. It is a necessary part of one’s way of life, to which the division between public and private cannot be applied. It is an economic and political factor. It is a medium of a non-religious discourse. These elements are neither new nor consistent. They fit together with terminological changes, with *ratio* and *fides* controlling *religio* ¹³, with an insistence on *uera religio*, with *disciplina*, lifestyle and morality, and *secta*, which is neither public nor private.

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12. J. B. RIVES (1999), p. 152.

13. E.g., Isidor, *De differentiis* 2.139: *fides est diuinitatis confessio et religionis solidum fundamentum*.

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