

Canonisation as Innovation

*Anchoring Cultural Formation
in the First Millennium BCE*

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Coming Home: Varro's *Antiquitates rerum divinarum* and the Canonisation of Roman Religion

Alessandra Rolle

Varro, *vir Romanorum eruditissimus*, “the most erudite of the Romans”, according to the famous definition proposed by Quintilian,¹ was undoubtedly one of the most important and influential Roman intellectuals of the late Republican period. Unfortunately, he is also one of the Latin authors whose thought and impact are the most difficult to reconstruct. This paradox is due to the fact that we have lost most of his numerous and varied works. He was deeply appreciated by his own contemporaries for the wide range of his erudite interests and particularly for his antiquarian studies.² In a well-known passage of the first book of Cicero's *Academica posteriora*, published in 45 BCE and dedicated to Varro, we find an enthusiastic praise of his antiquarian works on Rome's past. These works would have restored to the Romans their lost cultural identity allowing them, so to speak, to come home (*ac.* 1.9):

nam nos in nostra urbe peregrinantis errantisque tamquam hospites tui libri quasi domum deduxerunt, ut possemus aliquando qui et ubi essemus agnoscere. tu aetatem patriae tu descriptiones temporum, tu sacrorum iura tu sacerdotum, tu domesticam tu bellicam disciplinam, tu sedem regionum locorum tu omnium divinarum humanarumque rerum nomina genera officia causas aperuisti.

in fact we were outsiders and wandering in our city, like foreigners, and your books brought us, shall we say, home, so that we could finally know who and where we were. You revealed the age of the homeland, the chronological divisions, the religious and priestly law, the civil and military discipline, the location of regions and places, the names, types, functions and reasons for all that is divine and human.³

¹ Quint. *inst.* 10.1.95.

² On the relevance of Varro's figure for his contemporaries see Baier 1997.

³ All translations are mine.

Andrew Wallace-Hadrill has opportunely highlighted the bitter paradoxicality of the image evoked by Cicero: “where Roman legal language divides the world into Roman citizens and *peregrini*, outsiders, the Romans now emerge as outsiders in their own city who have wholly lost the sense of identity (*qui aut ubi essemus*) and need showing their way home”.⁴

This praise by Cicero seems to respond to the presumably recent publication of Varro’s most important antiquarian work: the *Antiquitates*. These consisted of 41 books, of which we only know fragments preserved through indirect tradition, but which must have systematically dealt with the various aspects of Roman civil and religious life, concerning their relationship with the past. The *Antiquitates* were divided into two parts: the *Antiquitates rerum humanarum* (25 books) and the *Antiquitates rerum divinarum* (16 books). The publication date of this monumental work is not certain, but the hypothesis, proposed by Nicolas Horsfall,⁵ of a publication in 46 BCE after Caesar’s victory at Thapsus in April, is quite convincing.⁶

The *Antiquitates rerum divinarum* were dedicated to Caesar as *pontifex maximus*, an office he had held since 63 BCE.⁷ From Augustine, we learn that these followed the *Antiquitates rerum humanarum* (Aug. *civ.* 6.4 = Varro *div.* 1 fr. 5 C.):⁸

Iste ipse Varro propterea se prius de rebus humanis, de divinis autem postea scripsisse testatur, quod prius extiterint civitates, deinde ab eis haec instituta sint.

Varro himself declares to have written first about human things, and then about divine things, since cities are born first, and then these institutions were created by them.

This arrangement, which sees the civic discourse preceding the religious one, immediately highlights the importance of the political dimension of the *Antiquitates rerum divinarum*. These were not intended as a general or

4 Wallace-Hadrill 2008, 232–233.

5 Horsfall 1972, 120–122.

6 This dating is also accepted by Rüpke 2014, 253 and Tarver 1996, 41–48. Momigliano 1984, 200 thinks instead of 47 BCE, dating already proposed by Merkel 1841, CX–CXI and followed by Rüpke 2016, 17. For a discussion about the publication either in 47 or in 46 BCE, see also Rolle 2021. *Contra* Jocelyn 1982, 164–177 has proposed an earlier dating of the work, that would have been published in his opinion around the early 50s (thus also North 2014, 233 n. 26).

7 Cf. Lact. *inst.* 1.6.7 and Aug. *civ.* 7.35.

8 The edition of reference of the *Antiquitates rerum divinarum* is Cardauns 1976.

philosophical reflection on the divine or on the essence of religion, such as for instance Cicero's contemporary *De natura deorum*.⁹ Varro rather composed an antiquarian work, approached from a historical perspective of fixing and defining the variegated and multiform religious heritage handed down from the Roman tradition. In other words, the *Antiquitates rerum divinarum* were a treatise on Roman religion as a result of the *civitas Romana*.¹⁰ According to Varro, the relationship between a state and its religious tradition is the same as between a painter and his painting (Aug. *civ.* 6.4 = Varro *div.* 1 fr. 5 C.):

sicut prior est ... pictor quam fabula picta, prior faber quam aedificium, ita priores sunt civitates quam ea, quae civitatibus instituta sunt.

as the painter exists before the painting, the laborer before the building, so also the cities precede the institutions that were created by them.

In Antiquity, the *Antiquitates rerum divinarum* were considered to be the most complete and systematic reflection on Roman religion.¹¹ Accordingly, these are commonly cited as the reference work on this subject by grammarians of the imperial age, such as Servius or the so-called Pseudo-Acro. The latter, for instance, in the commentary on Horace's epistle 1.10, cites the *Antiquitates rerum divinarum* with regard to the scarcely known goddess Vacuna, as Horace refers to her crumbling shrine at the end of his poem.¹² Pseudo-Acro, after listing a series of possible identifications for this goddess, cites Varro and opposes the mention he made of her in the first book of his treatise on religion to the rest of the tradition. The Varronian evidence, the last cited, appears more authoritative than the others, which remain anonymous (*Pseudoacron. Schol. in Hor. epist.* 1.10.49):¹³

Vacunam alii Cererem, alii deam vacationis dicunt, alii Victoriam, qua favente curis vacamus. Vacunam apud Sabinos plurimum cultam quidam Minervam, alii Dianam putaverunt; nonnulli etiam Venerem esse dixerunt;

9 Most probably composed in 45 BCE, cf. Dyck 2003, 2–4.

10 Cf. Ando 2010, 75–78.

11 Cf. Rüpke 2007, 60.

12 Hor. *epist.* 1.10.49: *haec tibi dictabam post fanum putre Vacunae* “I was dictating these words to you behind the crumbling shrine of Vacuna”.

13 The final reference to Varro constitutes fr. 1 of Cardauns 1976 edition (p. 15). For a comment to this passage, probably derived from the preface to the *Antiquitates rerum divinarum*, see Cardauns 1976, 2, 136–137 and Rolle 2021.

sed Varro primo rerum divinarum Victoriam ait, quod ea maxime hii gaudent, qui sapientiae vacent

Some say that Vacuna is Ceres, others say she is the goddess of *vacatio*, others Victory, since, when she is favourable, we are free from worries. Some believed that Vacuna, mainly venerated by the Sabines, was Minerva, others Diana; some even said she was Venus; however Varro, in the first book of the *Antiquitates rerum divinarum*, says that she is Victory, since those who enjoy her are mainly those who have spare time for knowledge.

Also Servius and Servius Danielis, in explaining the works of Virgil, continuously refer to the authority of Varro, citing the *Antiquitates rerum divinarum* in regard to everything that concerns Roman religion, its gods and its rituals.¹⁴ Cf. e.g. Serv. auct. *Aen.* 3.113:

ET IUNCTI CURRUM DOMINAE SUBIERE LEONES (...). sane dominam proprie matrem deum dici Varro et ceteri adfirmant: nam et ibi Proserpinam ideo a Vergilio dominam appellatam, quod ipsa terra esse dicatur, sicut et mater deum.

AND THE YOKED LIONS ARE SUBJECTED TO THE CARRIAGE OF THE MISTRESS (...). Certainly, Varro and all the others claim that the Mother of the Gods is rightly called Mistress: in the same passage also Proserpina is called Mistress by Virgil for this reason, because it is said that she is the Earth, as it is said for the Mother of the Gods.

Once again, the authority of Varro appears to be much more relevant than the rest of the antiquarian tradition, which remains anonymous.¹⁵

The role that the *Antiquitates rerum divinarum* must have immediately played as an authoritative text in the field of Roman religion clearly explains why they later became a privileged target of Christian apologists' attacks.¹⁶ In fact, the Christian apologists have preserved most fragments of this work, in particular Tertullian and Augustine, the latter representing our main source

14 See Delvigo 2011, 13–32 and Vallat 2017. Varro's influence on the whole Virgilian work has been particularly highlighted by Horsfall: see mainly Horsfall, Salvatore 1990 and Horsfall 2000, XX–XXI with several references in the commentary. See also Mac Góráin 2021.

15 For an analysis of this passage, and for the opportunity to relate it to the sixteenth book of the *Antiquitates rerum divinarum*, see Rolle 2017, 103–104.

16 Cf. Hadas 2017.

with his *City of God*. As noted by Jörg Rüpke,¹⁷ the *Antiquitates rerum divinarum* provided Christian authors with “the canonical description of traditional Roman religion”. Thus, see Aug. *civ.* 6.2:

Quis Marco Varrone curiosius ista quaesivit? quis invenit doctius? quis consideravit adtentius? quis distinxit acutius? quis diligentius pleni-
usque conscripsit?

Who has investigated this subject (sc. Roman religion) with more care than Marcus Varro? Whose discoveries have been more erudite? Who has examined it more closely? Who has drawn more subtle distinctions? Who has written with more care and exhaustiveness about it?

Starting with this passage by Augustine, the exhaustive systematisation applied to the national religious tradition, in all its articulations, is the first element to be highlighted in order to interpret the *Antiquitates rerum divinarum* as an attempt at canonisation of Roman religious heritage. In this work we might define canonisation as a process of comprehensive organisation of the religious matter, through a selection that aims to define a reference standard.¹⁸

The exhaustiveness of the text does not exclude, in fact, a selection made by Varro when setting his canon of deities and rituals. The *Antiquitates rerum divinarum* comprise indeed just the gods, mostly Roman and Italic, and the religious public and private ceremonies that were officially recognised in Rome at the end of the Republic. Among the non-Italic deities only those integrated in the Roman national pantheon, such as the Greek Apollo¹⁹ and Asclepius²⁰ or the Phrygian Cybele (called *Mater Magna* or alternatively *Mater*

17 Rüpke 2005, 172.

18 More in general, in Varro we can find a trend to canonise the various subjects he writes about, by treating them systematically and authoritatively in order to fix them in a definitive form and to prevent loss and misappropriations. Varro's antiquarian approach certainly promotes this attitude, since the transmission of the different aspects of Roman culture and tradition requires their prior setting and organisation. However, political and social implications of the canonisation process in the religious matter are undoubtedly particularly strong and relevant. On the topic of canonisation linked to religion, see also contributions by Papadopoulos, Versluys, Agut-Labordère, Gonzales and Bricault in this volume.

19 Cf. Varro *div.* 14 fr. 157 C. = Aug. *civ.* 4.21; Varro *div.* 16 fr. 229 C. = Aug. *civ.* 7.2; Varro *div.* 16 fr. 251 C. = Aug. *civ.* 7.16; Varro *div.* 16 fr. 252 C. = Lact. Plac. *Theb.* 8.198.

20 Cf. Varro *div.* 1 fr. 3 C. = Aug. *civ.* 4.22; Varro *div.* 14 fr. 157 C. = Aug. *civ.* 4.21.

deum in Rome)²¹ are present. This latter goddess was the object of a double worship in Rome in the Republican age: an official one, *more Romano*, linked to the aristocracy, and a *more Phrygio* cult, which was private in nature and not recognised by the senate.²² In the *Antiquitates rerum divinarum* reference is made exclusively to the Roman component of the Cybelic cult, withholding the rituals celebrated without recognition by the State, such as the ceremony of self-castration of the Galli, the attendants to the Cybelic cult, who could not be Roman citizens because of their status as eunuchs.²³

After an initial introductory book, the *Antiquitates rerum divinarum* dealt, in triads, with the different aspects of Roman religion: the priests (books 2–4), the cult places (books 5–7), the festivities of the religious calendar (books 8–10), the sacred ceremonies (books 11–13), and finally the different deities of the pantheon (books 14–16).²⁴ Unfortunately few fragments survive from books 2–13 concerning the Roman cult and ritual tradition: these books must have been of less interest to Christian authors, or perhaps they no longer had the *Antiquitates rerum divinarum* in their entirety. The last three books, to which the greatest number of preserved fragments belong, respectively concerned the *dei certi* (book 14), the (minor) gods with revealing names in charge of particular aspects or moments of human life; the *dei incerti* (book 15), probably opposed to the *dei certi*, since their names have no clear significance and whose identity is not well known, and finally the main gods of the Roman pantheon, the *dei praecipui atque selecti* (book 16).

Augustine tells us that Varro, probably in the preface of the first book, stated that he had carried out this work of systematisation of the Roman religious heritage in order to save it from the *neglegentia civium*, from the ignorance and disinterest of his fellow citizens²⁵ (Aug. *civ.* 6.2 = Varro *div.* 1 fr. 2a C.):

se timere ne (dei) pereant, non incursu hostili, sed civium neglegentia, de qua illos velut ruina liberari a se dicit et in memoria bonorum per eius modi

21 Cf. Varro *div.* 16 fr. 267–268 C. = Aug. *civ.* 7.24 and Varro *div.* 16 fr. 269 C. = Serv. auct. *Aen.* 3.113.

22 See Fasce 1978; Beard, North, Price 1998, 1, 96–98 and 160–166; Nauta 2005, 109–116; Rolle 2017, 27–29.

23 For an analysis of the figure of Cybele in the *Antiquitates rerum divinarum* and for commentary on the three surviving fragments referable to her (*supra* n. 20), see Cardauns 1976, 2, 232 and Rolle 2017, 93–104. Regarding the impossibility for Roman citizens to become Galli, cf. D.H. 2.19.5, and see Beard, North, Price 1998, 1, 97 and Van Haepereen 2011, 472.

24 We know the structure of this work from Aug. *civ.* 6.3.

25 Concerning this passage, see Romano 2003, 100–102.

libros recondi atque servari utiliore cura, quam Metellus de incendio sacra Vestalia et Aeneas de Troiano excidio Penates liberasse praedicatur.

(Varro states) that he fears (the gods) would perish not by an enemy's invasion, but by the negligence of his fellow citizens. He claims that he rescues them from this as from a downfall, and that through such books he restores them in the memory of good citizens and safeguards them with a more useful care than Metellus is said to have used when he rescued the holy objects of Vesta from the fire, and Aeneas when he saved the Penates from the fall of Troy.

This passage probably has to be regarded as an Augustinian reformulation of Varro's original text, of which some key terms seem to have been kept, however. At the beginning of his treatise, Varro presumably compared his antiquarian work about the preservation of Roman religion to the famous manifestations of *pietas*, religious piety, of two very well-known figures of the Roman historical-mythological tradition. The first to be mentioned is Lucius Caecilius Metellus, who had saved the *sacra*, and in particular the Palladium,²⁶ from Vesta's burning temple in 241 BCE. The second is Aeneas, who had saved the Penates from the fires of Troy and had brought them to Italy. According to Augustine's testimony, Varro claimed to have acted *utiliore cura*, with a more useful solicitude than that of his two famous predecessors, entrusting the Roman religious heritage to the memory of the *boni* through the *Antiquitates rerum divinarum*. Since the combination *utiliore cura* does not appear elsewhere in Augustine's abundant production, it can probably be attributed to Varro himself. He would then have begun his monumental treatise by affirming, with force and pride, the civic and political importance of his work to safeguard and systematise the whole of the national religious tradition, which was in danger of deviance or oblivion.²⁷ His action would be more useful than those of Aeneas and Metellus, as Varro is destined to give their lost memory

26 Cf. Cic. *Scaur.* 47; Plin. *nat.* 7.141; Sen. *contr.* 4.2.; Liv. *Per.* 19.24. Leonardis 2019, 197 believes that Varro refers in both cases to the rescue of the Penates, since from Dionysius of Halicarnassus (1.66.3–5 and 1.69.4) we learn that at a certain point these had become part of Vesta's *sacra*. However, all the other ancient evidence, even contemporary to Varro, such as Cicero, expressly refers to Palladium. If Varro had wanted to highlight in both cases the rescue of the Penates, he would have hardly explicitly named them only in relation to Aeneas, speaking in general about *sacra Vestalia* in reference to Metellus.

27 See in particular Rüpke 2016, 17–21.

and cultural identity back to his fellow citizens.²⁸ According to the point of view of the antiquarian Varro, this danger was not present, or at least not with the same urgency, during the earliest phases of Roman history.

In this passage the canonisation process seems to respond to a moral imperative, since it aims to correct a negligence. At the same time, the political dimension of the religious systematisation operated by Varro clearly emerges from the two proposed parallels. If Aeneas was indeed considered the ancestor par excellence of the Roman power, Metellus was famous for obtaining, while he was consul in 251 BCE, an important victory against the Carthaginians during the First Punic War. Both are “statesmen” who saved religious symbols of primary importance for the history of Rome. Like them, Varro was personally involved in the politics of his time and his work of safeguarding Roman religion is closely connected to his civic commitment.

The parallel with Aeneas implicitly but clearly suggests for him a role, so to speak, as re-founder of the religious tradition and shows the will to propose to his fellow citizens the *Antiquitates rerum divinarum* as a canonisation of religion capable of offering them a stable reference model for the future. Moreover, Metellus, who had endangered his life to save *sacra* of great antiquity and importance for Roman religion, was likewise considered as a *pater patriae*, to a certain extent. For that reason, in Seneca the Elder’s *controversia* 7.2.7, Cicero, who had saved his homeland from the danger of the conspiracy of Catilina, is compared to Metellus, who had thrown himself into the burning temple of Vesta (thus extinguishing the fire itself, in rhetorical fiction): *Metellus Vestae extinxit incendium, Cicero Romae*.²⁹

The *Antiquitates rerum divinarum* may have been considered an attempt to define and fix the various aspects of Roman religion in order to counteract its natural frailty, its intrinsic tendency to evolution, to include new deities – associated with new rituals, new places and new priests – liable to supplant the ancient ones.

In the fourth book of the linguistic and grammatical treatise *De lingua Latina*, probably composed in the same years as the *Antiquitates*,³⁰ Varro states, in regard to the ancient goddess Furrina, that now only the feasts established in

28 A different interpretation is given by Leonardi 2019, 197–198, who follows Van Nuffelen 2010 and believes that Varro focuses his work preserving tradition on the Penates and that his greater efficacy consists in the fact that he is able to provide an explanation of the true nature of the gods, thanks to the instruments of antiquarianism and to philosophical analysis.

29 Sen. *contr.* 7.2.7 “Metellus put out the fire in the shrine of Vesta, Cicero the fire of Rome”.

30 For a summary of the composition and publication issues concerning the *De lingua Latina* see Ax 1995, 150–151 and De Melo, 2019, 4–5.

her honour (the Furrinalia, celebrated on July 25) and the priest in charge of her cult remain as vestiges of her ancient importance in Rome (*ling.* 6.19):³¹

Furrinalia <a> Furrina, quod ei deae feriae public<a>e dies is; cuius deae honos apud antiquos: nam ei sacra instituta annua et flamen attributus; nunc vix nomen notum paucis.

The Furrinalia (come) from Furrina, since this is the day of public celebration in honour of this goddess; this goddess was honoured by the Ancients: for her, in fact, annual ceremonies were instituted and a *flamen* was assigned to her; now her name is barely known to few.

Similarly, in a passage included in the first book of the *Antiquitates rerum divinarum* by Cardauns,³² the downward trend of an ancient Roman deity is mentioned: the god Summanus, in charge of night lightning. In spite of being more important than Jupiter in the past, his name is now unknown to the majority (Varro *div.* 1 fr. 42 C. = Aug. *civ.* 4.23):

Romani veteres (...) *Summanum*, cui nocturna fulmina tribuebant, coluerunt magis quam Iovem, ad quem diurna fulmina pertinerent. Sed postquam Iovi templum insigne ac sublime constructum est, propter aedis dignitatem sic ad eum multitudo confluit, ut vix inveniatur qui Summani nomen, quod audire iam non potest, se saltem legisse meminerit.

The ancient Romans (...) worshiped Summanus, to whom they attributed nocturnal lightning, more than Jupiter, to whom the daylight lightning belonged. But after the construction of the distinguished and lofty shrine for Jupiter, due to the splendour of the sanctuary the crowd rushed towards him so that hardly anyone can be found who remembers having read even the name of Summanus, that can no longer be heard.

This passage is taken from the fourth book of Augustine's *City of God*. No explicit reference is made in the Augustine passage to the source of the evidence, since it comes with a generic annotation: *sicut enim apud ipsos legitur*, "as in fact is read among them" (that is among Roman writers). Cardauns

31 Cf. also Varro *ling.* 5.84 and 7.3, who highlights the obscure nature of the name of the *flamen Furinalis*, related to a deity no longer actively venerated in Rome. See the commentary of De Melo 2019, 724–725 and 827.

32 Cardauns 1976, 1, 32.

believes that, in the first book of the *Antiquitates rerum divinarum*, the different deities introduced to Rome during the monarchic age were mentioned.³³ The attribution of our passage to this context depends on the fact that, in the fifth book of the *De lingua Latina* (*ling.* 5.74), Varro ascribes the introduction to Rome of the worship of Summanus to the Sabine King Titus Tatius. A linguistic element may perhaps corroborate the hypothesis proposed by Cardauns: the expression used to indicate the mere persistence of the name of Summanus in Rome, *vix inveniatur qui Summani nomen ... se saltem legisse meminerit*, is close to the expression used in *ling.* 6.19 with regard to the goddess Furrina, fallen into oblivion herself, *nunc vix nomen notum paucis*. Both passages show the common occurrence of the terms *vix* and *nomen*.³⁴

Several fragments, mainly belonging to the fourteenth book of the *Antiquitates rerum divinarum*, dedicated to the *dei certi* in charge of very specific aspects of human life, mention deities that are otherwise unknown to us.³⁵ For instance, the gods Vitumnus and Sentinus – whose obscurity Augustine himself highlights when he cites the passage, – are mentioned (*Aug. civ.* 7.2 = Varro *div.* 14 fr. 97 C.):

ibi sunt et duo nescio qui obscurissimi, Vitumnus et Sentinus, quorum alter vitam, alter sensus puerperio largiuntur.

there (sc. in the fourteenth book), two more are very obscure, Vitumnus and Sentinus, of whom one gives life and the other sensation to the new-born child.

Around the middle of the 1st century BCE, the will to systematise and fix the complex and stratified framework of Roman religion is certainly also connected to the identity crisis related to the violence of the internal conflicts between *optimates* and *populares*, aristocrats and democrats, of the 60s and 50s, and to the horror of the subsequent civil war between Caesar and the Pompeians, which was not yet concluded when the *Antiquitates* were published. During

33 Cardauns 1976, 2, 136.

34 This element may not be trivial if we consider that the association of both these terms in a similar context of reporting the persistence, in the corruption of the present, exclusively of the name and not of the essence of something seems to recur otherwise only in the introduction of Tacitus' *Dialogue on Oratory*: 1.1 *cur ... nostra potissimum aetas deserta et laude eloquentiae orbata vix nomen ipsum oratoris retineat* "because ... our age especially, deserted and deprived of the praise of eloquence, hardly may retain the name itself of orator".

35 On the *dei certi*, see Perfigli 2004; Lentano 2018, 135–146; Bettini 2019, 267–276.

this period, the diffusion of new conceptions of the divine, which were barely compatible with the models of Roman religion, was indeed combined and associated with these political struggles.

Among the foreign cults deprived of real integration that were more successful in Rome in the 1st century BCE, we find the worship of the Egyptian gods. The particular relation between these deities and the mercantile and popular classes made them precious allies for the *populares* who fought against the senate. Varro seems to have dealt with this subject in the first book of the *Antiquitates rerum divinarum*, according to Cardauns.³⁶ In remembering the central role of the senate in religious politics, he has likely reported, *inter alia*,³⁷ the example of the senate's opposition to the construction of altars in honour of Egyptian deities on the Capitol at the beginning of the 50s (Tert. *nat.* 1.10.17–18 = Varro *div.* 1 fr. 46a C.):

Ceterum Serapem et Isidem et Arpocraten et Anubem prohibitos Capitolio Varro commemora<t> eorumque <aras> a senatu deiectas nonnisi per vim popularium restructas. Sed tamen et Gabinius consul kalendis ianuariis, cum vix hostias probaret prae popularium coetu, quia nihil de Serape et Iside constituisset, potioem habuit senatus censuram quam impetum vulgi et aras institui prohibuit.

Varro recalls that Serapis, Isis, Harpocrates and Anubis were kept off from the Capitol and that their altars, demolished by the senate, were reconstructed only through the violence of the *populares*. Nevertheless the consul Gabinius, on the Kalends of January, while he barely examined the sacrificial victims because of the tumult of the *populares*, since he had not taken any decision regarding Serapis and Isis, he valued more the judgment of the senate than the assault of the crowd and forbade the erection of altars.

The passage has been transmitted to us in the first book of Tertullian's *Ad Nationes* and Cardauns' attribution of it to the *Antiquitates rerum divinarum* is highly possible, considering that this work represents one of the main sources of this book. This text underlines the relevance of the role played by the senate, supported by one of the two consuls, during a repression of the Isiac cult in Rome, which can be approximately dated to 58 BCE. It is a rather difficult fragment and the exact reconstruction of the episode described in it

36 Cardauns 1976, 1, 33–34 and 2, 136, who follows Agahd 1898, 161.

37 Cf. also Varro *div.* 1 fr. 44 and fr. 45 C. = Tert. *nat.* 1.10.14 and 16.

is much-debated.³⁸ However, the element of interest to be stressed here is the likelihood that it mentions the first of a series of senatorial actions aimed to eliminate the cult of the Egyptian deities from the Capitol. During the 50s, in fact, a real struggle took place between the senate and the faction of the *populares*, who seems to have tried to officialise the cult of the *gens Isiaca* by installing it on the *curia deorum* (as Tertullian calls the Capitol) without, and even contrary to, the authority of the senate.³⁹ In his extensive treatise on Roman religion, Varro may have wanted to highlight the prerogatives of the senate in integrating foreign deities into the Roman pantheon by choosing a recent and symbolic political event related to issues of religious regulation.⁴⁰

During the same period, even the diffusion of abstract and rationalist representations of the divine derived from the Greek philosophical reflection could raise doubts about the Roman religious tradition and the traditional representation of the divine. In the first half of the 1st century BCE, we observe the recovery and re-elaboration in Rome of a system of tripartite representation of the divine, at least in part of Greek origin, which made a distinction between mythical, philosophical and civil approaches. Varro, in the first book of the *Antiquitates rerum divinarum*, had to propose an important reinterpretation of this theorisation, to the extent that nowadays we commonly speak of Varro's tripartite theology.⁴¹

Unfortunately, our knowledge of this theorisation is inevitably fragmented and has been warped by the distorting lenses of the Christian apologists who transmitted it to us. However, it seems that Varro, while making a distinction between the representation of the divine by poets, philosophers and statesmen, particularly insisted on the enhancement of the points of contact between them (Varro *div.* 1 fr. 11 C. = Aug. *civ.* 6.6):

ea, quae scribunt poetae, minus esse quam ut populi sequi debeant; quae autem philosophi, plus quam ut ea vulgum scrutari expediat. quae sic

38 For a detailed analysis of the passage and the different readings that have been proposed, see Rolle 2017, 177–185 and Santangelo 2019, 478–479.

39 On this issue see Malaise 1972, 362–377; Coarelli 1984; Versluys 2004; Bricault 2004 and 2013, 146–151 and 170–180; Rolle 2017, 125–128.

40 Rüpke 2016, 18–19 shows the value of this episode as an example of correction of a religious deviance.

41 See Pépin 1956; Lieberg 1973, 63–115; Lehmann 1997, 193–211; Rüpke 2005, 107–129 and 2012, 172–185, who highlights how the expression *theologia tripertita* is a modern coinage not found in ancient sources (pp. 172–173). Augustine rather talks about *tria genera theologiae*.

abhorrent, inquit, ut tamen ex utroque genere ad civiles rationes adsumpta sint non pauca.

what poets write is less than what people should follow; instead what philosophers write is more than what it is useful for the populace to investigate. And these arguments are so incompatible, he (sc. Varro) states, that however not a few elements have been recalled by one and by the other for political science.

This passage clearly shows Varro's effort to reconcile and harmonise the three possible different *theologiae*. In particular, this concerned the integration of at least part of the arguments of both the poets and philosophers within the civil and state theology.⁴² Augustine himself comments as follows, introducing the passage (*civ.* 6.6):

cum memoratus auctor civilem theologiam a fabulosa et naturali tertiam quandam sui generis distinguere conaretur, magis eam ex utraque temperatam quam ab utraque separatam intellegi voluit.

when our renowned author (sc. Varro) tried to distinguish the civil theology from the mythical and the natural one as a third of a specific kind, he wanted it to be intended as combined from both rather than separated from both.

This reinterpretation of the concept of tripartite theology, probably partly original, seems to propose, at the beginning of the work, an adequate philosophical framework for the political aims that this treatise on religion pursued.⁴³ As noted by Rüpke, on a more general level, while comparing contemporary thoughts on religion by Cicero and Varro: “while Cicero concentrated on translating Greek philosophy and making it socially acceptable, Varro went further, justifying traditional Roman practices by developing a theory of their practice that gave it theoretical status, and therefore a higher dignity”.⁴⁴

The philosophical frame, in part of Greek origin, within which Varro sets his attempt to canonise Roman religion, provides it with a new intelligibility and dignity. This new pattern allows not only to preserve religious tradition,

42 See also Rüpke 2014, 264.

43 On the relationship between philosophy and antiquarian practice in the *Antiquitates rerum divinarum* see in particular Rüpke 2012, 172–185.

44 Rüpke 2012, 184.

but also to keep it alive in the present (and hopefully in the future) and to let it communicate with the different levels of contemporary society.⁴⁵ Certainly, the *ratio civilis*, the political science, in order to be strong and stable, must be essentially based on civil theology, albeit without totally rejecting reflections on the divine neither from poetry – even though often its stories reveal poor morality – nor from philosophy – even if its theories are often too abstract and complicated. All the different components of society must be and feel represented and integrated into the traditional religious model: theatres as well as philosophical schools are equally part of the State. The national religion, as the result of a composite cultural stratification, must be able to interact with different levels of consciousness and awareness to represent the glue of society, and not an element of division or fracture.⁴⁶

The systematic discussion about the civic aspects of the cult, an element of the *Antiquitates rerum divinarum* of which our knowledge is particularly limited due to the almost total loss of books 2–13, could be proposed as the definition, in the cult tradition, of a canon that was more stable and less subject to possible modifications. It could arise from the desire to fix the cult itself, preserving it from political discretion or opportunism. A few years earlier, the need to (re-)define Roman religious law in a more stable and more effective form, and therefore subject to political interferences to a lesser extent, is clearly expressed in the second book of Cicero's *De legibus*. The composition of this work probably largely dates back to the end of the 50s, but it remained interrupted and was probably never completed.⁴⁷ In it, Cicero denounces the ignorance of the worship's traditional practices as the basis of the religious deviance of which Rome is now a victim (*leg.* 2.20):⁴⁸

Quoque haec privatim et publice modo rituque fiant, discunto ignari a publicis sacerdotibus.

And how and according to which ritual these sacrifices are to be privately and publicly performed, those who ignore it should learn it from the public priests.

45 Cf. Flasch 1987, 1–6 and his concept of *Enseitzung*.

46 Rüpke 2016, 19–20 appropriately underlines Varro's denunciation of the mass religious deviance represented by the poetic representations of the gods, which contain “a lot of fiction contrary to the dignity and nature of the immortals” (*Aug. civ.* 6.5 = *Varro div.* 1 fr. 7 C., *multa contra dignitatem et naturam immortalium ficta*). But, instead of opposing a clear refusal, Varro, having to deal with it, “demands that it be at least spatially confined, and restricted to the theatre” (p. 20) (cf. *Aug. civ.* 6.5 = *Varro div.* 1 fr. 10 C.).

47 See Schmidt 1969 and Dyck 2004, 5–7.

48 On this passage and on *Cic. leg.* 2.19 cited below see the comment by Rüpke 2016, 24–30.

It is possible to establish a parallel between this passage and Varro's choice to dedicate the first three books of his work (books 2–4) to the three most important magistrates for the public cult (*pontifices*, *augures* and *quindecimviri sacrorum*). As noted by Rüpke:⁴⁹ “it was these (usually) senators who bore responsibility for the institutions. It was the Senate who held and applied regulatory power in the event of conflict, and it was this regulatory core whose functioning it was Varro's purpose to secure”.

The religious model that was maintained and defended by the public priests was the one handed down by the ancestors, of which Cicero claims that the best must be preserved (*leg.* 2.22):

Ex patriis ritibus optima colunt.

Of the ancestral rites the best shall be preserved.

Tradition may present a series of evolutions and stratifications, as Cicero himself explains later, reaffirming the indissoluble link between the antiquity and the quality of the ritual: everything that is *optimum* must be considered *antiquissimum* (*leg.* 2.40):

Deinceps in lege est, ut de ritibus patriis colantur optima; de quo quom consulerent Athenienses Apollinem Pythium, quas potissimum religiones tenerent, oraculum editum est: 'eas, quae essent in more maiorum'. Quo quom iterum venissent maiorumque morem dixissent saepe esse mutatum quaesissentque, quem morem potissimum sequerentur e variis, respondit: 'optimum'. Et profecto ita est, ut id habendum sit antiquissimum et deo proximum, quod sit optimum.

In the next provision of the law there is that of the ancestral rites the best shall be preserved; and when the Athenians consulted the Pythian Apollo on this point, which religious practices in particular should be preserved, the oracle answered: ‘those that were in the tradition of your ancestors’. And when they had come back again saying that the customs of the ancestors had often changed and asking which specific custom they should follow out of the various, he replied: ‘the best one’. And it is certainly so, that what is the best has to be considered most ancient and nearest to the god.

49 Rüpke 2016, 21.

Cicero's comment, aimed to elucidate the ambiguity of the oracular response, highlights the relevance of antiquarian research in the creation of a national religious identity.⁵⁰

In the second book of the *De legibus*, Cicero also underlines the importance of the control function carried out by the Roman State in relation to the introduction of foreign cults in terms that, once again, recall the *Antiquitates rerum divinarum*, and in particular the fr. 46a C. analysed above (*leg.* 2.19):

*Separatim nemo habessit deos neve novos neve advenas nisi publice adscitos; privatim colunto, quos rite a patribus <cultos acceperint>.*⁵¹

Separately no one should have new or foreign deities, unless publicly recognised; privately the gods <they have received venerated> by the fathers in accordance with the rite should be venerated.

The final admonishment about the opportunity to privately venerate the gods whose cult was transmitted by the ancestors "in accordance with the rite" (*rite*) seems to correspond with the spirit of composition of the *Antiquitates rerum divinarum*, as well as with their aim to define a canon of reference for the Roman religious tradition.

Finally, we can compare these passages to an excerpt of the first book of Livy's *History of Rome*, which concerns the institution of the pontifical office by Numa Pompilius (1.20.6):

Cetera quoque omnia publica privataque sacra pontificis scitis subiecit, ut esset, quo consultum plebes veniret, ne quid divini iuris negligendo patrios ritus peregrinosque adsciscendo turbaretur.

He also subjected all the other public and private ceremonies to the decrees of the pontifex, so that there would be someone to whom the plebs could come for advice, in order to avoid that some aspect of the divine law might be upset due to the negligence of the ancestral rites and to the assumption of foreign ones.

This passage underlines once again the importance of the social role played by public priests, and in particular those who would have later formed the pontifical college, in the preservation and transmission of the ancestral religious

50 See the comment by Dyck 2004, 360–361 on this passage.

51 This integration, generally accepted, is due to Madvig. For a comment to the passage see Dyck 2004, 293–294.

heritage. As was the case with Cicero, it is emphasised that every ceremony, both the *publica* and the *privata culta*, is their prerogative. The most interesting element of the passage, however, is the fact that the negligence of ancestral rites and the acceptance of foreign ones are indicated as the two liable factors that potentially put this heritage in danger. These are in fact the same elements that we find in Varro and in Cicero. In particular, from a lexical point of view, the expression *neglegendo patrios ritus* closely recalls the *civium neglegentia*, from which Varro intends to save the national gods by means of the *Antiquitates rerum divinarum*.⁵² In the first book of his *History of Rome*, probably first published before 31 BCE,⁵³ Livy therefore seems to date back to the first religious legislation of Rome, under Numa Pompilius, the two dangers that were felt as the main threats to the Roman religious tradition by the two most important authors dealing with religious matter at the end of the Republic.

In the middle of the 1st century BCE, the political dimension of religious inquiries is confirmed by the fact that the reflection on the national religious tradition is a prerogative of senatorial elite members, who were personally involved in the political struggles during the 60s–40s.⁵⁴ First of all, Varro and Cicero. Furthermore, since 63 BCE Caesar held the most important religious office in Rome, that of *pontifex maximus*. During the 40s, his interest towards religious issues seems to increase in parallel with his growing dominance in the city of Rome.

In particular, in 46 BCE, the publication year of the *Antiquitates*, Caesar completed his famous calendar reform, which came into effect the following year.⁵⁵ The Roman civil calendar, which consisted of 355 days with an intercalary month of 22 or 23 days that was generally added every 2 years,⁵⁶ was now completely out of sync with the calendar year. It was replaced by the much more stable and exact system of a 365-day year, which required the mere addition of one day every four years at the end of February. The adoption of the new calendar allowed the Romans to re-establish a close correspondence between the civil and the solar year, and thus to restore meaning to the religious festivities that marked the Roman calendar and were often linked to the rhythm of the seasons. At the same time, this reform also had very specific political aims.

The interferences to the calendar, made possible by the addition of the intercalary month, following the decision of the *pontifices*, represented a real instrument of political struggle, allowing politicians to bring forward or delay

52 Aug. *civ.* 6.2 = Varro *div.* 1 fr. 2a C. cited *supra*.

53 See in particular Bayet[, Baillet] 1985, xvi–xix.

54 In this respect, see Momigliano 1984.

55 About Caesar's calendar, see Feeney 2007; Rüpke 2011, 109–124.

56 For a detailed discussion, see Michels 1967, 145–172.

the elections and to prolong or reduce the duration of the magistrates' offices.⁵⁷ The elimination of the intercalary month took this political discretion from the *pontifices*. However, this reform should also be considered as integral part of a wider programme destined to put Caesar's name and presence indispensably central to the various fields of Roman life.⁵⁸ The *fasti* became an instrument of personal political affirmation through the addition, at the behest of the senate in 45 BCE, of the dates related to Caesar's great victories in the civil war as *feriae publicae*,⁵⁹ and of the dedication of the month of his birth, Quintilis, to him by making it Julius in 44 BCE. Thus, for the first time, the *fasti* mentioned *feriae* established in honour of a human being and aimed to commemorate entirely human actions, unrelated to religion or myth.⁶⁰

Thomas Tarver has convincingly shown how it is possible to find a convergence of interests between Varro's treatise and Caesar's contemporary reform of the calendar.⁶¹ If the *Antiquitates rerum divinarum* were intended as a systematisation of the entire Roman religious heritage, Caesar's reform was giving back their meaning to the calendar's religious festivities, which constituted an element of fundamental importance in the construction of the Roman cultural identity.⁶² In both these actions we can observe a similar will to fix religious matters and to save them from oblivion, deviance and political opportunism, but with clearly different aims.

The new calendar, which (re-)established a balance between religious festivities and the seasonal cycle, in fact also marked the Roman year with new festivities linked to Caesar's victories, which were subsequently destined to be integrated into the collective Roman identity. The religious tradition ceased to be an instrument of political struggle and instead became a way to affirm the personal power of the winner of the civil war. In the same years, the creation of a religious canon by Varro aimed to transmit a stable image of their own religious tradition to the consciousness of his contemporaries, but, in my opinion, from a clearly Republican standpoint. I would see evidence of this for example in fr. 46a C., concerning the expulsion of the Egyptian gods from the Capitol in 58 BCE. In a work published in 46 BCE, the mention of this event could have the tacit function of underlining the traditional hierarchy of powers in

57 To try to overcome this issue Cicero in the *De legibus* (2.29) indicates the need to strictly adhere to Numa's precepts in the insertion of the intercalary month. On this passage, see the comments by Dyck 2004, 338 and Rüpke 2011, 109–110.

58 See Feeney 2007, 196–197.

59 Cf. C.D. 43.44.6; App. *BC* 2.106.

60 See Fraschetti 1990, 16–17 and Feeney 2007, 188–189.

61 Tarver 1996.

62 See in particular Beard 1987.

the Roman religion and the importance of the role played by the senate in this at a time when these could be perceived as endangered by the fact that Caesar, the dedicatee of this work, had become lord of Rome.⁶³

At a time of major political and cultural crisis, the canonisation carried out by Varro towards the Roman religious tradition contributes to make society more cohesive and to ensure continuity of the community with its own past. It has thus a clear function of cultural reappropriation, as explicitly stated by Cicero in the *Academica posteriora*. With the change of regime taking place in the Augustan age, the reflection on the national religious tradition was no longer the prerogative of the powerful elite members of society, who were personally involved in the political life of the State but became the domain of poets with subordinate social positions. It was therefore a poet, Ovid, who came to assume the task of singing the stories related to the festivities of the (new) Roman calendar.⁶⁴

Since the *Antiquitates rerum divinarum* are not preserved in their entirety, unfortunately we cannot clearly define the influence that Varro's attempt to fix a Republican religious canon had on Octavian's work of religious restoration, or rather on his construction of a new Imperial religious ideology.⁶⁵

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63 Concerning a more general Republican attitude of Varro, we can recall the lost eulogy of Pompey written at the moment of his death (cf. Dahlmann 1935, c.1178) and the eulogy for the death of Porcia – Cato's sister – that he wrote in 45 BCE, as attested by Cic. *Att.* 13.48. Thus, Appian (BC 4.47) says that in 43 BCE Varro was proscribed, being considered ἐχθρὸς μοναρχίας, "enemy of the monarchy". For a political reading in a Republican regard of fr. 1 C. of the *Antiquitates rerum divinarum*, see Rolle 2021.

64 Certainly, Ovid's own tendencies towards the insertion of criticism of the Augustan regime into his poetry are well known and have not to be underestimated. However, the way Ovid expresses them, as well as, on a more general level, his attitude towards the political power are radically different from the late Republican authors.

65 I warmly thank Miguel John Versluys and Damien Agut-Labordère for the excellent organisation of the conference in Leiden and for the edited volume, as well as the other conference participants for the fruitful exchanges. I am very grateful to Anthony Corbeill and Fiachra Mac Góráin for their careful reading of these pages and their precious comments. I dedicate this contribution to Andrea Zerbini, *in memoriam dilectissimam*.

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