THE THEOLOGICAL EFFORTS OF THE ROMAN UPPER CLASSES IN THE FIRST CENTURY B.C.

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I

THERE is no doubt about what the Roman upper class had to face in the twenty years or so between 60 and 40 B.C.: a revolution which perhaps nobody wanted and to which everyone was contributing. An unparalleled series of conquests was at the same time the first stage and the ultimate condition of this revolution. Enormous armies had to be put together to regain—or perhaps gain for the first time—effective control of Spain in the Sertorian war (80–71 B.C.), and to extend Roman rule in Asia to the Euphrates over the ruins of the Seleucid kingdom and of the recent empire of Mithridates. Gaul was the prize for Caesar; and there was a moment in 54 B.C. in which even Britain was felt to be within reach. Egypt was forced for all practical purposes into the zone of Roman control. The great generals who engineered the conquests—Pompey and Caesar—also confronted each other in political and military battles. The elimination of Crassus in the only unmitigated disaster of the period—the failure to conquer Parthia—made the rivalry between the two surviving members of the triumvirate even more pressing. There had been other portents of the forthcoming replacement of senatorial government by military dictatorship: for instance, the rebellion of the slaves led by Spartacus, the wars against the pirates, one of the incidental consequences of which was the declaration of Crete as a Roman province, and the mysterious Catilinarian conspiracy, which certainly appealed to discontented peasants.

It was in this revolutionary atmosphere that—perhaps not surprisingly—some of the Roman intellectuals began to think in earnest about religion.[1]

1. It is the sole purpose of this paper (one of my lectures in the University of Chicago in the spring of 1983) to contribute some points of view to a general reinterpretation of the religious situation of the first century B.C. The paper was written before I could read the very valuable article by J. Linderski, "Cicero and Roman Divination," *PP* 36 (1982): 12–38, with which I am glad to find myself often in agreement. It would make no sense to give here any bibliography on Cicero's religious thought. But I must declare some old debts. First, to J. Vogt, *Ciceros Glaube an Rom* (Stuttgart, 1935; repr. Darmstadt, 1963); P. Boyancé, *Étude sur le Songe de Scipion* (Paris, 1936); M. van den Bruwaene, *La théologie de Cicéron* (Louvain, 1937); W. Süss, *Cicero: Eine Einführung in seine philosophischen Schriften*, Abh. Akad. Mainz 1965, no. 5; M. Gelzer, *Cicero* (Wiesbaden, 1969); P. Boyancé, *Études sur l'humanisme cicéronien* (Brussels, 1970); R. J. Goar, *Cicero and the State Religion* (Amsterdam, 1972); *Ciceroniana: Hommages à K. Kumaniecki* (Leyden, 1975), and especially to the two papers in it by J.-M. André (pp. 11–21) and J. Kroymann (pp. 116–28); A. Heuss, *Ciceros Theorie vom römischen Staat*, Nachr. Akad. Göttingen 1975, no. 8; K. Büchner, *Somnium Scipionis*, Hermes Einzelschr. 36 (Wiesbaden, 1976). Among more

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These intellectuals were themselves members of the ruling class, although not of the *gentes* which could claim a natural right to rule the Roman state. The three best known of them—Nigidius Figulus, Terentius Varro, and Tullius Cicero—happened to be senators and followers of Pompeius. But at least Varro and Cicero easily made their peace with Caesar, and, as we shall see, their most important work on religion was in fact written when they were at peace with Caesar, and with an eye toward Caesar. For Caesar turned out to be intensely concerned with questions of reorganizing religion.

This is not the place to discuss at length one of the most important books on Roman religion of the last decades—the *Divus Julius* by Stefan Weinstock, which appeared in 1971 not long after the author's death. Weinstock was convinced that Caesar was "an imaginative and daring religious reformer." He thought that by 44 Caesar had made himself a god—not just another god, but Iuppiter Iulius. As Iuppiter Iulius, Caesar would have become king of the gods just when he was preparing to become king of the Romans: godlike and kinglike honors would have coalesced, if he had lived long enough. It has already been objected by J. A. North that both parts of the construction are open to doubt.[2] The only evidence for Caesar's identification with Jupiter is in a passage of Dio Cassius (44. 6. 4) which is almost certainly the result of a misunderstanding. The parallel passage in Cicero *Philippics* 2. 110—a contemporary and hostile witness—makes no mention of the identification with Jupiter: it shows that a cult of Iulius as Divus had been planned either in Caesar's last months or immediately after his death. Even less can we be certain that Caesar intended to be proclaimed king of Rome. All we know is that in the famous scene of the Lupercalia of 44 B.C. Antony called Caesar king and tried to put a diadem on his head, but Caesar refused the offer and sent the diadem to Jupiter—which he would not have done if he had himself become Jupiter. When, however, the obvious exaggerations of Weinstock's thesis are discounted, we are left with a considerable amount of evidence, for the first time properly examined by Weinstock himself, about Caesar's interest and that of his circle in changes and innovations in the rituals they had inherited. Caesar gave much thought to religious matters, and this explains why Varro after their reconciliation dedicated to him his *Antiquitates divinae*, his thorough study of Roman religion, in about 47 B.C. The following year it was the turn of Cicero to write *De natura deorum*.

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recent studies, cf. J. Glucker, *Antiochus and the Late Academy* (Göttingen, 1978); E. A. Schmidt, "Die ursprüngliche Gliederung von Ciceros Dialog *De natura deorum*," *Philologus* 122 (1978): 59–67; J.-P. Martin, *Providentia deorum* (Rome, 1982); K. M. Girardet, *Die Ordnung der Welt*, Historia Einzelschr. 42 (Wiesbaden, 1983), on the *De legibus*. See also K. Büchner (ed.), *Das neue Cicerobild* (Darmstadt, 1971).

2. Review of Weinstock, *JRS* 65 (1975): 171–77. Cf. the discussion of Weinstock by A. Alföldi, *Gnomon* 47 (1975): 154–79, and Alföldi's review of *Die Vergottung Caesars* (Kallmünz, 1968), by H. Gesche, *Phoenix* 24 (1970): 166–76; and in general the two recent monographs by Z. Yavetz, *Caesar in der öffentlichen Meinung* (Düsseldorf, 1979; Eng. trans. London, 1983), and Chr. Meier, *Caesar*[2] (Berlin, 1982).

Nigidius Figulus remains the most colorful of the three followers of Pompey we have mentioned, although his work is entirely lost: his misfortune in life was matched by the loss of his books in late antiquity.[3] A senator, he had advised Cicero during the Catilinarian crisis, had reached the position of praetor in 58 B.C., and had been a legate of Pompey. Unlike Varro and Cicero, he died in exile before he was able to obtain a pardon from Caesar: that he tried at least once to get the pardon through Cicero we know from a rather inept and embarrassed letter which Cicero wrote to him in 46 (*Fam.* 4. 13). Nigidius did not study Roman religion, especially its augural rituals, simply to be informed and to inform. He developed divinatory gifts. He is supposed to have prophesied to the father of the future Augustus that his son would rule the world (Suet. *Aug.* 94). On a more modest level he helped a friend to discover where a small treasure had been buried (Varro ap. Apul. *Apol.* 42). Obviously he did not aim at restoring traditional Roman practice either. Nigidius can have been nothing like a conventional Roman if St. Jerome chose to define him as "Pythagoricus et magus" (*Chron.* p. 156 Helm), that is, a Pythagorean of a modern cast, which would include occultism, astrology, and Persian doctrines about the ages of the world. He wrote on grammar, on gods, on the interpretation of dreams and *augurium privatum*, on animals, men, and land, and on stars and thunders. He seems to have reinterpreted traditional Etruscan doctrines in the light of Greek and Persian theories, if he is the source of Martianus Capella (who does not mention him by name) in the fifth century and of Johannes Lydus who mentions him, but in suspicious circumstances, in the sixth century. Like the hard-boiled Tories who established the "Catholic Apostolic Church" in the neighborhood of University College London in the early nineteenth century and combined the gift of tongues and prophetism with sound business ability, Nigidius Figulus and his friends were men of the world. They expected help from strange religious practices in trying to control what escaped them in the fast-moving world in which they lived. They had left behind the traditional ways of bargaining with the gods and were trying to discover safer rules for the interplay between men and gods. Divination seemed to them to offer the best chances, but it had to be based on a wide-ranging reassessment of the natural order: hence their interest in details from grammar to celestial spheres. Varro would probably have agreed that ultimately a secret doctrine was needed if one wanted to feel safe in personal terms. We are unexpectedly told by Pliny the Elder that Varro arranged for himself by testament a burial in the Pythagorean style (*HN* 35. 160). He had been educated in Rome at the school of Aelius Stilo, who had commented on the language of the Twelve Tables and was of the Stoic persuasion. He had later been at the school of Antiochus of Ascalon, where the Platonic tradition had taken a definite turn toward skepticism and students were trained to produce arguments

3. On Nigidius Figulus, cf. L. A. El'nickij, "Social'no-Političeskie Aspekty Brontoskopičeskogo Kalendarja P. Nigidija Figula," *Vestnik Dr. Istorii* 116 (1971): 107–16; B. Gallotta, "Nuovi Contributi alla conoscenza della cultura romano-italica," *Centro Studi e Documentazione sull'Italia romana* 6 (1974–75): 139–54.

in favor of both sides. Yet if anything emerges from what Varro did and wrote it is the need to separate one's religious and philosophic opinions from the role one is expected to play in one's own society. In Varro's time it was commonplace to distinguish three types of theology: the *genus mythicum*, which was appropriate to poets and was generally dismissed as unworthy of thoughtful people, the *genus physicum*, which represented the speculations of philosophers about gods, and finally the *genus civile*, or political type, which the citizens and especially the priests of a given state were required to know because it indicated the gods of the state itself, as well as the rites and sacrifices appropriate to them. The story of the research on the history of this "theologia tripartita" has been written by G. Lieberg.[4] What seems obvious from the evidence he brings together is that the distinction between the three kinds of theology acquired importance in Rome in the historical circumstances I am describing and in the authors I am dealing with—namely, Varro and Cicero. It was from Varro and Cicero that Tertullian and St. Augustine derived it and made it an important argument against paganism in general. The only other Christian theologian of antiquity who gave attention to this tripartition, Eusebius in the *Praeparatio evangelica* 4. 1, probably had no firsthand knowledge of the Western, Latin developments and merely reported what he had read in anti-Christian polemicists of the East. Although we must try to forget the importance which this tripartition assumed in the context of Christian-pagan polemics of later centuries, we cannot ignore the fact that this distinction first gained political relevance in Rome precisely among those who were concerned with the future of the Roman state in the first century B.C. In Rome the poets could be dismissed more easily than in Greece because after all it was known that the best stories about the gods were written in Greek and did not really belong to the original Roman tradition. But the conflict between philosophy and city-religion could not be equally briefly dismissed by turning against the Greek origins of philosophy. If there was something no one with any education would care to deny in Rome, it was the validity of philosophic argument. In the age of Caesar philosophy had become part of Roman education in a more intimate way than Greek myths had become Roman through Greek poetry—or its Latin equivalent. It will be precisely my argument in the last pages of this paper that poetry replaces philosophy in the discussion about religion at the time of Augustus. In the period of Caesar the men who discuss religion are concerned with the choice between the rational approach and the political approach to religion, not with any dubious relation between poetry and city-religion.

Seen against this dilemma Varro's thought is straightforward. Whatever the merits of philosophical theology, cities live because citizens obey the regulations of civic religion. Insofar as civic religion is a series of rituals and obligations considered compulsory by the citizens themselves

4. "Die Theologia Tripartita in Forschung und Bezeugung," *ANRW* 1. 4 (1973), pp. 63–115; cf. J. Pépin, "La théologie tripartite de Varron," *Rev. Ét. Aug.* 2 (1956): 265–94.

(and declared to be such in legal terms, whatever the details of the regulations), religion is part of the state. Thus, very self-consciously, Varro states that he has on purpose put the *Antiquitates divinae* after the *Antiquitates humanae*. The *civitas* must precede the institutions of the *civitas*, even the religious ones: even more daringly, the painter precedes the painting—"prior est pictor quam tabula picta." Here more than ever we must remind ourselves that most of what we know of Varro's *Antiquitates divinae* comes from St. Augustine's *Civitas Dei*, and St. Augustine may well have sharpened some of Varro's formulations to fit his own style and suit his own argument. But I do not know of any instance in which St. Augustine has betrayed Varro's line of thinking. The difficulty which Varro had to face and did face in his interpretation of civic religion was that such religion, being man-made, changed with the times. As Varro was specifically interested in Roman religion, the first change he thought had happened was the introduction of images of gods in the shape of men. I am not sure that for Varro this was equivalent to what we would consider the anthropomorphization of the notion of god. But it certainly occurred to Varro that a religion without human images of gods existed in his own time among the Jews, and it was not a bad thing either (August. *De civ. D.* 4. 31). We even know from Lydus *De mensibus* 4. 53—a text published in full for the first time in 1898—that Varro knew the name of the Jewish God: Iao.[5] Varro was therefore personally in sympathy with a religion which was noniconic. Yet he did not feel he had to change his attitude toward Roman religion. If the Romans had decided in their wisdom to represent their gods in human form, there was nothing left but to comply. The message which the *Antiquitates divinae* intended to convey was that state religion had to be taken as it was found. What mattered was to preserve it. Varro could compare himself in his learned work to Aeneas, who had brought away the Penates from burning Troy, or to the Roman L. Caecilius Metellus, who in 241 B.C. had saved what could be saved of the sacred objects from the burning temple of Vesta. The danger in the face of which he was undertaking his rescue operation was not that of enemy attack, but of *civium neglegentia*, the neglect by his fellow-citizens of their ancestral cults. Varro was not the man to conceal his preferences and convictions, but one of his convictions was precisely that there are truths which should remain unknown to the ordinary man and there are falsehoods which should be spread among the mob as truths. Civic religion was ultimately not a matter of truth but of civic cohesion: the Romans owed their empire to their own piety. It was even useful that people should consider themselves descended from gods, however false that might be, if it added to their self-confidence in undertaking great things. Varro was not going to take responsibility for the truth of what he was trying to preserve. His report was subjective, in the double sense that he gave his own impression and that he reported what was known to him: "hominis est enim haec opinari, dei scire" (August. *De civ. D.* 7. 17).

5. For the details I must refer to the paper by E. Norden, who apparently was the first to draw attention to Lydus' passage in 1921, now in *Kleine Schriften* (Berlin, 1966), pp. 282–85.

Even within the description of the religious system of Rome to which he devoted most of his *Divine Antiquities* Varro would not start from the gods and proceed to their cults. Very coherently he started from the pontiffs, the augurs, the *quindecimviri*, that is, from the men who were responsible for the cult. Next he turned to the buildings for the cult. The third section was on the festivals and rites, including games. This left only three books out of sixteen for the gods as such. St. Augustine inevitably found them the most interesting from his point of view, and therefore we know slightly more about them than about the other books. How far Varro's classification of the Roman gods reflected traditional Roman distinctions is not entirely clear to me. He certainly interspersed his own opinions and philosophical preoccupations with traditional terminology. The main result was a surprisingly long list of gods, in which functional gods for rare occasions loomed large. Cicero testifies in his eulogy of Varro (*Acad. post.* 1. 9) to the surprise which Varro's *Antiquitates* produced among his contemporaries. They discovered a Rome they did not know in his pages. What impressed them was mainly this world of half-forgotten gods, ceremonies, and religious anecdotes. But of course we have to add to it that general reconstruction of the origins of Rome and of the changes in the Roman ways of life which Varro undertook in two other works, *De gente populi Romani* and *De vita populi Romani*. It was highly unusual to find a man who knew so much about the traditions of Rome and had such genuine respect for them, and yet was a recognizable freethinker with a taste for satire and wit. He may well have inspired some of the religious regulations of Caesar and later of Augustus. He remained up to the sixth century A.D. the source to which writers would turn for out-of-the-way details about the religious customs of earlier Rome.

Yet the most remarkable part of the story remains the elementary fact that Cicero, notwithstanding his admiration for Varro, never tried to assimilate all that evidence: indeed he bypassed Varro and may never have read the *Antiquitates*, whether human or divine, in their entirety. Which implies that even the man most suited by intellectual gifts and common experiences to appreciate Varro's efforts to save the old religious patrimony of Rome could not make sense of them. The crude question, once asked, remained: How could one believe in all these divine forces which were vaguely supposed to surround a Roman at each stage of his life and of his daily activities? What were all these goddesses—Adeona, Abeona, Interduca, Domiduca, Bubona, Mellona, Pomona, and so on—on whom St. Augustine was later to exercise his easy irony?

II

We are now left to decide what Cicero thought of this effort of his friend Varro apart from the compliments he formulated about his erudition. The thesis which I want to propose in this part of the paper is that Cicero basically agreed with Varro in his earlier philosophic works (*De republica* and *De legibus*), which were probably published before the *Antiquitates*

divinae by Varro and may therefore even have influenced Varro. When, however, Cicero had before him Varro's works circa 46 B.C., he changed his mind and expressed profound skepticism both about the existence of the gods and about the validity of Roman divination. Whether Cicero in his later phase was shocked by Varro's sanctimonious attitudes is a secondary and not very interesting question. At this stage Cicero certainly worried about Caesar's religious policy, which Varro was supporting. What matters is that Cicero became more skeptical when his contemporaries became more credulous or at least more sanctimonious. And his skepticism is even more surprising and dramatic because in 45 Cicero's daughter Tullia died, and her father wanted to believe in her immortality.

I must add two points for preliminary clarification. In a remarkable article published in 1962,[6] the Polish scholar K. Kumaniecki observed from a different angle that Varro and Cicero had less in common than Cicero's public utterances would imply. Second, I cannot agree with the thesis, recently developed with interesting arguments by H. D. Jocelyn, that the *Antiquitates divinae* were written in the fifties rather than in the forties.[7] I still believe that when Cicero celebrated Varro's work about 46 B.C., he alluded to work which had recently appeared. The allusion to the third-century B.C. Metellus does not seem to me incompatible with this date; and the other passages quoted by Jocelyn admit of different interpretations. In other words, Cicero's most important philosophical work had already been done before Varro published his *Divine Antiquities*. In any case the inspiration was different. The *De republica* was published in 51 B.C.: Cicero worked on it, at intervals, for about three years. The *De legibus* alludes to events of the same years and seems to have been composed concurrently with *De republica*.[8] *De legibus* was never formally published while Cicero was alive, and probably was never finished, although the text which circulated in antiquity was considerably longer and more complete than that which has reached us. In a letter to Varro of 46 B.C. (*Fam.* 9. 2. 5) Cicero indicates his intention of doing more work on the subject of laws, but we can only speculate on what he meant. What is obvious is that about 53 Cicero tried to give a Roman version of both the *Republic* and the *Laws* of Plato. He was not obliged to know what some modern scholars have discovered: that the *Republic* and the *Laws* represent two different stages of Plato's thought. In his version of Platonic

6. "Cicerone e Varrone. Storia di una conoscenza," *Athenaeum* 40 (1962): 221–43.

7. "Varro's *Antiquitates Rerum Divinarum* and Religious Affairs in the late Roman Republic," *BJRL* 65 (1982): 148–205. Cf. the papers on Varro by P. Boyancé collected in *Études sur la religion romaine* (Rome, 1972); A. Dihle, "Zwei Vermuthungen zu Varro," *RhM* 108 (1965): 170–83; N. Horsfall, "Varro and Caesar," *BICS* 19 (1972): 120–28; P. Boyancé, "Les implications philosophiques des écrits de Varron sur la religion romaine," *Atti . . . Congresso Studi Varroniani* (Rieti, 1976), pp. 137–61. References to the *Antiquitates Rerum Divinarum* are collected in B. Cardauns, *M. T. Varro "Antiquitates Rerum Divinarum" I–II*, Abh. Akad. Mainz (Wiesbaden, 1976); cf. idem, "Varro und die römische Religion," *ANRW* 2. 16. 1 (1978), pp. 80–103.

8. Cf. P. L. Schmidt, *Die Abfassungszeit von Ciceros Schrift über die Gesetze* (Rome, 1965); E. Rawson, "The Interpretation of Cicero's *De Legibus*," *ANRW* 1. 4 (1973), pp. 334–56. My views on Cicero can be considered an independent confirmation of ideas put forward by C. Koch in papers posthumously collected in the volume *Religio* (Nürnberg, 1960), esp. pp. 187–204.

thought, Cicero never tried to put philosophers in command or to expel poets. He rather accepted the notion of Polybius that the Roman state satisfied the conditions of a mixed constitution. Perhaps the most deeply felt conviction of his work on the Republic is that human virtue never comes so near to the *deorum numen*, to divine power, as in the founding or saving of a city (*Rep.* 1. 12). The religious interpretation of politics reaches its peak in that surprising and altogether mysterious *Somnium Scipionis* which concludes the *Republic*. Scipio Africanus appears to Scipio Aemilianus in a dream. The "grandfather" advises his "grandson" to exercise *iustitia* and *pietas* and promises him not only immortality of the soul but a better life in the celestial spheres. Cicero was never again to be so definite about the immortality of the soul or about the link between politics and salvation. But he was here indulging in a dream, and a careful reader cannot avoid noticing a certain contradiction between his deprecation of earthly life and his overpraise of political activity as conducive to salvation after death. There is the same ambiguity in the unfinished *Laws* which supplement the *Republic*. On the one hand, he argues that reason unites men and gods: "prima homini cum deo rationis societas" (1. 23); consequently, law can be founded on nature, which is reason. On the other hand, he is so far from envisaging a universal law that he makes a point of emphasizing in Book 2 of the *Laws* that he is even more a citizen of Arpinum than of Rome: "hinc enim orti stirpe antiquissima sumus, hic sacra, hic genus, hic maiorum multa vestigia" (2. 3). This is of course little more than a preparation for saying that the city, that is, Rome, which extended to the citizens of Arpinum the rights of her own citizenship, is now the real "patria," the city to which he, Cicero, owes allegiance. The conclusion of this sentimental outburst is a very practical one: as Rome has the most perfect form of constitution (2. 23), all a legislator has to do is to produce a slightly improved form of the *mos maiorum*, of the tradition of the ancestors (2. 23). Even the archaic language of the Twelve Tables must be preserved (2. 18). When, therefore, in a good Platonic spirit Cicero begins to formulate specific laws about religion, we know that nothing sensationally new will appear. The purpose is to reaffirm that Rome must worship the gods she has always worshipped in the forms she has received from immemorial tradition (2. 26). At the most some rationalization may have to be introduced. One must divinize virtue, not vice (2. 28). Consequently, goddesses like Febris and Mala Fortuna who had their altars, if not their temples, inside Rome must be repudiated. The whole exposition of the sacred law in the second book of *De legibus* is characterized by three preoccupations: to preserve the main lines of Roman cult, to modify details which for personal or environmental reasons are no longer considered acceptable, and finally to avoid any systematic coverage of the subject which might turn out to be embarrassing. As is evident from the long excursus of 2. 47-69 on the interaction between civil and pontifical laws in the matter of family cults, Cicero was aware of contradictions between *ius civile* and *ius pontificium*. But he

never puts the problem in sufficiently general terms to make it an important argument for reform. He was equally aware of the enormous importance which ordinary people still attributed to funeral rites. Although many of these customs have no appeal for him, he has no intention of interfering with them and speaks about them more to display his competence in comparative law than in the spirit of a reformer.

If one has to make a comparison between what Cicero wrote in the *De republica* and in the *De legibus* and what was the general trend of Varro's *Antiquities*, two differences seem to be evident, but they are not profound. Cicero does not bother to collect the whole of the evidence; at the same time he allows himself a modicum of reform. While he is concerned with the preservation of the tradition, of the *mos maiorum*, he is not obsessed by it, as Varro was.

When about July 45 (*Att.* 13. 38. 1) he began to write *De natura deorum*, he had the whole of Varro's *Antiquitates divinae* before him. He had also accumulated many more sad experiences, not only political, but personal: a few months before, in February 45, his daughter Tullia had died, and he had tried to cope with this as well as he could by reading and writing philosophy, by hopes of the immortality of the soul, and by planning a sort of *apotheosis* for his dead child. It was also the time of the sudden end of his second marriage to Publilia. We therefore expect to find in the *De natura deorum* an increased respect for theism in general and for Roman traditional religion in particular. The surprise is that there is no noticeable trace of all that in *De natura deorum*. The *De natura deorum* is very different from Varro in every respect.

De natura deorum is, as we all know, a discussion between an Epicurean, a Stoic, and an Academic about the nature of the gods. It does not matter who represents the three philosophies—except for the representative of the Academy, C. Aurelius Cotta, the consul of 75 B.C. and *pontifex* who on his death in 73 B.C. had been replaced by Caesar. Since Cotta as an Academic and as the final speaker represented Cicero, the choice is pointed. Cicero himself is supposed to have listened to the discussion, but not to have taken part in it, as he was too young at the time when the imaginary encounter took place, during the *Feriae Latinae* of a year between 75 and 73 B.C. It does not matter much either where Cicero picked up his arguments for the three schools. He had plenty of Epicurean and Stoic acquaintances. Lucretius had been one of the Epicureans he knew well, and another, Philodemus, was still alive. For the Stoics, Cicero certainly knew his Panaetius and Posidonius, but may have used them indirectly through some more scholastic summary of Stoic tenets. As we know much less about contemporary Academics, it would be idle to mention names: in any case some of their arguments went back to Carneades, who had lived a hundred years earlier. The essential point is that Cotta, as an Academic, finds himself in greater sympathy with the Epicureans than with the Stoics when it comes to deciding whether gods intervene in human life. Cotta is really as uncertain about the existence of

the gods as he is about the immortality of the soul. To be sure, before arguing against the proofs of the existence of the gods, Cotta takes the precaution of declaring that in ordinary life he, the ex-consul and pontiff, does not care about Zenon, Cleanthes, and Chrysippus, but about the welfare of Rome. There is one thing he knows about Rome: that Romulus and Numa founded her greatness on the observance of the rituals. *Sine summa placatione deorum* Rome could never have become as powerful as she is (3.5). This is good enough, but very short and followed by a close argument for the impossibility of proving the existence of gods, to which there is no reply. The inescapable conclusion a reader was bound to draw from the end of the *De natura deorum* was that Cicero, with all due precautions (for which cf. 3. 95), intended to be negative. It was not the impression one would have derived a few years before from a reading of the *De republica* and *De legibus*.

The impression that from circa 51 to circa 45 Cicero has shifted his ground in the matter of religion cannot simply be contradicted by pointing to the mystical crisis he had experienced in 45 because of his daughter's death. As the *De consolatione*, the treatise he wrote to console himself after her death, is lost, we have no clear idea of what he was saying in it. Nor do we know how closely the idea of immortality was bound up with his belief in gods. The skepticism which unexpectedly emerges from the *De natura deorum* becomes even more conspicuous in the work which followed it, *De divinatione*. This work belongs to the end of 45 and early 44. It was probably drafted before the death of Caesar and revised immediately after the Ides of March. The proem to the second of the two books is certainly later than Caesar's murder and provides an invaluable summary of Cicero's intellectual activities in the previous year. In facing the question whether one had to believe in divination, Cicero was doing something more than supplementing his previous argument in the *De natura deorum*. Auspices were an essential part of Roman official religion. He was himself an augur, and in earlier days (so it appears) he had written a book *De auguriis*, of a technical character, which has not come down to us, but may be alluded to in one of his letters (*Fam.* 3. 9. 3) and in *De divinatione* 2. 75–76. He had of course taken a positive view of Roman divination in his book *De legibus*. At least in the past (he had argued in the *De legibus*) the Roman augurs had been authentic diviners (2. 32). The personal, almost intimate, character of the *De divinatione* is immediately made clear by the fact that it is a dialogue between Cicero and his brother Quintus in Cicero's villa at Tusculum, with nobody else present. The brother plays the part of the Stoic who defends the authenticity and legitimacy of divination: he seems to derive many of his arguments in favor of divination from Posidonius. Cicero plays his role of the skeptic from the point of view of the Academy. He has the final word. He ends by declaring that his denial of any value in divination is meant to save religion from a dubious and dangerous ally: religion must be separated from superstition. But the impossibility of defending religion from a serious philosophic point of view had already been demonstrated in the

De natura deorum, to which Cicero pointedly refers in this final passage of *De divinatione* (2. 148). No attentive reader could take this escape clause too seriously. What on the contrary is striking is that Cicero so fiercely attacks all forms of divination—Roman or foreign—with the same two basic arguments, namely, the small proportion of verified prognostics in comparison with the multitude of prophecies, and the intrinsic improbability that the entrails of certain animals or the position of remote stars could tell us something specific about what was going to happen to single individuals at a given date. Cicero does not hesitate to use Roman examples and even his own personal experiences (such as one of his dreams, 2. 136) to show the inanity of divination. And it is, as I have said, a denunciation in very personal terms, with the clear intention of assuming full responsibility for what is being said. He repudiates explicitly the arguments in favor of divination of his fellow augur Ap. Claudius Pulcher, who had dedicated a book on the subject to him (2. 75).

We are therefore brought back to my main point. In 51 B.C. or so we had found another Cicero—a man with ambitions to reform the Roman state on a religious basis. The *Somnium Scipionis* was a remarkable attempt to link the political program with religious aspirations: the good Roman leader was promised immortality in this precise sense. At the same time the book on *Laws* modified, but substantially defended, the traditional Roman attitude to sacred laws, to *auspicia*, and to the ancestral cults. Six or seven years later very little of that was left. The *De natura deorum* had paid lip service to the traditional values of Roman religious tradition, including *auspicia*, but had been a rigorous denial of the possibility of demonstrating the existence of the gods. In the *De divinatione* the game was inverted: lip service was paid to religion, but any form of divination, including the traditional forms of Roman religion, was denied any merit and probability.[9]

The cleavage, as we have seen, was made more remarkable by two circumstances. Most probably between 51 B.C. and 45 B.C. Varro had published his *Divine Antiquities*, which Cicero himself greeted enthusiastically as a revelation. They provided a uniquely authoritative picture of Roman traditional religion. They invited a restoration of obsolete cults and in any case provided the evidence for a precise discussion of Roman cults. Cicero did not take any of this new material into account when he wrote *De natura deorum* and *De divinatione*. The other circumstance was that when he came to write these two works Cicero refused, only shortly after his daughter's death, to be carried away by his personal emotions and anxieties.

9. It will be enough to refer to the three commentaries on *De natura deorum* by A. S. Pease (1955–58), M. van den Bruwaene (1970–81), and W. Gerlach and K. Bayer (1978); for *De divinatione*, see Pease's commentary (1920–23). I am aware that W. Jaeger took the appeal to the authority of tradition at the beginning of Book 3 as the essential section of *De natura deorum* and considered it an anticipation of the Christian argument from authority; but the Christian basis for authority was revelation. Cf. W. Jaeger, "The Problem of Authority and the Crisis of the Greek Spirit," *Authority and the Individual*, Harvard Tercentenary Conference (Cambridge, Mass., 1937), pp. 240–50, summarized by Jaeger himself in *Early Christianity and Greek Paideia* (Cambridge, Mass., 1962), pp. 42 and 122.

There is no safe interpretation of this change in Cicero's religious attitudes between 51 and 45–44 B.C. But it is impossible to avoid noticing that while Cicero was becoming more skeptical, Caesar and his direct entourage were becoming more religious or at least more concerned with religious questions. These are the years in which Victoria, Fortuna, and Felicitas were much broadcast in obvious connection with Caesar. In 45 a public sacrifice was decreed for Caesar's birthday, if we can trust Dio Cassius (44. 4. 4). On the other hand, as Cicero prominently records in *De divinatione*, Caesar had more than once refused to pay attention to prodigies and showed up their vanity: for instance, in 46 he had sailed to Africa in spite of the warning of the haruspices (Cic. *Div.* 2. 52; Suet. *Caes.* 59). Caesar had been *pontifex maximus* since 63. As such he was apparently entitled to a *domus publica* on the *Sacra Via* (Suet. *Caes.* 46). In the last years of his life the senate decreed that a pediment should be placed on this house as if it were a temple (Cic. *Phil.* 12. 110; Suet. *Caes.* 81. 3; Iul. Obseq. *Prod.* 67 and elsewhere). On the night of the Ides of March Caesar's wife dreamed that the pediment had collapsed. The dream must soon have become known and opened up interesting questions about the relation between the validity of the dream and Caesar's ambitions in provoking the decree of the senate. Finally, there were the various, and by no means clear, steps toward the personal deification of Caesar. His statue was often exhibited among those of gods, and there may have been some decree to create a cult of Divus Iulius before Caesar's death. Let us add that Varro had not been the only one to dedicate a book on prayers and rituals to Caesar: a certain Granius Flaccus dedicated to him his *De indigitamentis* (Lactant. *Div. inst.* 1. 6. 7; Censor. 3. 2). Caesar, who had added to his dignity of *pontifex maximus* that of an *augur* in 47, clearly took pleasure in religious details. He passed a *lex Iulia de sacerdotiis* and (later?) increased the number of *pontifices*, *augures*, and *quinquennales*. May we suspect that Cicero was not amused? He had reconciled himself to Caesar's regime, as long as it lasted, and was bound to Caesar by intellectual ties which he was the last to underrate. But he was never with him at heart. The more Caesar was involved in religion, the more Cicero tried to escape it.

There was a sequel to the story in Augustus' time. Augustus was of course the great restorer of temples and rites. Like Caesar he became *pontifex maximus* and paraded his dignity as the son of Divus Iulius: *Divi filius*. He had learned people to advise him on religious matters, such as the great lawyer Ateius Capito, who was officially entrusted with the interpretation of the Sibylline Books in 17 B.C. No doubt Varro's doctrine was gratefully used in Augustus' circles, although we know far less about this than we should like. But a difference between the Caesarean and the Augustan age is immediately apparent. The men who represented the new age were neither scholars like Varro nor philosophers like Cicero: they were poets—Horace, Virgil, Propertius, Ovid, Manilius. It was a poet, Ovid, who undertook and did not quite complete the task of collecting the

stories attached to the various festivals of the Roman calendar.[10]

Next there were the historians, among whom Strabo should not be underrated. The lawyers (I shall add the name of Antistius Labeo) come third, the pure antiquarians (such as Verrius Flaccus) are fourth: philosophy in Latin, especially on religious matters, does not seem to have been conspicuous under Augustus. When a poet was encouraged to announce "Tuus iam regnat Apollo," there was less room for philosophers. There was perhaps less astrological speculation about Augustus than J. Gagé has repeatedly suggested,[11] but there was enough to offend the *dii manes* of Cicero (although, as we know, Octavian, as early as 30 B.C. when he was not yet Augustus, had made Cicero's son his ally as *consul suffectus* in order to demonstrate that he had had no share in Cicero's murder). But what would Cicero have said on hearing that a comet, the *sidus Iulium*, had become both the proof of Caesar's apotheosis and the confirmation of Augustus' power (Pliny *HN* 2. 94, from Augustus' autobiography)? Indeed the very title of Augustus alluded to *auguria* and more precisely to the *augusta auguria* which had accompanied the foundation of Rome. Even at their lowest number there were too many horoscopes and other portents around Augustus. We can understand why Minucius Felix (by implication) and Arnobius (explicitly) thought the *De natura deorum* to be a refutation of paganism. Arnobius added that Cicero had taken the risk of appearing impious (3. 6). Lactantius, for all his admiration for Cicero (or because of it), declared: "totus liber tertius de natura deorum omnes funditus religiones evertit ac delet" (*Div. inst.* 1. 17. 4). In a different context and in a different religious situation St. Augustine was more severe (*De civ. D.* 5. 9: notice "philosophaster" in 2. 27).

What Petrarch thought of *De natura deorum* is no longer ancient history.[12]

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10. On Ovid, cf. R. Schilling, "Ovide interprète de la religion romaine," *REL* 46 (1968): 222–35 (= *Rites, cultes, dieux de Rome* [Paris, 1979], pp. 11–22; cf. also pp. 1–10); W. R. Johnson, "The Desolation of the Fasti," *CJ* 74 (1978): 7–18. For the background, see G. P. Goold, "The Cause of Ovid's Exile," *ICS* 8 (1982): 94–107. Cf. W. Fauth, "Römische Religion im Spiegel der *Fasti* des Ovid," *ANRW* 2. 16. 1 (1978), pp. 104–86, esp. for the bibliography, and T. Gesztelyi, "Ianus bei Ovid: Bemerkungen zur Komposition der *Fasti*," *ACD* 16 (1980): 53–59.

11. In A. Guarino (ed.), *La rivoluzione romana* (Naples, 1982), pp. 222–35. Cf. P. Jal, "Les dieux et les guerres civiles," *REL* 40 (1962): 170–200; H. Pavis d'Escurac, "La pratique augurale romaine à la fin de la république," in *Religion et culture dans la cité italienne* (Strasbourg, 1981), pp. 27–35.

12. It is worth mentioning C. B. Schmitt, *Cicero Scepticus: A Study of the Influence of the "Academica" in the Renaissance* (The Hague, 1972). For *De natura deorum* in the Renaissance, cf. D. P. Walker, *The Ancient Theology* (London, 1972).