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Knowledge of Religion in Valerius Maximus' *Exempla*

Roman Historiography and Tiberian Memory Culture

Jörg Rüpke

THE PROBLEM: MORE THAN RHETORIC

One of the most popular texts of Roman memorial culture was composed at the time of Tiberius. It was reworked into a variety of abridged versions already in antiquity and widely read in the European Middle Ages and the early modern period; about 350 complete manuscripts have been preserved.¹ Writing during the reign of Tiberius, Valerius Maximus collected 'memorable deeds and sayings' by sifting through a large amount of late Republican and Augustan historical writing. Ordering his material by topic rather than as a continuous narrative, he assembled in a handy form numerous 'documents' of historical individuals who in one form or another manifested *virtus*. There seems to be no doubt about Valerius' intentions and choice of genre. He offers examples rather than historiography and aims at his readers' moral improvement rather than throwing light on an uncertain past.² *Exempla* or *paradeigmata* enjoyed a prominent place in ancient (and post-ancient) rhetoric. Aristotle, for instance, differentiates between examples and enthymemes (arguments from probability) as

¹ Schmidt (2002) 1116.

² See, e.g. Bloomer (1992); Honstetter (1977); Skidmore (1996); Lucarelli (2007).

the main categories of rhetorical proof, further differentiating between historical events and fictitious ones (*Rh.* 2.20.1–2, 1393a23–31); the early first-century BC *Rhetorica ad Herennium* combines rational demonstration with the argument from (historical) example.³

It is not Valerius himself, however, who uses the term *exempla*,⁴ but Iulius Paris, one of his two preserved late-antique epitomators, in his brief dedicatory epistle. The other epitomator, Ianuarius Nepotianus, does not use the word in his preface but stresses the need to epitomize Valerius in order to render the books, too long and too ornate, useful once more.⁵ *Exempla* is not a master key. The present chapter takes its starting point from two further observations. First, religion, or more precisely the ‘cult of the gods’, takes pride of place, occupying the very first of Valerius’ nine books. Why should moral improvement begin with an institution so dominated—and this is Valerius Maximus’ point—by fixed rules? The second observation is even more disquieting. If we look through modern historical accounts of Roman religion, we encounter an image heavily reliant on Valerius Maximus.⁶ This leads me to ask: Why are Valerius Maximus’ collected anecdotes on religion so attractive to historiographers of Roman religion? How did he ‘historicize’ religion? It is the very specific forms of historical remembrance, which Valerius tried and succeeded in introducing into Tiberian memorial culture, that form the subject of my analysis.

TOOLS: MEMORY, HISTORY, KNOWLEDGE

The emphasis given to rhetorical examples and moral didactics in recent scholarship focuses on contemporary function and tends to underplay the diachronic aspects of the work, which this volume invites us to reconsider. To tackle this issue, we must take seriously Valerius’

³ *Rhet. Her.* 4.57. See 4.62 for a more precise explanation of *exemplum: est alicuius facti aut dicti praeteriti cum certi auctoris nomine propositio*.

⁴ Varro (*Ling.* 6.62) explains *documenta* as *exempla docendi causa*, in a discussion of words connected with teaching, defined as an intellectual activity. The term as used by Valerius Maximus cannot be considered a synonym of the common term *exemplum* in the context of rhetoric.

⁵ Praef. (p. 592 Kempf); see Honstetter (1977) 12–13.

⁶ Wissowa (1912); Cancik (1991); Beard, North, and Price (1998); Rüpke (2007).

own expression *memoratu digna*, ‘what is worth remembrance’, in the very first sentence of the work. In recent years, ‘memory’ has developed into a powerful heuristic tool, extending far beyond the metaphorical transfer of cerebral and psychic mnemonics to social processes initiated by Maurice Halbwachs nearly a century ago.⁷ Ignoring rhetorical exhortation as implied in ‘example’, ‘memory’ now evokes complex processes of association, of temporal marking, of individual appropriation, and selective social recall. But this same extendability has robbed the term of any precise meaning—it is in danger of becoming an ‘empty concept’⁸ if not given more precision. The problems I address here require that ‘memory’ be combined with a term for which it frequently substitutes, namely ‘history’. The conceptual pair ‘memory’ and ‘history’ admittedly demands some clarification, which I offer below. As a pair, they offer the possibility of a more probing analysis that goes beyond mere generic classification and arguments about intention. Karl Galinsky has offered a concise overview of the relationship between the concepts.⁹

Geoffrey Cubitt has described ‘history’ and ‘memory’ as ‘proximate concepts: they inhabit a similar mental territory’.¹⁰ They are in permanent tension, interacting with each other rather than moving away into clearly defined territories.¹¹ We may think of them as analytical tools that afford a different focus on the same field of cultural processes and products. Taking memory first, we can propose that memory focuses on ‘relationships to the past that are grounded in human consciousness’. Conversely, memory designates those parts of knowledge that include a self-reflective knowledge about the past temporal circumstances of the sedimentation of this knowledge.¹² Such a focus on the individual generation of knowledge is, however, not at all exclusive. ‘The challenge for broader thinking about memory lies in the quest for connections—in the exploration of the complex relationships that may exist between the ways in which individuals remember the pasts that fall within their personal experience, the ways in which they define or experience their social involvement, and the ways in which representations and understandings of a

⁷ Halbwachs (1925, 1992); see also Nora and Ageron (1984).

⁸ See Pethes and Ruchatz (2001) 9.

⁹ Galinsky (2014), esp. n. 2; cf. his Introduction to this volume. I am grateful to him for referring me to Gowing’s analysis of the concepts in ancient Rome (2005, 7–17).

¹⁰ Cubitt (2007) 4.

¹¹ Cubitt (2007) 5.

¹² Berek (2009) 70. For the neuropsychological background see Welzer (2002).

social or collective past are generated within the larger society.¹³ Since intersubjectivity is crucial for any form of memory,¹⁴ it seems reasonable to use the term ‘memory culture’.¹⁵

From that point of view, history is just a form of social memory—if, with Paul Ricoeur, we take it in a narrow sense, as a discursive, usually narrative, reconstruction of the past.¹⁶ Paul Connerton has been most explicit in describing the manifold forms and processes of ‘social memory’.¹⁷ This has led to a fruitful historicization of historical narrative and the discipline of History proper,¹⁸ which will prove helpful to our treatment of the type of historiographic literature offered by Valerius Maximus. At the same time, the orientation produced by such a concentration on memory implies an undesirable reification of social memory.¹⁹ Admittedly, written histories offer individual views onto the past, which are simply alternative versions, not ‘the truth’ about the past.²⁰ Any written history would engage with individual and collective memory,²¹ and gain in plausibility and stature through such memories, but it would engage with them critically. Whether implicitly or explicitly, narrative history is a critical enterprise, competitive and perhaps even overtly argumentative. It is no doubt this dialectical relation to memory that marks a difference from mythical narrative, which is otherwise, in form and function—and often even in its material—close to or identical with memory.²² In the European tradition, history invented itself by attempting to question mythical narrative, not always very plausibly: the best example is of course Thucydides’ excursus on Minos and the Trojan War in his introduction (1.3–12). In other words, *especially* in literate societies, individual memory is typically shaped in a pluralistic world both of memories and of histories.²³

My title introduces yet a third concept, namely ‘knowledge’. Even more than history, ‘knowledge’ reflects upon the medial form of

¹³ Cubitt (2007) 13.

¹⁴ Berek (2009) 187.

¹⁵ Berek (2009); Rüpke (2012b).

¹⁶ Ricoeur (1984–5).

¹⁷ Connerton (1989).

¹⁸ See LeGoff (1992) 102; Sandl (2005) 118–19.

¹⁹ Cubitt (2007) 18.

²⁰ Ankersmit (2001).

²¹ On the problematic concept of ‘collective memory’, see Green (2011).

²² Rüpke and Rüpke (2010).

²³ The shifting place of individuals in relation to the social frameworks had already been stressed by Maurice Halbwachs; see Cubitt (2007) 162–3, and 242–3 for some consequences as regards modern pluralistic societies. Erl (2005) 178–84, characterizes such relationships by the term ‘antagonistic mode’, but I would argue that this is not a specific ‘mode’ but rather a basic condition of all historiography.

what is known, and upon its systematization, transforming items of information into areas or even systems of knowledge. Just as with history, I take 'knowledge' to be justified not so much by its relation to truth as by its subjective and social status as arguable conviction.²⁴ Under the conditions of a scriptographic society, copying even written knowledge exclusively by hand,²⁵ such knowledge, permanently in need of reproduction, is precarious, always threatened by extinction and vulnerable to social pressures.²⁶ At the same time, command of knowledge is a powerful instrument in structuring social relationships and maintaining power. My hope is that analysing Valerius Maximus' transformation of memories not merely into the mapping of spaces of memory, as Ute Lucarelli has recently done,²⁷ but also into available knowledge will tell us something about the changing role of religion in the Tiberian period.

VALERIUS MAXIMUS AND THE GENRE OF *EXEMPLA*

Valerius Maximus' *Facta et dicta* is clearly not continuous or narrative history. As I have already observed, the arrangement of the brief narratives is not chronological but thematic.²⁸ There is, however, no doubt that they could be used to evoke a social memory relating to factual history as well as social norms. The frequent explicitly normative statements underline the decisive role played by the author in directing such evocations.²⁹ In themselves, the examples are usually susceptible to different interpretations. They do not often invoke historical circumstances as explanation.³⁰ Are they on that account, then, a mere repository for rhetoricians?

Some scholars have thought so,³¹ and we cannot exclude the possibility that Valerius was used in this way. There are, however, many indications that Valerius imagined his audience reading his work

²⁴ Williamson (2000); see also Carrette (2007). ²⁵ Wandhoff (1996).

²⁶ See Mulsow (2012) 14–26. ²⁷ Lucarelli (2007).

²⁸ For an overview see Themann-Steinke (2008) 32–7.

²⁹ Lucarelli (2007) 282; see also her fine analysis at 26–35 of how the examples function, taking David (1998a) as her point of departure.

³⁰ See Lucarelli (2007) 288.

³¹ Most recently Themann-Steinke (2008).

continuously.³² This is of course not to claim that he just wrote a bungled history of the Republic and early Empire. It is characteristic of modern bias regarding the writing of history that, despite his enormous influence, Valerius Maximus is hardly ever mentioned in treatments of Julio-Claudian historiography.³³ But Mueller's apodictic 'Valerius did not write history' must leave us unsatisfied.³⁴ Velleius Paterculus' brief universal history, finished shortly before Valerius' books in the very early 30s AD, also frequently interrupts the chronological sequence with thematic passages.³⁵ There is a coherence to Valerius' narratives, even if it is not totalizing. There is a historical vision, even if there is no continuous historical narrative.³⁶

Research on memory suggests that exemplarity is by no means necessarily opposed to history. Exemplarity is a quality of the past, which relates the past to the present in a rather intensive manner. This means of acknowledging the importance of the past and its continuing normativity (whether critical or affirmative, depending on the author) was popular well into the early modern period.³⁷ From the fourth century BC, from Xenophon, Ephorus, and Theopompus onwards, exemplarity was a defining quality of much ancient historiography.³⁸ It did not need to exclude temporalization.³⁹ Both focus on different aspects of memorization, the normative and the chronological, without sacrificing the one for the other. The long-lasting marriage of both is demonstrated in the European tradition by historiography from the Renaissance to the Enlightenment: 'The dominant conception of history was that of an exemplary history, didactic in intention, inductive in method, and founded on the commonplaces of the Roman Stoics, rhetoricians, and historians.'⁴⁰

³² I base this hypothesis on a reading of Honstetter (1977), who has demonstrated the omnipresence of literary ornament in Valerius. See also, e.g. Lucarelli (2007) 287 on the effects of entire sequences.

³³ There is no reference to him even in Grafton (2007), who himself emphasizes the long-lasting influence of the normative model of historiography.

³⁴ Mueller (2002) 6.

³⁵ Rich (2011) 82. The history must have been written before the end of Seianus: Hennig (1975) 133.

³⁶ Cf. Bloomer (1992) 146. Felmy (1999) 281 and *passim*, has demonstrated the value of *exempla* as media for creating a vision of the past in late antiquity.

³⁷ See Burke (2011) criticizing Hartog (2011). Grafton (2007) 32, calls attention to incipient change in the latter period. For the late Roman Republic see Bücher (2006).

³⁸ Pownall (2007). ³⁹ Contra Grethlein (2011).

⁴⁰ LeGoff (1992) 160 (following G. H. Nadel).

Valerius, too, offers history. Not only did he use the past tense for his examples. Not only is he writing against the background of, and openly using, a rich tradition of historiography, rather than confining himself to reproducing earlier collections of examples, such as those by Pomponius Rufus or Hyginus.⁴¹ Presupposing a chronological framework consisting of famous wars and magistrates, Valerius often elegantly introduces his less well-known protagonists at the very beginning of the narrative as contemporaries, colleagues, participants in an expedition, and so on. Very occasionally, such temporal markers occur only at the end, thus underlining his interest in the date even more clearly (see, e.g. 1.6.5).

To differentiate between examples and history is not serving an interest in rigid classification of genres, but necessary in order to elucidate the extent of the implications. ‘Learning from history’, as Katherine Clarke has pointed out, ‘not only requires a belief in continuity and constancy of character, behaviour, and principles, it also entails some self-awareness of one’s own place in the *longue durée*.’⁴² It is history which is always threatened by forgetting.⁴³ Valerius sets out to assist historiography in achieving its proper ends, namely the provision of orientation and legitimacy. This might be called ‘second-order historiography’, but in fact it is simply one of the pragmatic products of history-writing in literary form, alongside oral performance and transformation into monuments.⁴⁴ As Jörn Rüsen has put it, ‘There is no human culture without a constitutive element of common memory. By remembering, interpreting, and representing the past peoples understand their present-day life and develop a future perspective on themselves and their world. “History” in this fundamental and anthropologically universal sense is a culture’s interpretive recollection of the past serving as a means to orient the group in the present.’⁴⁵

Valerius’ introduction is full of historiographic terminology. It is the work of the historiographer, not a moral stance, that gives him

⁴¹ See Val. Max. 4.4.1 and briefly Schmidt (2002).

⁴² Clarke (2008) 276.

⁴³ Clarke (2008) 286; see also LeGoff (1992) 64–5, on religious treatments of the problem of forgetting rather than remembering, adducing Mnemosyne and Orphic concepts of salvation.

⁴⁴ See the exemplary study of Flower (2003) on the figure of Marcellus. The pragmatic dimension also includes the politics of obliterating memory: Flower (2006).

⁴⁵ Rüsen (1996) 8. To this definition the element of space must be added, cf. Torre (2002).

authority. The exemplary behaviour is of course that of historical agents. Yet there is a double shift in authority. In the very first sentence, Valerius stresses that his enterprise spares those interested in first-hand documents (*documenta sumere volentibus*) the trouble of lengthy research. *Urbis Romae exterarumque gentium facta simul ac dicta memoratu digna*, ‘the deeds and sayings of the city of Rome as well as of foreign peoples worthy of memory’, as the very first sentence has it (foreign examples are admittedly demoted to second place in each class), are documented as a *domesticae peregrinaeque historiae series*, ‘a sequence of history made at home and abroad’, as one might render the phrase that follows shortly afterwards (1, praef.). For the Empire of the early Principate, only universal history (*omnis aevi gesta*) could be adequate,⁴⁶ a feeling likewise shared by historians of the early modern period, albeit on a still larger geographical scale.⁴⁷ This is a view that emerges already in the very late Republic, as we can see from the work of Cn. Pompeius Trogus (an author used extensively by Valerius)⁴⁸ and the lost *Chronica* of Cornelius Nepos.⁴⁹ Varro’s *Antiquitates rerum divinarum* had a similar ambition, as I have shown elsewhere.⁵⁰ It is a historical work of this kind which Valerius dedicates to the person *penes quem hominum deorumque consensus maris ac terrae regimen esse voluit*, ‘in whose hands the consensus of men and gods wished to place command over sea and land’ (1, praef.), namely to Caesar, to Tiberius.

But the shift in authority is not only from the local to the universal, to the sole source of universal power at the limit of human potential, the emperor. For there is a second shift here, in the social *locus* of authority. The organization of the work into thematic books and chapters, into examples from Rome and abroad, reflects the extension of memorial culture and more precisely of styles of argument drawing on history beyond the sphere of aristocrats, who had had full control over what their *maiores* had or would not have done. It is a bookish person like Valerius who, in the wake of earlier historians and antiquarians, has now assumed the right to decide what

⁴⁶ See Krasser (2005) 374–5, defining the achievements of Valerius Maximus and Pliny the Elder as ‘Konstruktion und Stiftung einer imperialen Identität’.

⁴⁷ See, e.g. Grafton (2007) 29 and 32.

⁴⁸ Bloomer (1992) 99–108.

⁴⁹ For Nepos see Rich (2011) 81.

⁵⁰ Rüpke (2012b) 163–4.

tradition is.⁵¹ (There are several indications that Valerius Maximus was not himself a member of a noble family, but rather a client of one.⁵²)

Even if Valerius offers only second-order historiography, his selection is far from innocent. Previous research has tended to concentrate on the ethical content of the selection and its social function.⁵³ More recently attention has turned to the historiographic elements, while avoiding the word 'history' and invoking instead 'spaces of memory' or 'spaces of recollection' (*Gedächtnisraum*, *Erinnerungsraum*).⁵⁴ Within the framework developed in the beginning, I will take up some impulses from the research on memory, but will focus my analysis by the concept of 'history'.⁵⁵ The accumulation of brief, independent narratives that focus on individuals and their conduct is a powerful means of reducing historical complexity and perception of contingency.⁵⁶ Nevertheless, the universe of norms thus assembled is still a historical universe. It does offer guidance for contemporaries but it also offers a perspective from which to interpret the past.

This is all the more important in that Valerius' readers were not confined to his contemporaries. No less than 350 complete manuscripts survive from the medieval and early modern periods, to say nothing of commentaries and translations.⁵⁷ These offered an authoritative view of Roman history that informed the image of the Republic well into the twentieth century (and no doubt beyond). It is Valerius' examples that first come to mind when one has to illustrate Roman religion of the Republic. But there is a further important issue I have not yet touched on: Why did Valerius choose to place religion in first place in his writings and his contribution to social memory?

⁵¹ Krasser (2005) 363; Rüpke (2009). Cf. Bücher (2006) 137–40 on the diminishing aristocratic control of spaces of memory. Wallace-Hadrill (2008) provides an extensive illustration of the larger phenomenon extending to all major areas of Roman culture.

⁵² Skidmore (1996) 115–16, basing himself on Val. Max. 5.5, thought that the reference to ancestor masks at home was a *prosopopoieia* pointing to higher magistrates among his ancestors, but see the convincing criticism of Weileder (1998).

⁵³ Skidmore (1996); see also David (1998b); Lucarelli (2007).

⁵⁴ Thus Lucarelli (2007) 292, 294. Cf. Diefenbach (2007) 20, differentiating a more precise concept of *Erinnerungsraum*, which includes a topographic reference and comes closer to ancient usage of mnemonic space, from the metaphorical *lieux de mémoire*.

⁵⁵ See likewise, e.g. Benoist et al. (2009).

⁵⁶ Cf. Lucarelli (2007) 296.

⁵⁷ Schmidt (2002) 1116.

RELIGIOUS KNOWLEDGE IN VALERIUS MAXIMUS

Religion—or rather, to paraphrase the author’s own words, the ‘condition . . . of the cult of the gods’⁵⁸—plays an important role in Valerius’ enterprise. I will concentrate on this first book, even if religion reappears elsewhere. Recent scholarship on Valerius Maximus has elucidated his vision of a traditional but also emotional religion, permeating much of everyday life in the form of decisions in situations of crisis.⁵⁹ Although he has succeeded in recreating an important voice of religion in the age of Tiberius, however, Mueller has chosen completely to neglect the historiographic dimension: ‘Time is irrelevant.’⁶⁰ Insofar as it stresses the continuing validity of religious truths and norms, the point is well taken; but it does overlook the specific historical form of legitimacy of the norms thus generated.

The very first chapter of the first book—‘De religione’ is surely a later title—is of major importance in establishing basic changes in space and time and in construing a specific form of authority (Val. Max. 1.1.1):

Maiores stas sollemnesque caerimonias pontificum scientia, bene gerendarum rerum auctoritates augurum observatione, Apollinis praedictiones vatum libris, portentorum depulsi<one>s Etrusca disciplina explicari voluerunt. prisco etiam instituto rebus divinis opera datur, cum aliquid commendandum est, precatione, cum exoscendum, voto, cum solvendum, gratulatione, cum inquirendum vel extis vel sortibus, inpetrito, cum sollemni ritu peragendum, sacrificio, quo etiam ostentorum ac fulgurum denuntiationes procurantur.

Tantum autem studium antiquis non solum servandae sed etiam amplificandae religionis fuit, ut florentissima tum et opulentissima civitate decem principum filii senatus consulto singulis Etruriae populis percipiendae sacrorum disciplinae gratia traderentur, Cererique, quam more Graeco venerari instituerant, sacerdotem a Velia, cum id oppidum nondum civitatem accepisset, nomine Calliphanam peterent [vel, ut alii dicunt, Calliphoenam], ne deae vetustis ritibus perita deesset antistes.

Cuius cum in urbe pulcherrimum templum haberent, Gracchano tumultu moniti Sibyllinis libris ut vetustissimam Cererem placarent, Hennam, quoniam sacra eius inde orta credebant, X viros ad eam

⁵⁸ *Et quoniam initium a cultu deorum petere in animo est, de condicione eius summatim disseram* (Val. Max. 1, praef. ad fin.).

⁵⁹ Mueller (2002). ⁶⁰ Mueller (2002) 176.

propitiandam miserunt. item Matri deum saepe numero imperatores nostri conpotes victoriarum suscepta vota Pessinuntem profecti solverunt.

Our ancestors organized the regular annual festivals by means of the traditional science of the pontiffs; they guaranteed success in public affairs through the observations of the augurs; they interpreted the predictions of Apollo from the books of the seers; and they averted evil portents by the rites of the Etruscans. It has been our ancient custom to resort to religious rites such as prayer when we want to entrust some matter to the gods; a religious vow when we have to request something; a formal thanksgiving when we have to repay the gods; a search for favorable signs, either from animal organs or from lots, when the future has to be ascertained; and sacrifice when we want to perform a solemn rite. We also use sacrifice to avert evil when portents are reported or places are struck by lightning.

Our ancestors were very eager not just to preserve religious observance but even to expand it, so when the state was already very powerful and prosperous, the Senate voted to send ten sons from their foremost families to the various peoples of Etruria, so that the young men might learn the Etruscan science of ritual.

Our ancestors had from the very beginning worshiped Ceres in the Greek manner, so in choosing a priestess of Ceres, they brought Calliphana in from Velia, even though that city had not yet obtained the right of Roman citizenship. They wanted the goddess to have a priestess trained in her ancient rituals.

Our ancestors had a very beautiful temple for this goddess in the city, but when, during the Gracchan troubles, they were warned by the Sibylline Books to placate Ancient Ceres, they sent the committee of ten to propitiate her at Henna, since they believed that this place was the origin of her cult.

Our generals likewise often went all the way to Pessinus after gaining a victory so as to fulfill their religious vows to the Mother of the Gods. (trans. Walker 2004)

The most obvious dimension of this passage is the spatial one. The religion, the 'condition of the cult', that interests Valerius is not confined to the city of Rome or the *ager Romanus*. Religion is universal; on this point Valerius concurs with sketches of the history of religion by other Roman authors.⁶¹

⁶¹ See my analysis of the fragments of Varro's *Antiquitates rerum divinarum* in Rüpke (2012b).

Since my concern is with authority, however, I am more interested in another feature of the text, the stress on knowledge. The ‘knowledge of the pontiffs’ (*pontificum scientia*), the ‘vigilance of the augurs’ (*augurum observatione*), the ‘books of the seers’ (*vatum libris*), and finally the ‘Etruscan science’ (*Etrusca disciplina*) set the tone. As Mueller has so clearly shown, Valerius is indeed a traditionalist: cult is to be performed *prisco etiam instituto*, ‘in the ancient manner’ or *vetustis ritibus*, ‘in ancient rituals’; the superlative ‘very old’ (*vetustissimam Cererem*) is better still. However, the translation by Walker that I have used does exaggerate: the succeeding paragraphs do not in fact start (as the translation suggests) with *maiores nostri*. Moreover, as Valerius stresses, the Romans of old were eager not only to preserve but also to enlarge religion (*studium . . . amplificandae religionis*). Innovation is built into the system, and knowledge is both driving force and medium. The priests themselves initiate it. In other words, Valerius also reflects on change.

If this is the message, it is driven home by the examples that follow. The burden of the anecdote in 1.1.2 is that the *caerimoniae Martis* take priority over *Martius certamen*: cultic duties to Mars at home are more important than battle abroad. It is the *pontifex maximus*—an office held by Augustus and Tiberius at Valerius’ time—who is responsible for asserting these priorities, even against a fellow priest.

It is, however, not the person of the priest but the role of knowledge that is of paramount importance. To drive home that message is the task of the next example, which is generally quoted solely for its factual content. Through reading books about public cult, Tiberius Sempronius Gracchus (consul 177 and 163 BC) realized that a ritual mistake had been committed during the consular elections for 162, which he had conducted. Whereupon he informed the college of augurs, whose deliberations resulted in a report to the Senate, which ordered the consuls to return from their provinces to Rome and abdicate (1.1.3):

Laudabile duodecim fascium religiosum obsequium, laudabilior quattuor et XX in consimili re oboedientia: a Tiberio enim Graccho ad collegium augurum litteris ex provincia missis, quibus significabat se, cum libros ad sacra populi pertinentes legeret, animadvertisse vitio tabernaculum captum comitiis consularibus, quae ipse fecisset, eaque re ab auguribus ad senatum relata iussu eius C. Figulus e Gallia, Scipio Nasica e Corsica Romam redierunt et se consulatu abdicaverunt.

We must praise the religious respect shown by his [Postumius'] twelve fasces, but we must praise even more the obedience of twenty-four fasces in a similar matter. In a letter sent from his province to the college of augurs, Tiberius Gracchus told them that he had been reading books about public sacrifices. These books made him aware that the augural tent had been wrongly set up during the consular elections, which he himself had organized. When the augurs reported this matter to the Senate, the Senate ordered Gaius Figulus to return to Rome from Gaul and Scipio Nasica to return to Rome from Corsica. Both men had to resign their consulships. (trans. Walker 2004)

Valerius cites another famous incident a little further on (1.1.8). The laudable effort to give thanks to the gods for expanding the Empire has to be restrained by even more laudable attention to religious details. This is achieved by the college of the pontiffs, even if this means conflict with a man who is consul five times over, successful in the field, and pious. Neither the man's prestige nor the additional costs hindered the college from issuing its 'admonition'.⁶² M. Claudius Marcellus (consul 222, 215, 214, 210, 208), victor at Clastidium and Syracuse, and himself an augur, was forced to build two *cellae* in his temple to Honour and Virtue:

Non mirum igitur, si pro eo imperio augendo custodiendoque pertinax deorum indulgentia semper excubuit, quo tam scrupulosa cura parvula quoque momenta religionis examinari videntur, quia numquam remotos ab exactissimo cultu caerimoniarum oculos habuisse nostra civitas existimanda est. in qua cum <M.> Marcellus quintum consulatum gerens templum Honori et Virtuti Clastidio prius, deinde Syracusis potitus nuncupatis debitum votis consecrare vellet, a collegio pontificum inpeditus est, negante unam cellam duobus diis recte dicari: futurum enim, si quid prodigii in ea accidisset, ne dinosceretur utri rem divinam fieri oporteret, nec duobus nisi certis diis una sacrificari solere. ea pontificum admonitione effectum est ut Marcellus separatis aedibus Honoris ac Virtutis simulacra statueret, neque aut collegio pontificum auctoritas amplissimi viri aut Marcello adiectio inpensae inpedimento fuit quo minus religionibus suis tenor suaque observatio redderetur.

It is not surprising that the gods have constantly watched over us, and have had the kindness to protect and expand our empire, since

⁶² See Flower (2003) 46 for the role within the image of Marcellus; see also Flower (2000).

we seem to pay careful attention to the tiniest details of religious observance. It must not be imagined that our state ever allowed its eyes to wander from the strictest observance of religious ceremonies. After Marcus Marcellus had conquered Clastidium and later Syracuse, he held his fifth consulship and wanted to consecrate a temple to Honor and Courage in fulfillment of religious vows he had made in public. The college of pontiffs forbade this, and ruled that a single temple could not properly be dedicated to two gods. They argued that if some portent occurred in the temple, it would be impossible to distinguish which of the two gods would have to be placated by a sacrifice. They also pointed out that it was not the custom for sacrifices to be offered to two gods, except in the case of some well-established divine pairs. As a result of this ruling by the pontiffs, Marcellus had to set up statues of Honor and Courage in separate temples. The prestige of this very distinguished man did not deter the college of pontiffs, nor did the additional expense incurred deter Marcellus—he followed the proper procedure in his religious observances. (trans. Walker 2004)

Such knowledge is effective knowledge only when controlled. In the famous account of the discovery of the sarcophagus of Numa, Valerius tells us that the seven books in Latin on pontifical law were carefully preserved, but the seven books in Greek on philosophy burned, for fear that they might induce people to stop their cultic efforts:

1.1.12 *Magna conservandae religionis etiam P. Cornelio Baebio Tamphilo consulibus apud maiores nostros acta cura est. si quidem in agro L. Petili scribae sub Ianiculo cultoribus terram altius versantibus, duabus arcis lapideis repertis, quarum in altera scriptura indicabat corpus Numae Pompili fuisse, in altera libri reconditi erant Latini septem de iure pontificum totidemque Graeci de disciplina sapientiae, Latinos magna diligentia adservandos curaverunt, Graecos, quia aliqua ex parte ad solvendam religionem pertinere existimabantur, Q. Petilius praetor urbanus ex auctoritate senatus per victimarios facto igni in conspectu populi cremavit: noluerunt enim prisci uiri quidquam in hac adservari civitate, quo animi hominum a deorum cultu avocarentur.*

1.1.13 *Tarquinius autem rex M. Atilium duumvirum, quod librum secreta rituum civilium sacrorum continentem, custodiae suae commissum corruptus Petronio Sabino describendum dedisset, culleo insutum in mare abici iussit, idque supplicii genus multo post parricidis lege inrogatum est, iustissime quidem, quia pari vindicta parentum ac deorum violatio expianda est.*

(1.1.12) In the consulship of Publius Cornelius and Baebius Tamphilus our ancestors showed great scruples in their respect for religion. When farm-hands were digging rather deeply in a field under the Janiculum belonging to a scribe called Lucius Petillius, they found two stone chests. An inscription on one revealed that it contained the body of Numa Pompilius. In the other were found seven Latin books about the law of the pontiffs, and as many Greek books about the discipline of philosophy. They ordered that the Latin books should be preserved with the greatest care, but they felt that the Greek ones might in some way tend to undermine religion. Following Senate instructions, the city praetor, Quintus Petillius, ordered the sacrificial attendants to make a fire and burn the books in public. The men of those days did not want to retain anything in this state that might take people's minds away from the worship of the gods.

(1.1.13) The duumvir Marcus Atilius had a book containing the secrets of public ritual entrusted to his safekeeping. He was bribed by the Sabine Petronius and gave him the book so that Petronius could make a copy of it. King Tarquin condemned Atilius to be sewn into a sack and thrown into the sea. Long afterward, this type of punishment was prescribed by law for parricides. And rightly so, because a crime against parents and a crime against the gods should receive the same punishment. (trans. Walker, 2004)

The example that follows immediately upon this (1.1.14) underlines the point about the management of religious knowledge: it does need to be preserved, but undue proliferation is itself a danger that must be curbed.

A CONTEMPORARY VOICE IN HISTORICAL DISGUISE

From the point of view of observers in the very late Republican and early imperial period, the complexities of the divine world were a matter not only of some smaller or larger shared memory, but also of a systematically organized and authoritative knowledge. This knowledge afforded the means of exploiting the religious resources offered by the divine in the shape of numerous propitious deities. The gods are present in the world as agents about whom humans can know something. They are of course also present in the form of memory, that is above all of narratives, but they can be pinned down,

given better shape by ‘knowing’ about them.⁶³ In contrast to mere mythological narrative, the new forms of knowledge could assimilate different types of discourses and integrate scattered knowledge about gods. Varro’s three types of theology offered one means of organizing such knowledge,⁶⁴ Cicero’s account of religion in his *De legibus* another.⁶⁵ Accounts such as these, compiled, systematized, and authorized by intellectuals, not necessarily of noble descent,⁶⁶ rather than a lived tradition of priestly accumulation of knowledge, must have shaped Valerius’ imagination.

In the first chapter of the first book Valerius presents a selection of narratives and thus, by his very choices, tacitly construes his image of religion. This selection has served as the foundation for many accounts of Roman Republican religion. It is an account of religious rulings taking precedence over everything else; of public priests, thanks to their total control of knowledge, located at the very centre of religion. It is also an account that lacks, not chronological markers, but chronological sequence: change does occur, but it is change in quantity and territorial expansion, not in quality. The modern historiography of Roman religion has tended to neglect the existence of the former and accept the suppression of the latter. To pick up the bifocal starting point of this chapter, ‘memory’ has been allowed to take precedence over ‘history’. Yet it seems to me that Valerius had developed a way of presenting religion that goes beyond both memory *and* history, namely ‘knowledge’.

Knowledge about religion was not merely an academic enterprise. It was concern about divinatory knowledge that led Augustus to order the burning of 2,000 oracular books (Suet. *Aug.* 31.1). Astrological knowledge was so important to the emperor Tiberius that he employed specialists in the art such as Scribonius and Tib. Claudius Thrasyllus.⁶⁷ Divinatory knowledge was potentially dangerous.⁶⁸ In AD 17 *mathematici* were driven out of town together with Jews (Suet.

⁶³ Cf. Varro, *Antiquitates rerum divinarum* fr. 3: *pro ingenti beneficio . . . iactat praestare se civibus suis, quia non solum commemorat deos, quos coli oporteat a Romanis, verum etiam dicit, quid ad quemque pertineat.*

⁶⁴ Rüpke (2005). ⁶⁵ Rüpke (2012a) 186–204.

⁶⁶ See Wallace-Hadrill (2008); Rüpke (2012a) 151 and 218–19.

⁶⁷ Suet. *Tib.* 14.2 and 4. See the general judgement in 69: *Circa deos ac religiones neglegentior, quippe addictus mathematicae . . .*

⁶⁸ See Rüpke (2011) 105–9 and Fögen (1993) for the radicalization of the problem from the 3rd century AD onwards.

Tib. 36); in the previous year, some had been executed in the context of a supposed conspiracy (*Tac. Ann.* 2.32). According to Suetonius, Tiberius required those who wished to consult a *haruspex* to do so in public and with witnesses (*Tib.* 63).

Valerius may have reflected this ambivalence in the composition of his first book. The second chapter, which is only preserved in the epitomes of Iulius Paris and Ianuarius Nepotianus (the latter of whom is very critical), cited examples of famous Romans who suggested that they had intimate communication with gods. It is impossible to reconstruct the precise wording, but their headings, *de simulata religione | qui religionem simulaverint*, are certainly not authentic. The list of Roman examples is noteworthy: Valerius dealt with Numa, Scipio Africanus, Sulla, and Q. Sertorius (1.2.1–4). The claim that Numa met the nymph Egeria is as fanciful as the white deer carted by Sertorius through Spain. Valerius is normally very reluctant to cite examples from a period as early as Numa, and even more reluctant to include fantastic elements of such narratives.⁶⁹ The literary framing is even more telling, for the following section (1.3, esp. 1.3.2)—again bearing a late heading: *de superstitionibus*—gives examples of prohibitions of contacts with foreign deities and even includes a case of expulsion of *Chaldaei* from the second century BC. Only after this section does a new sequence begin (1.4–8), dealing with auspices, omens, prodigies, dreams, and miracles, all positively judged and presented as divine communications to be followed; if they be neglected, it is to the detriment of the protagonists.

These considerations modify the status of the first-order systematic priestly knowledge presented in 1.1. Religion is not a fixed code to be learnt by heart. Tradition or ‘ancient customs’, as presented in Book 2, are not a fixed resource. Historical and exemplary narrative shows this knowledge to be practical knowledge encoded in the actions of virtuous men. Here, we detect a voice in Valerius that is critical of his predecessors. As the abundant selection of late Republican examples indicates, Valerius shares with his contemporary Velleius Paterculus⁷⁰ a basic belief in the continuity of Rome, where we make a sharp division between ‘Republican’ and ‘imperial’. This continuity is achieved by focusing on persons and virtues rather than explicit rules and offices. Again, it is Velleius who helps us to see what is at

⁶⁹ Skidmore (1996) 94–6.

⁷⁰ Cowan (2011) p. x.

stake for Valerius in the choice of genre.⁷¹ It is the task and right of the historian to negotiate such a shift in the conception of history, one that acknowledges the greatness (and the risks) of the past in order to enhance an even greater present.⁷²

One of the main sources—or rather, to take Valerius' order seriously, the primary source—of continuity is 'religion'; that is, religious practices that in some cases (the auspices, for example) go back to the founding of the city (1.4.1). Cicero and Varro were rather open about their innovations in thinking about religious matters, deploring rather than celebrating the loss of traditional knowledge. Valerius' notion of traditional religion—given the wealth of foreign examples, it would be far too narrow to call it 'Roman'—could not be based on such feeble foundations. A past suffused with values is concretized in 'documents' or 'lessons taught', universalized in narratives from both home and abroad, given profile by a few contrasting stories, and finally naturalized and immunized by the marvellous effects of Nature itself, by miracles—*ne ipsa quidem, omnis bonae malaeque materiae fecunda artifex, rationem Rerum Natura reddiderit*, 'not even she herself, fertile artificer of all substance good and bad, could explain' (1.8, ext. 18, trans. Shackleton Bailey 2000).⁷³ Like Varro, Valerius provides a list of gods, but it is presented as stories from history. Starting with two examples concerning Castor and Pollux (1.8.1), Valerius registers Aesculapius, Juno, Fortuna, Silvanus, Mars, the Penates, Divus Iulius, Fortuna, and Apollo (1.8.2–10). Valerius is aware that his history is not without alternatives but relies on the power of his narratives and images. The gods' power is mediated not only through visions and epiphanies but also in voices and sounds.⁷⁴ His is a historicized religion, one based on knowledge; a people that keeps faith with this knowledge is able to face the extraordinary challenges of the present. Religion is an important, if not the

⁷¹ For Velleius' concentration on persons and virtues see Schmitzer (2000) 292; Marincola (2011) 136–7; and Schmitzer (2011) 199.

⁷² Cf. Bloomer (2011) 98 on Velleius: 'three focalizations of the present... as restored history... as the end of narrative... as the recorder or censor of the past' The latter likewise describes Valerius' role. Cf. Bloomer (1992).

⁷³ Cf. the repetition of the notion 'nature' in 2, praef.

⁷⁴ Cf., e.g. Val. Max. 1.8.3 with Livy 5.22 on the reaction of Iuno Regina in her temple at Veii.

most important, part of contemporary memory, which Valerius Maximus tries to shape in his books.

In starting the list of gods with Castor and Pollux, Valerius is surely hinting at a larger framework. Tiberius had rededicated the Temple of Castor and Pollux in AD 6.⁷⁵ If we ask what holds the pointillist mode of the *exemplum* together, the answer must be clear: the emperor: Valerius' religion is centred 'on the emperor as a living god'.⁷⁶ David Wardle has rightly argued that Valerius Maximus was engaged in the 'sacralizing of Tiberius'.⁷⁷ Tiberius of course hardly needed Valerius' engagement, given his public stance of 'reluctant leadership',⁷⁸ and his resistance to being divinized in the city of Rome. But for the Empire as a whole, Tiberius was indeed a god.⁷⁹ Valerius' own contribution is the historical legitimization of this change of status. His history is a new history, narrating a religion which is centred on, but no longer confined to, the city of Rome and which offered neatly-packaged historical proof of the benefits of divinization. The story runs roughly as follows: Religion is rule-based. These rules constitute knowledge controlled by priests. They are not autonomous, however, but themselves require 'virtuosity', best exemplified by the living emperor, who is himself a god. This is Valerius' point in starting his work with religion. For modern historians of religion, however, it was a dangerous choice, for the religion he selectively memorialized is not *the* religion of the Republic. In using Valerius Maximus as a source for a 'history of Roman religion', we need to keep that point in mind. In studying Tiberian memorial culture, we have to acknowledge this strategical use of memory, too.⁸⁰

⁷⁵ Wardle (2000) 489–90.

⁷⁶ Mueller (2002) 175.

⁷⁷ Mueller (2002) 491; see also Wardle (2002).

⁷⁸ See Hillard (2011) 237–8.

⁷⁹ See Shotter (1992) 58, and Vigourt (2001) 157, for Tiberius' image as an efficient ruler in the provinces, which could be easily translated into religious terms.

⁸⁰ I am grateful to Karl Galinsky for inviting me to take part in the fruitful discussions within the framework of his project and his many critical remarks and generous references for the reworking of my first drafts. Exchanges within the 'History of Religion' research group at Erfurt (supported by a grant of the federal state of Thuringia) have also helped with the analytical framework. Richard Gordon, to whom I owe many insights and ideas, has been most helpful in improving my argument and the text.

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