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Acta aut agenda: Relations of Script and Performance¹

Jörg Rüpke

1 Ritual or text, hen or egg

There is general consensus among classicists that what can be described as Roman religion was primarily determined by rituals over a long period of time. That is not simply meant typologically.² The term «ritualism» easily implies an evaluative and comparative aspect,³ which—as far as I know—has never been confirmed by any empirical test. Whether «ritualistic religion» is a useful term at all, or whether it only seems to make sense in problematic terms of religious communication, has still to be argued.⁴

It is to the credit of various recent essays that they have emphasized the role of religious discourses beyond ritual communication.⁵ Especially worth of mention are MARY BEARD and JOHN SCHEID⁶ who developed their positions partly in direct dialogue. With the contributions of the French project of the «Mémoire perdue»⁷ and the monograph of DENIS FEENEY, *Literature and Religion at Rome*,⁸ as well as the handbook of BEARD, NORTH and PRICE,⁹ this position acquired an articulation that could make a new consensus possible. What kind of consensus is this? The decisive step lies in applying ideas of cognitive anthropology, especially the thinking of DAN SPERBER,¹⁰ to the Roman material, that before had been characterized by

- 1 I would like to thank BENEDIKT KRANEMANN for a stimulating cooperation in a seminar at the University of Erfurt; an earlier and shorter version had been published in the *acta* of an ensuing Erfurt conference (see KRANEMANN, RÜPKE, *Das Gedächtnis des Gedächtnisses*, Marburg 2003). The invitation of ALESSANDRO BARCHIESI and SUSAN STEPHENS (and their final criticism) furthered my thinking (and, in the end, the English). KATHARINA WALDNER read an early draft and improved the argument.
- 2 Cf., however, COLPE 1998, 432, who counts «Etrusker, frühe Römer, mediterrane Mysterienreligionen; vedische Inder, alter Tibeter (Bon), Jainismus, Hinayana-Buddhismus» as belonging to the ritual oriented type that is separated from the other types of religion: ecological linguistically integrated; culturally desintegrated; temporal oriented; norm oriented; syncretistic-complex or synthetical-complex.
- 3 See WISSOWA 1912, 34; cf. BEARD, NORTH, PRICE 1998, 11. For the position within the history of the discipline see SCHEID 1987b.
- 4 Cf. COLPE 1998.
- 5 For this concept see RÜPKE 2001d.
- 6 E. g. BEARD 1985, 1986, 1987 and 1988a, 1989, more general: 1991, 1998; R. PARKER 1996; SCHEID 1990b, 1992, 1993, 1994, 1998b and 1999.
- 7 MÉMOIRE PERDUE 1994, 1998.
- 8 FEENEY 1998.
- 9 BEARD, NORTH, PRICE 1998; but cf. RIVES 1998, 359, who asks for a more intensive analysis of literary texts in his review.
- 10 SPERBER 1975.

interpretations of an evolutionary anthropology of the turn of the 19th to the 20th century.¹¹ What is new, in essence, is that the borders have been moved. All those ancient authors that deal with Roman religion, are no longer seen merely as observers of, but as participants in it. Ancient exegesis of rituals—a central term¹²—is no longer the first link in a long chain of attempts to find the <right> interpretation of rituals, which persists right up to contemporary science.¹³ Indigenous exegesis rather is a part of the religious system itself; inconsistency is a permanent trace of it: BEARD, NORTH, PRICE see the success of supposed Roman ritualism exactly in the fact that largely unchanged rituals were always open to new and up-to-date interpretations and therefore could be adapted to quite different social situations.¹⁴

Where does this new consensus lead to? Methodologically, the new approach should lead away from structural-theoretical and system-theoretical analysis of Roman religion, towards an analysis of religious activities of Romans or of human beings in Roman times that is oriented on communication-theory and performance-theory.¹⁵ Astonishingly, however, the protagonists of the new approach are advocates of another <new consensus>, the model of <Polis religion>,¹⁶ which is definitely structural-theoretical in approach. FEENEY, in turn, departs from the field of <history of religion>: dates that were set within a religious context are used within a new frame of reference, <literature>, reducing the referential context of the texts solely to other (literary) texts.¹⁷ There is another problem. The texts selected for study are highly concentrated within the late Republic and Augustan period, thus restricted to the classical sources of Roman history of religion—Varro, Cicero, the personal literature of the Augustan era. The mere records of The Arval Brethren alone lie chronologically far beyond this.¹⁸ But the notion of <text> should refer to more. Protocols as well as highly visible inscriptions for example have to be included.

One sort of texts, however, has received rather too much interest. The search for historical origins of rituals had led to the idea of prior normative texts, an idea that has persisted nearly for the whole of the twentieth century. Thus in 1902, WISSOWA formulated as a task:

It will always be the last task of research, to work through information of the later compilers that are available to us as well as the antiquarian and legal anthologies initially used by them, so that we might arrive at that original source, the priest scripts, and then attempt their reconstruction.¹⁹

11 Cf. (within a larger disciplinary framework) SCHLESIER 1991; 1995.

12 Programmatically SCHEID 1992 and 1993.

13 See FEENEY 1998, 117, 127.

14 BEARD, NORTH, PRICE 1998, 7.

15 Condensed SCHLUCHTER 1998. For the differentiation of approaches based on communication or action theory within sociology of religion see TYRELL 1998; cf. the attempt in RÜPKE 2001c.

16 See BEARD, NORTH, PRICE 1998; SCHEID 1999. The polemical expression of <new consensus> is taken from the criticism of the model by BENDLIN 2000.

17 See FEENEY 1998, 118.

18 It is the result of JOHN SCHEID's work to have presented not only a new edition of the inscriptions (SCHEID 1998a), but to have made the texts by several monographies (SCHEID 1990), prosopographies (SCHEID 1975, 1990a) and articles (cf. BEARD 1985) accessible as a central source for the reconstruction of Roman religion.

In a similar way, the authors of the latest English handbook are convinced that they can gain firm ground for the early republic and even before:

Priests in Rome had traditionally kept records to which they could refer to establish points of law; and (...) the *pontifices*, in particular, were said to have kept an annual record of events, including, but not confined to, the sphere of religion. Writing down and recording was a significant part of the function of priests.²⁰

Interpreting pontifical notes as the basis for the usual valuation of the preceding year in order to decide on the redemption of the annual vows of *res publica* at the beginning of the year.²¹ And yet, previous expectations were higher. In 1840, JULIUS ATHANASIOS AMBROSCH started the catalogue of the University of Breslau for the summer term with his *Observationum de sacris Romanorum libris particula prima*. With few basic assumptions he classified the presumptive abundance of priestly literature which had been transmitted only in very dispersed fragments. Next to the genuinely theological scripts, containing mostly lists of deity names, stood instructions for cult and law, which any priesthood would possess and which follow the (Varronic) classification of places, times and rituals.²² A whole line of research followed. PREIBISCH, REGELL and PETERS are the most important representatives of a corresponding philology of fragments for the late 19th century. In 1936, GEORG ROHDE made another attempt, but—considering the abundance of methodological problems, it remained without significant consequences. Even today an adequate revision is missing, as well as a clear idea of the history of genre.²³ Normative, descriptive and exegetical writings coexist without defineable interaction.

Including <interpretations> into the variety of religious communication in Rome did not lead to a more complex understanding of *rituals*, as the approach might have indicated. Declarations to the contrary,²⁴ the new approach only increased the division of a) ritual as traditional, stereotyped, senseless acting from b) exegesis as contextually varying, non-committal and intellectual attributing of meaning. Rituals, thus, continue to be taken for granted in a rather narrow sense: prescribed practices, endlessly repeated, devoid of sense.

I do not deny that such analytical divisions might be useful for certain purposes. However, an integrative approach could be fruitful, too. Thus two notions stemming from ritual theory will be employed and expanded. *Performance* is the first. Individual enactments of a ritual are not simply mere repetitions of an eternally fixed ritual but conscious attempts of historical individuals to do a ritual, to repeat an honoured pattern, to perform it to and for others in a specific situation, in a particular place. Individual feelings and social expectations are communicated,

19 WISSOWA 1912, 6.

20 BEARD, NORTH, PRICE 1998, 9. I would not accord too much weight to the distancing formula <were said>. The authors use contentions thus introduced as facts in later argumentations and interpretations several times.

21 SCHEID 1998; yet cf. RÜPKE 1993.

22 AMBROSCH 1840.

23 For the discussion see SINI 1983 and SCHEID 1994; the contribution by NORTH 1998 does not lead to further clarification.

24 S. c. g. FEENEY 1998, 118: <We may concur with Jonathan Z. Smith when he criticises scholars of sacrifice for 'the notion that ... ritual—and therefore religion—is somehow grounded in <brute fact> rather than in the work and imagination and intellection of culture'.>

standard meanings are reproduced or modified. Writing, literature, might be part of the performance. In Rome, as in Greece, it is precisely rituals that produce the frame for important types of literary communication. The games (*ludi*), especially, whose number exploded in the third and second centuries B. C., offered a place for drama, tragedy as well as comedy, by means of «scenic games» (*ludi scaenici*), and integrated these forms into ongoing social communication.²⁵ This process marks, if we look at comprehensible texts, the «beginning» of a Latin literature.²⁶ Visual representations make evident a kind of long prehistory of that Roman literature—that is, the presence of dramatical performances in ritual, especially in Dionysiac contexts—reaching back into the 4th century B. C. at least.²⁷

These large texts as well as prayer formulations or hymns composed for the individual act are one of the most flexible and hence most communicative elements of a ritual's performance. Texts, however, are not only part of the actual performance, but also part of its context, part of the performers' and audiences' knowledge. Communication about a ritual—as a timeless sequence of ritual actions—or performances might be decisive for the interpretation of a ritual action and its performance—as I am going to demonstrate. The individual performance cannot be analyzed in isolation from previous communication about previous performances or normative communication about the ritual «as such»: The existence of a written prescription for the performing of the ritual is but a particular case of this general mechanism.

The second concept helps to radicalize this approach even further. *Ritualization* has been introduced by SUSAN BELL in order to analyze differences between ritual and everyday actions as conscious modifications of everyday activities. HUMPHREY and LAIDLAW followed the lead by arguing and demonstrating for the West Indian Jaina that rituals are not simply rituals but instances of individual action that are rituals only by being ascribed the quality of ritual by the agents or the audience.²⁸ But this ascription is due to the conceptual framework of the participants and this framework is not only produced by previous experiences but by communication and—even for a semiliterate society—textual communication. HUMPHREY and LAIDLAW, however, were interested in the contents of the communication and the resulting general attitude towards ritual and notion, while I am interested in the forms of communication and their interplay with specific historical changes in rituals. Thus, for present purposes, I am going to argue for the reciprocal influence, even the unity of what is called ritual performance and what is called discursive

25 See e. g. LEFÈVRE 2001 for tragedy in general.

26 For the problematical genesis see the reconstruction of the view of the late Republic by P. L. SCHMIDT 1989; for the history of the institutions, CANCIK 1978. See RÜPKE 2000a for an attempt to contextualize that within the restructuring of literary communication in Rome in the third and second centuries B. C.

27 WISEMAN 2000.

28 Cf. HUMPHREY, LAIDLAW 1994, who substitute the term ritual by «ritualization» and define «ritual» as a specific type of unintentional action, a type, that defines the success of action as the realization of a supposed model of acting (*ibid.*, 88). Despite the inclusion of this approach (BOURQUE 2000) within a volume on archaic and Republican religion in Rome by BISPHAM, SMITH 2000 may suggest that the approach is applied to Roman material, but that is neither done by the author nor taken up by any other contributor.

reflection on ritual. Other uses of writing in ritual and the ritual use of writing²⁹ will not be considered, even if some of the findings are continuous with or show a close similarity to such phenomena. With the exception of some remarks about Roman calendars I shall pass over the concept of the performance of texts that has so fruitfully been employed by THOMAS HABINEK in his literary sociological monography on the «Politics of Latin Literature», published in 1998.³⁰

2 Auspices and ausplicants

Even the earliest preserved literary texts in the Latin language contain ritual descriptions. Ennius, for example, in his historical epic *The Annales*, describes in one of the longest fragments an *auspicium*, carried out by two augurs, the brothers Romulus and Remus, in competition for the leadership role in the city yet to be found:

*Curantes magna cum cura tum cupientes
regni dant operam simul auspicio augurioque.
+in monte+ Remus auspicio se deuouet atque secundam
+solus+ auem seruat. at Romulus pulcher in alto* 80
*quaerit Aventino, seruat genus altiuolantum.
certabant urbem Romam Remoramne uocarent.
omnibus cura uiris uter esset induperator.
expectant ueluti, consul cum mittere signum
uolt, omnes auidi spectant ad carceris oras,* 85
*quam mox emittat pictis e faucibus currus,
sic expectabat populus atque ore timebat
rebus, utri magni uictoria sit data regni.
interea sol albus recessit in infera noctis.
exin candida se radiis dedit icta foras lux* 90
*et simul ex alto longe pulcherrima praepes
laeua uolauit auis. simul aureus exoritur sol,
dedunt de caelo ter quattuor corpora sancta
aiuum, praepetibus sese pulchrisque locis dant.
conspicit inde sibi data Romulus esse priora,* 95
auspicio regni stabilita scamna solumque.

Very careful and striving for kingship both practice the auspicious watching of the birds and its positive followings. Remus is sitting on the mountain (Murcus?), offered himself for a sign by the birds, and for a positive bird (on the ground?) he looks. Romulus, however, the splendid, observes from the high Aventine and looks for the high flying ones.

They compete, whether the city's name should be Roma or Remora. All (bystanding) men wonder who of the two will be the leader. They wait (?) in the same manner as all, when the consul is ready to give the starting sign, are eagerly looking to the openings of the starting boxes, how soon the consul sends the cars out of the painted gates, in such a way the people expected and kept silent, in apprehension, wondering, whom of them will receive the price of a large empire.

Meanwhile the moon (or morning star) has receded into the depths of the night. Now, shimmering daylight appeared, hit by the beams, and at once a bird, magnificently and auspiciously, flew on high from the left. And when golden sun rose, three times four holy bodies disappeared from the sky and sat down on promising and splendid places. Thus Romulus could see that kingship's place and region was given to him, confirmed by the birds' sign.³¹

29 See WILKINS 1996 for middle Italian texts.

30 HABINEK 1998, 101 ff.

31 Enn. *ann.* 72–91 Skutsch (partly with textual modification of JOCELYN 1971) = Cic. *div.* 1.108.

As I have tried to show elsewhere,³² this text (as part of Ennius' *Annales*) was recited in a symposium visited by *nobiles*. It offers us valuable information for reconstructing the ritual of the auspicious and attests auspicious—according to the perspective of the critical historian—if not for the year of 753, at least for the early second century B. C. Significant here, in one of the oldest written texts of Rome, is the highly artificial description of an allegedly historical performance of a ritual with a legitimating function, for a unique *auspicium* with the sighting of twelve *vultures* (as other and less reliable variants of the account add).³³

The passage belongs to a long series of Roman attempts to deal with a Greek story about the foundation of one's own city that is full of elements that discredit it. As JOCELYN has shown,³⁴ Ennius inserted contemporary augural practices in order to ameliorate this. JOCELYN's view is that of the literary critic, whose perspective is the production of the text. What about the perspectives of the recipients? As senators and (ex-) magistrates they were not only satisfied by the dignified story of their founders. They witnessed the literary use of one of their central, although little known practices. Starting to observe birds just after midnight was a public, yet hardly prominent performance.

The political centrality of the ritual is confirmed by the central place given to it in the story of the twins' conflict. Pride of place is not given to structure but to performance. Personal engagement and intention are stressed: *curantes magna cum cura* (v. 77) opens the passage. JOCELYN has drawn attention to the remaining obscurity of the expression *auspicio se deuouet* (v. 79), a sort of magical self-sacrifice for the ritual. I use the expression <magic> consciously: The phrase catches the utter isolation, the asocial waiting of the observer, who has made public his political will and the technical conditions of a positive outcome of the bird watching (*legum dictio*),³⁵ but not the degree of his resolution that might be put to test by the ritual. Here, the ritual performance is in itself open to ritual handling of a second degree. Augury, too, is part of the aristocratic competition that informs Roman politics and aristocratic values: *certabant* (v. 82).

The text reminds the listeners of their individual practices, and stresses their importance by introducing a public not visible in real performance (v. 83 ff.). The auspicial *certamen* is observed by a breathless multitude as if witnessing a race in the circus. In order to stress this (in real augury) invisible audience, Ennius uses a comparison ... *ueluti, consul cum mittere signum / uolt, omnes auidi spectant* (84 f.). The ritual, practiced in recension, turns out to be a highly communicative performance.

There are no sources to establish the influence of the Ennian texts on those who practise augury. The proliferation of the practice of *tripudium*, divination by hen feeding, and its criticism, not least in the very text of Cicero that quoted Ennius, demonstrated that the communicative aspects of the performance were central. Texts like the *Annals* stabilized and dramatized *auspicia* at Rome.

32 RÜPKE 2001a, 49–53.

33 Livy 1.7.1: Remus observes six, Romulus twelve vultures.

34 JOCELYN 1971.

35 Thus I understand the specifications of what is expected by each.

3 Variatio delectat or: Competition in the record book

The next example comes from a late ancient source, the *Saturnalia* of Macrobius.³⁶ It concerns a quote from the *commentarii*, the records of the priesthood of the Pontifices. It is probably the most precisely localized quotation from priestly books: it is part of the fourth annual volume of the notes of the Pontifex Maximus Quintus Caecilius Metellus Pius about his urban official businesses. Caecilius carried out this office from 81–64 B. C.; the described event probably belongs to the year 70 B. C.³⁷

*Refero enim pontificis vetustissimam cenam quae scripta est in indice quarto Metelli illius pontificis maximi in haec verba: Ante diem nonam kalendas Septembres, quo die Lentulus flamen Martialis inauguratus est, domus ornata fuit, triclinea lectis eburneis strata fuerunt duobus tricliniis pontifices cubuerunt, Q. Catulus, M. Aemilius Lepidus, D. Silanus, C. Caesar, (***) rex sacrorum, P. Scaevola sextus; Q. Cornelius, P. Volumnius, P. Albinovanus et C. Iulius Caesar augur, qui eum inauguravit; in tertio triclinio Popilia, Perpennia, Licinia, Arruntia virgines Vestales et ipsius uxor Publicia flaminica et Sempronia socrus eius. cena haec fuit: ante cenam echinos, ostreas crudas quantum vellent, peloridas, sphondylos, turdum asparagos subtus, gallinam altilem, patinam ostrearum peloridum, balanos nigros, balanos albos: iterum sphondylos, glycomaridas, urticas, ficedulas, lumbos capruginos aprugnos, altilia ex farina involuta, ficedulas, murices et purpuras. in cena sumina, sinciput aprugnum, patinam piscium, patinam suminis, anates, querquedulas elixas, lepores, altilia assa, amulum, panes Picentes.*

... On the 22nd of September, on the day when Lentulus was inaugurated as Flamen Martialis, his house was decorated, the triclinia of ivory were prepared. On two of the triclinia the Pontifices, Q. Catulus, M. Aemilius Lepidus, D. Silanus, C. Caesar, the Rex sacrorum [the name is missing], P. [Mucius] Scaevola coming sixth; [now the Pontifices minores are listed:] Q. Cornelius, P. Volumnius, P. Albinovanus and the augur L. Iulius Caesar, who had inaugurated the Flamen. On the third couch were the Vestal virgins Popilia, Perpennia, Licinia and Arruntia, his own wife, the Flaminica Publicia, and Sempronia, his mother-in-law. This was the meal: Before the main course sea urchin, raw oysters (as many as everybody liked), giant mussels, mussels, thrushes under asparagus, fattened chicken, a bowl of oysters and giant mussels, black shell animals, white shell animals, again mussels, Venus mussels, stinging nettle, fig thrushes, loin roast of goats and boar, fattened poultry coated with breadcrumbs, again fig thrushes, two sorts of purple snails. For the main course pork udder, head of boar, a bowl of fishes, a bowl of udder, ducks, cooked crick ducks, rabbits, back fattened poultry, wheat porridge.

Despite its exceptional testimony, the quotation is not found in any collection of the fragments of the priestly books. It seems to correspond too little to the expectations of philologists interested in the history of religion. We do not find a close description of the inauguration, nor of the ritual constitution of a new priest done by an augur, but of the sumptuous meal that the new elected person offers to his colleagues, the *cena aditialis*, the inaugural meal. What is happening here?

The text registers those present—by calling the names in a certain order. Individual groups paid strict attention to seniority, that period of membership to the college in each case. This can be proved by other texts.³⁸ Documenting the membership of the college and the term of office might have belonged to the most important interests of this type of texts.³⁹ But religious change and modification are not the focus of attention in documentation. Attention is paid instead to the realization of a basically variable part of the entire ritual. It is a matter of

36 Macr. *Sat.* 3.13.10–12. For the dating see DÖPP 1978 (decennium after AD 400).

37 Cf. MARINONE 1970.

38 As demonstrated by TAYLOR 1942.

39 See RÜPKE 1993a.

documenting a non-synchronic, culinary competition: Priestly meals had the character of *potlatch*. They were known for ostentatious extravagance, as centres of culinary and economic innovation, that designated the peacock as well as the moray as a food of prestige.⁴⁰ Writing allowed a precision that turned competition in a more demanding and all the more worthwhile thing. Reducing culinary luxury to the price paid for it, monetarization, so to speak, is not the type of documentation chosen; such an approach did not belong to internal communication, but rather to satirical mockery and antiquarian sensation-seeking.⁴¹ Precise documentation especially of how the most variable elements of the ritual had been concretized, to summarize my interpretation, allowed comparison in an aristocracy based on competitive prestige.⁴²

We know little about the use and the circulation of the *commentarii* of the *pontifices maximi*.⁴³ They were not secret documents or internal to the committee. This is shown by the famous *tabulae dealbatae*, the whitened wood panels in front of the *pontifex maximus* house, as well as the tradition of their supposed publication by M. Publius Scaevola.⁴⁴ As far as the records of Metellus Pius are concerned, one has to think of actual or future colleagues (next to antiquarians as secondary users) as readers, too. These at least knew about the existence of the records. Writing lifted details of a particular performance into the sphere of permanently documented ritual. That must have left an impact on the hosts: The range of competition exceeded actual, unsupported memory.

Appian's description of the triumphal procession of Pompeius is directly comparable to the protocol of the pontiffs' meal. Here, too, the performance, the details of the procession of 63 B. C. are the subject; there is hardly anything to learn about what scholars like to conceive of as serious, invariant ritual.⁴⁵ The *commentarii pontificum* and Appian's antiquarian sources show that this is not a specialty of historiography.

4 Fiction in the file of facts or: Historiography and the invention of rituals

Past performances are known by texts; however the effect of such texts on performances and the texts' contribution to a process of ritualization has been postulated rather than demonstrated so far. My next example, leading to several independent sources, makes a historical intervention, a massive ritualization of a less prominent, traditional and juridical act at least plausible. The example comes from a passage in Livy's *Roman History*⁴⁶ and concerns the formal procedure for the declaration of war, according to international law.

40 See RÜPKE 1998, 200f.

41 See *Sen. epist.* 95.41 for a meal worth a million.

42 For even more important areas of competition see RÜPKE 1995a.

43 Cf. NORTH 1998; see also SCHEID 1998.

44 See FRIER 1979; RÜPKE 1993a.

45 App. *Mithr.* 116f.

46 Livy 1.32.6–10 and 12–14; translated by BEARD, NORTH, PRICE, Nr. 1.4a.

Legatus ubi ad fines eorum uenit unde res repetuntur, capite uelato filo—lanae uelamen est—audi, Iuppiter> inquit: <audite, fines>—cuiuscumque gentis sunt, nominat —; <audiat fas. ego sum publicus nuntius populi Romani; iuste pieque legatus uenio, uerbisque meis fides sit.> peragit deinde postulata. inde louem testem facit: <si ego iniuste impieque illos homines illasque res dedier mihi exposco, tum patriae compotem me nunquam siris esse.> haec, cum fines suprascandit, haec, quicumque ei primus uir obuius fuerit, haec portam ingrediens, haec forum ingressus, paucis uerbis carminis concipiendique iuris iurandi mutatis, peragit. si non deduntur quos exposcit diebus tribus et triginta—tot enim sollemnes sunt—peractis bellum ita indicit: <audi, Iuppiter, et tu, Iane Quirine, dique omnes caelestes, uosque terrestres uosque inferni, audite; ego uos testor populum illum>—quicumque est, nominat—<iniustum esse neque ius persoluere; sed de istis rebus in patria maiores natu consulemus, quo pacto ius nostrum adipiscamur.>

When the legate arrives at the frontier of those from whom restitution is demanded, he covers his head with a fillet (the covering is of wool) and says:⁴⁷ <Hear thou, Juppiter, hear ye, boundaries of—naming whatever nation they belong to—let divine law hear! I am the official herald of the Roman people; I come lawfully and piously commissioned, let there be trust in my words.> Then he sets forth his demands, after which he takes Juppiter to witness: <If I unjustly and impiously demand that these men and these goods be surrendered to me, then never let me be a full citizen of my fatherland.>⁴⁸ He recites these words when he crosses the boundary-line, again to the first person he encounters, again when proceeding through the town-gate, and again when he enters the market-place ... If his demands are not met, at the end of 33 days—for such is the customary number—he declares war as follows: <Hear thou, Jupiter, and thou, Janus Quirinus, and all ye heavenly gods, and ye terrestrial gods, and ye infernal gods, hear! I call you to witness that this people—naming whatever people it is—is unjust and does not render just reparation. But regarding these matters we will consult the elders in our fatherland, how we may acquire our due.>

The subsequent declaration of war ends by an elaborate ritual:

Fieri solitum ut fetialis hastam ferratam aut praeustam sanguineam ad fines eorum ferret et non minus tribus puberibus praesentibus diceret: <quod populi Priscorum Latinorum hominesque Prisci Latini aduersus populum Romanum Quiritium fecerunt deliquerunt, quod populus Romanus Quiritium bellum cum Priscis Latinis iussit esse senatusque populi Romani Quiritium censuit consensit consciuit ut bellum cum Priscis Latinis fieret, ob eam rem ego populusque Romanus populis Priscorum Latinorum hominibusque Priscis Latinis bellum indico facioque.> id ubi dixisset, hastam in fines eorum emittebat. hoc tum modo ab Latinis repetitae res ac bellum indictum, moremque eum posterius acceperunt.

... The usual procedure was for the fetialis to carry to the boundary of the other nation a spear of iron or fire-hardened cornel-wood,⁴⁹ and in the presence of not fewer than three adult males,⁵⁰ to say: <In as much as the tribes of the Ancient Latins and men of the Ancient Latins have committed act and offence against the Roman people, and in as much as the Roman people have ordained that war be declared on the Ancient Latins', and the senate of the Roman people has affirmed, agreed, and with their votes approved that there be war with the Ancient Latins, I, therefore, and the Roman people, declare and make war on the tribes of the Ancient Latins and the men of the Ancient Latins.> Having said this, he would hurl the spear across their boundary.⁵¹

Of course, the alleged performance of the eighth century B. C. is a fiction. But the ritual thus described had never been practiced afterwards, too, as I have argued elsewhere.⁵² <Knowledge> about one's own prehistory and an intense ritualization

47 Here, the text is oscillating between a general formular and the description of a (pseudo-)historical event.

48 This is a form of self cursing that underlines the justification of the claim.

49 It is <knowledge> of Augustan times that the use of iron was preceded by weapons hardened by fire.

50 This is a basic rule of witnessing in Roman legal procedures.

51 Cf. Gell. 16.4.1 (Cincius); for the relationship of the texts see RÜPKE 1990, 104 f.

52 Ibid.

were achieved through repetitions and symmetries, by enlisting legal figures, such as the necessary numbers of witnesses.

The ritual is fiction, but it is quoted as if it were a real ritual. It laid the basis for a singular historical performance. In 32 B. C., Octavianus as a fetial priest declared war against the foreigner Cleopatra and herewith marked the beginning of the decisive phase of the civil war against his *Roman* rival Marc Antony.⁵³ Ritualization set both the tone of the conflict as well as its representation in the city of Rome, deflecting from the fact of civil war. At least one more time, in AD 178, the ritual was recalled: Marcus Aurelius, too, declared war against the Scyths by throwing a spear at a column called *columna bellica* near the temple of Bellona—an exact imitation of the procedure of Augustus.⁵⁴ The close chronological proximity of the earliest testimony for fetials throwing a spear by Cincius and Livius to the Augustan ritual suggests a relationship of written text to performance and its legitimizing impact. Textually circulated, fictitious rituals provide the horizon of understanding for a ritual that removes from the war's characterization the reputation of civil war.

The fiction in its perfection goes far beyond the concrete ritual—and, at the same time, limits its possible horizons of interpretation radically: The fact that Octavian, the later Augustus, throws the spear clothed with a *paludamentum*, a coat, identifies him actually as military and puts him therefore in an older tradition of *military* symbolism that the antiquarian Varro had presented in a treatise called *Calenus* just before that.⁵⁵ But this interpretation disappeared in the period following.

5 Performance without presence: Calendar reading as religious practice

Roman culture was the only one of the ancient mediterranean world that produced a graphical representation of the calendar that listed *all* days of a year and organized them in a clearly structured way, in terms of months—a way which is the direct predecessor of our own calendars.⁵⁶

The Roman calendar in the form of the *fasti* included an abundance of religious, or more specifically ritual informations. Days that were the property of individual gods and therefore were restricted for human use (*feriae*) were marked with names and abbreviations that could easily be associated with corresponding ceremonial rituals.⁵⁷ In addition, the foundation days of temples (their anniversaries) were listed, usually involving large ceremonies on the spot.⁵⁸

53 Dio 50.4.4 f.

54 Dio 72.33.3; for the column and the fictitious territory of enemies in Rome see Serv. (auct.) *Aen.* 9.52. The historicity of the founding event of the time of the war against Pyrrhus has been refuted by LATTE 1960, 122, n. 3.

55 The fragment is preserved in Serv. *Aen.* 9.52; see WIEDEMANN 1986; RÜPKE 1987; further evidence for the ritual is given by JOCELYN 1971.

56 For the history of the reception of the Roman calendar RÜPKE 2000, 2001.

57 RÜPKE 1995, 261–266, preferring a hypothetical dating to the end of the 4th century B. C.

58 This type of documentation probably started not before the 2nd cent. B. C. (*ibid.*, 331 ff.).

How can the relationship between this text and the performances be described? It might be surprising but that is all the more reason to take note: the relationship is not normative. It is easy to *associate* the ritual, but actually the ritual data form no part of the *fasti*. Neither can a function like the one of the so called Attic calendars of demes be assigned to them: The latter were lists of ceremonies of particular days only, including statements about sacrificial animals that aimed at regulating the resulting financial duties for certain districts or persons.⁵⁹ It is especially the uniformity of Roman calendars that is most astonishing: the preserved inscriptions differ only in size or quality of the stone, but not in content, no matter whether they were situated in a temple, a building of an association or a private house. Nowhere is there a hint as to the specific cult of such a place.⁶⁰

This characteristic feature, already noticeable in Rome, is also valid for the copies outside of Rome. Of the about fifty copies that have been found (mostly in fragmentary state), almost one half is belonging to the city of Rome, the rest mostly to Latium, Etruria and Campania. The only exception in Italy are the so called <Fasti Guidizzolenses> from the region of Brixia. The most southern example, the Fasti Tauromenitani, belongs to the Augustan colony Tauromenium of Sicily. That is the only copy that was found at all outside of Italy.⁶¹

Although one can assume the primarily local character of ancient societies, the ceremony list containing the *fasti* of Urbinum Metaurense in North Umbria is identical with the list of the *fasti* from Venusia. The dates mentioned are Roman dates, even in copies of obscure Italian municipia. The inscriptions do not even *add* local data, Italian festivals or rituals. Among all the copies there is only one single addition:⁶² Verrius Flaccus, the author of the *Fasti Praenestini* and an Augustan scholar, adds two local events to the list of Roman activities. This, however, occurs in a calendar whose composition is already unusual for other reasons: it is the only calendar that connects the reproduction of the Roman *fasti* with a continuing commentary on these *fasti*.

The temporal distribution is significant. The oldest Roman *fasti* must have been created by around 170 B. C. They give the base for the painted wall calendar preserved from Antium.⁶³ The oldest marble version originates from the Arvals' shrine in Rome which might have been reorganized by Augustus around 30 B. C. This calendar was made only a brief time after the victory of Actium.⁶⁴ The urban copies still dominate in the following period; only a few calendars from Latium, Etruria or Campania even date from the Augustan period. But by Tiberian times they had spread over all of Central Italy—and then the expansion stopped.

59 In a summary manner DOW 1968; WHITEHEAD 1986, 185–208; PARKER 1996, 43–55.

60 For the following more details are given by RÜPKE 1995; the texts were edited by DEGRASSI 1963.

61 For the particularities of this calendar, especially the attempt to combine the Roman calendar with a local Greek lunisolar calendar see RÜPKE 1995, 133–138; RUCK 1996.

62 The local character of the *dies vern(arum)* in the *Fasti Antiates ministrorum* is doubtful, see RÜPKE 1995, 144 f.

63 Ibid., 346–352. 366 f.

64 Ibid., 178.

The expansion of imperial cult and calendars runs parallel. Already in the Augustan period the calendar of festivals contained a huge amount of imperial data, starting with birthdays, days of throne accessions, as well as weddings and victories, and, last but not least, disclosures of conspiracies.⁶⁵ Usually, these new dates did not acquire abbreviated festival names but were marked by short explanations added to the new legal character of the day: *feriae, quod eo die* ..., <this day is a day of the gods, because on this day Caesar occupied Alexandria>—that is the pattern for many dates. Within a few years such addition gave a specific profile to the *fasti*.

As I argued before, such a calendar of urban, Roman dates cannot be a prescriptive text for cult in Antium. Considering the distances and the lack of precision in the information given, it is not even useful information for potential visitors on Roman cults. The calendar is rather a medium for representing imperial festivities, independent of performance. It is not the unique information that counts but the use of the complex code, <Fasti> as a whole. That use allows loyalty, consent, and integration into the Augustan system to be expressed in a locally independent way. One does not have to take part in celebrating; it is enough to put up posters, speaking anachronistically.⁶⁶ The act of displaying such a calendar was the most important performance, permanently memorialized in the monument and actualized by its reading. This opened a new perspective for imperial policy itself: Rituals might be created in order to ensure their registration in the calendars. Attempts at <occupying> and <redefining> certain dates⁶⁷ might have such a background—a mere hypothesis, admittedly.

6 To live in the filing cabinet, or: Why did life become ever more uncomfortable for the Arval Brethren?

The priesthood we now turn to has already been mentioned in the preceding paragraph as an important stage for the history of expansion of calendars as an epigraphical genre—thinking about book calendars would at least partly lead to a different kind of investigation.⁶⁸ Concerning the Republican period we hardly know anything about the *Arvales* except that they must have existed. Out of this total *obscuritas* they emerge in Augustan times as a high-ranking priestly group (judging by the social status of the members under the early Principate) that seems to have the Augusti and their designed successors as standard members.⁶⁹ Nevertheless they ritually appear only with a small complex of games in the city of Rome; their cult is concentrated in an area outside of the town, in the grove of Dea Dia—La Magliana is even today the outermost border of the urban area.

65 See HERZ 1978.

66 See RÜPKE 1995, 396–416.

67 See again HERZ 1978.

68 Cf. SALZMAN 1990.

69 See SCHEID 1975; 1990a for the social background. The extremely high social origin of Julio-Claudian times was somewhat lowered in the period following, see SCHEID 1990a, 158 ff., esp. 186–200, for variations as indicated by several different parameters.

The complex that neither cult nor architecture made attractive to a wider public (perhaps even intentionally closed to it) was in operation for over 300 years; baths marked the largest expansion in Severan times.⁷⁰ But all this is secondary to an epigraphical fact. The transcription of the records of this priesthood onto stone provided possibly the biggest coherent complex of inscriptions of the Roman ancient world.⁷¹

The following text extract gives an impression of the material frequently found in the shrine area itself.

[Is]dem co(n)s(ulibus) nonis Aprilib(us) [L. Calpurnius L. filius] Piso magister collegii fratrum arvalium nomine immolauit [in Capitolio ex] s(enatus) c(onsulto) ob supplicationes indictas pro salute Neronis Claudi Caesar(is) [Aug(usti) Germ(anici) I]oui bouem marem, Iunoni uaccam, Mineruae uaccam, Saluti [publicae uaccam,] Prouidentiae uaccam, Genio ipsius taurum, diuó Aug(usto) bouem marem. [In co]llegio adfuerunt C. Vipstanius Apronianus co(n)s(ul), P Memmiu(s) [Regulus, L. Sal]uius Otho Titianus, Sulpicius Camerinus.

Under the same consules, on the Nones of April (7th April), Lucius Calpurnius Piso, the son of Lucius, the *magister* of the college sacrificed in the name of the Arval brethren on the Capitol on the basis of a *senatus consultum* because of the supplications indicted on behalf of the health of Nero Claudius Caesar Augustus named Germanicus: a male cow to Juppiter, a female cow to Juno, a female cow to Minerva, a female cow to Public Health, a female cow to Providence, a bull to his Genius, a male cow for the divine Augustus. Present in the college were the consul C. Vipstanius Apronianus, P. Memmius Regulus, L. Saluius Otho Titianus, Sulpicius Camerinus.⁷²

The text comes from the records of AD 60. It shows the texts' usual concentration on the name of the place, the group of participants and the text of the prayer. The item quoted here was produced or edited directly after the event by a slave who was in charge only of the records; at the end of each year, the record notes would then be transcribed onto stone all at once. The scriptural fixing of the ritual gained ritual character itself; the use of stone tools in the shrine—which was essential for producing epigraphs on marble plates—itsself gave cause for an expiation ritual.⁷³ These texts bit by bit ornamented the walls of the buildings in the shrine.

What is all this about? The texts hardly could give coaching for new priests: rituals normally were represented in summary fashion; a song text, difficult to understand (if at all), the famous *Carmen arvale*, was entrusted literally to the records for the first time at the beginning of the third century AD.⁷⁴ Therefore the epigraphical texts were present in the ritual, but were not suitable as <scripts>, as guidance for performing the ritual. Since a wide public was not expected, there is a consensus about the necessity of a <symbolic> interpretation of the texts.⁷⁵

JOHN SCHEID refers to the ownership of the deity *Dea Dia*, ritually underlined by the expiation rituals (*piacula*) and sees the texts correspondingly as documentation for the deity about the dutifully performed cult.⁷⁶ Of course a corresponding text

70 See BROISE, SCHEID 1987; SCHEID 1990, 69f. 95–172.

71 New edition and French translation by SCHEID 1998.

72 *Acta arvalia* 28 a-c, 10–16 SCHEID.

73 See SCHEID 1990, 56f. 86–88 for details.

74 AA 100a, 32–38 SCHEID.

75 SCHEID 1990, 67, referring to BEARD 1985, 137–144. SCHEID is entirely right to point to pragmatic reasons for the taking of notes in the *Codex* that must be postulated as forming the basis of the inscriptions (69).

76 SCHEID 1990, 70.

reference is missing, like a title or formula according to the transcription. The placement of the epigraphs that were aimed at the arrangement of the whole construction, does not support this thesis in my opinion.⁷⁷ One may agree insofar as it concerns placing other inscriptions in shrines, but still the richness of details and the abundance of the epigraphical corpus remain unexplained. Therefore I would like to suggest that the inscriptions not only found their authors but also their primary—though not perhaps positively intended—public among the members of the priesthood itself.

Every interpretation has to start with these results. The performance of rituals, the whole activity of the priesthood happens in a place that is characterized by documentation, the scriptuality of former performances of this ritual. The reading of inscriptions is done by persons who also performed the documented acts. One cannot separate the one from the other. Once more: The records themselves are too brief to secure the invariability of the rituals in detail. But what they do secure is the ritual quality of the new acts: These must have been seen as repetition of strict sequences of acts by the participants of this new ritual act.

«Repetition» though is only valid in a restricted way. The term needs two corrections. First, the *Acta arvalia* documented different types of rituals. The individual ritual is more closely defined by its difference to others and becomes distinct as part of a complex and therefore demanding ritual system. Even the production of the inscription is made a subject of discussion through a ritual that offered an expiatory sacrifice to the goddess of the grove, compensating for the tools made of iron that had been brought into the grove for chiseling letters.⁷⁸

The second correction refers to repetition. The text of the epigraphs offers records of performances, not a timeless liturgical form. Individualization is achieved by name lists of all participants, as well as exact dating. This practice regularly concerns the Arval brothers themselves, but also minor rank officials were listed by name several times—like senatorial *pueri*, boys, free *kalatores* or *servi publici*, slaves of public property with certain functions, e. g. of the record taker, the *a commentariis*. Not «the priesthood of the Arvals», but singular Arvals (or assistants) performed the religious duties that had been given to this *sodalitas* in terms of the division of labour of public Roman officials in their relationship with the gods. Only writing could preserve this notion for a long time. This interpretation is supported by the results of MARY BEARD, who investigated the correlation between a (even if slight) decline of the priesthoods prestige and the increase of the epigraphical details.⁷⁹

The underlying text of the inscriptions, the *commentarii* of the Arvals, corresponds in its institutional place and in its form approximately to the *commentarius* of the Pontifex maximus mentioned before. The publication did not change form or content, but had a decisive influence on the pragmatics of the text. The formulation of individual or gentilician demands, the repetitive character, the

77 Thus SCHEID, *ibid.*

78 E.g. AA 59, II, 36–41; 94, III, 19–25; 95c SCHEID and *passim*: *ob ferrum inlatum et elatum sculpturae et scripturae ...* (or similiar).

79 BEARD 1985, 131 ff.

ritual character of acts were not only visible potentially, but were present in the ritual space itself. No menu lists can be found in the *Acta Arvalia*. The documentation was restricted to the presence in routine rituals and special occasions (*vota*) that demonstrated loyalty to the imperial dynasty. Why?

The cult of the Arvals has often been characterized in modern research by its archaic elements—the prohibition of iron, the incomprehensible archaic language of the *carmen Arvale*.⁸⁰ The epigraphical embellishment of the complex, which visibly extends back only until Augustan time⁸¹ and includes dates of the most recent past, that is, the previous year, does not fit into this image. What becomes visible, instead, is the affiliation with an (increasing) tradition. It is striking that the depth of documentation—except data and presence—even shifts from variable elements towards fixed elements of rituals. Extensive citing of prayer texts at various occasions (with corresponding combinations of gods and sacrificial animals) in the first century gave way in the long run to the more and more extensive and stereotypical description of ritual details in the third century. Along with these, one can even recognize more specific interests of selection. A closer investigation cannot ignore, e.g., the extensive mention of purification rites in the third century, an interest that could very well be related to other contemporary religious developments.⁸² The scriptural documentation—with mostly constant rituals—reveals here a shift from imperial-loyal towards theurgical performance—and increases it. The quality of the performance was stabilized by its public documentation. Marble letters guaranteed dignity. It was not fortuitous that a newly refounded, topographically marginalized priesthood produced the most impressive record of priestly activities.

7 Practice as theory, or: Intertextuality as increasing complexity

The cycle of ritual performance and documentation reveals a kind of application of script that does not indicate substitution of ritual, but its reinforcement. A simple alternative for the interweaving of text and the normalization of ritual or its theological meaning could not capture the relationship of performing and writing. Yet <theology>, a systematic reflection about religion,⁸³ cannot not be excluded for Roman religion.

The necessary background for comprehending M. Terentius Varro's *Antiquities of divine things* is a special kind of rationality, which has its roots in the enormous expansion of Rome.⁸⁴ In the third and second centuries B. C. Rome came into direct contact, primarily because of military conflict, with different cultures, among them many ancient ones that considered to be superior in various aspects, like the Punic

80 LATTE 1960, 65 f.; more detailed SCHEID 1997b.

81 The oldest inscription has fragments of the protocol of 21 B. C.: AA 1.1–4 Scheid = *CIL* 6.32338.

82 See P. BROWN 1988.

83 For the concept of <theology> see the contributions in STIETENCRON 1986, in particular GLADIGOW 1986, furthermore RÜPKE 2001b, 119 ff.

84 See MOATTI 1997.

culture, or those of the hellenistic successor states (including Egypt). Much more intense and immediate was the experience of hellenistic Greek culture. The Romans felt forced to take a position in this bigger world of the hellenistic Mediterranean and to define a place for themselves in relation to the others. In some areas this was not problematic.⁸⁵ Greek «art» as private home ornament became an arena of aristocratic prestige competition; theatre became a fixed part of Roman rituals, other literary genres became important ways of communication in the upper class symposium: the adaption and transformation of Greek knowledge had a high priority everywhere.⁸⁶ Greek philosophy (and similarly, rhetoric) was at first thought to be less attractive, as the expulsion of philosophers and orators in the second century B. C. demonstrates.⁸⁷ But rhetoric offered obvious advantages in the political arena, and philosophy achieved an universalization of rules and values—including Roman values –, that was not provided by Rome's own traditions, a universalization, however, necessary for the universally expanding Roman territorial control.⁸⁸

The pressure of rationality produced by Greek philosophy also applied to the practice of Roman religion—i. e. ritual practices of a society that already was under great internal pressure because of the political and social development of an exploding city state. Social change made traditions «liquid». The most important form of reaction to this «liquidation», this «de-solidifying» of one's own traditions, was the development of an «antiquarian literature».⁸⁹ Already existing practices in various public areas were collected and systematized in an initial manner. This process started in the second third of the second century B. C., but did not reach its climax until the first century B. C.: Varro is the culminating point.⁹⁰

Initially, such a literary undertaking appears as attempt to immobilize traditions of ritual performance, as it were, «scriptuality» as documentation. Yet, this «documentation» immediately brought about modifications of a different type: practices were interpreted genetically or by reference to other practices. Varro's *Antiquitates rerum divinarum* illustrate this approach, here in the fragment 111 of Cardauns, which is quoted by Augustinus in his *Civitas dei*⁹¹ and obviously formed part of Book 14 «About those deities whose functions could be ascertained», *De dis certis*:

Mulieri fetae post partum tres deos custodies (commemorat) adhiberi, ne Silvanus deus per noctem ingerediatur et vexet, eorumque custodum significandorum causa tres homines noctu circuire limina domus et primo limen secure ferire, postea pilo, tertio deverrere scopis, ut his datis culturae signis deus Silvanus prohibeatur intrare, quod neque arbores caeduntur ac putantur sine ferro, neque far conficitur sine pilo, neque fruges coacervantur sine scopis; ab his autem tribus rebus tres nuncupatos deos, Intercidonam a securis intercisione, Pylum a pilo, Deverram ab scopis, quibus diis custodibus contra vim dei Silvani feta conservaretur.

85 E. g. GRUEN 1990, 1992.

86 See RÜPKE 2000, 2001a.

87 Cf. JOCELYN 1977.

88 For this field, reception and assimilation of Greek positions are shown by GEHRKE 1996 (cf. GEHRKE 1985a).

89 A survey is given by E. RAWSON 1985, espec. 289–317.

90 For Varro as a theoretician of religion and antiquarian see JOCELYN 1980, 1983; LEHMANN 1997.

91 Aug. civ. 6.9, p. 263, 26 ff.

Three days after giving birth three custodian deities were called for the woman, in order to prevent the deity Silvanus from entering by night tormenting her. In order to signify these three custodians, by night three men surround the house and, first, beat the threshold with an axe, second with a pestle, and third sweep them with twigs. These indications of care were to prevent the deity Silvanus from entering, because trees could not be cut down without iron nor could flour be prepared without a pestle nor could crop be collected without twigs. From these three things the gods take their names: Intercidona ... Pilumnus ... Deverra ...

This text is taken as a description of a domestic ritual, which might have been in danger of being lost if Varro has not preserved it. That is how contemporaries read Varro⁹² and how he was later interpreted. But this interpretation ignores the literary context. The seemingly ethnographically documented ritual in its explicit rationality, its restriction to etymologically relevant details and the precise functional definition of gods is a construct for theological purposes: Every god known by name must be assigned a function. The reaction to the described change of traditions and the pressure for rationality continued. While Cicero concentrated on translating Greek philosophy into the Latin language and making it socially acceptable, Varro went further in justifying the traditional practices by developing a theory of the practice that gave it a theoretical status and therefore a higher dignity.

This ‹theory of practice› was the *theologia civilis*, the ‹civil theology›. It gave ‹theoretical› status to the ritual practices, which were in some need of philosophical-literary justification. In the background of the reception and adaption of Greek types of theology, theology of poets, theology of philosophers, theology of city founders, traditional practice became its own form of ‹theology› within a model that exactly supposed three kinds of theologies, *tria genera theologiae*.⁹³ Chance developments of middle Italian cult practice began to occupy a space that in the narrower sense had been assigned to the systematic religious legislation of Greek cities by Greek theories of political theology. Thus clutching to the *mos maiorum*, the Roman tradition achieved its legitimation within an universalistic horizon of Greek philosophy.

The majority of the fragments of Varro's *Antiquitates* are transmitted by a Christian theologian, Augustine. Like many other critics of traditional religiosity among the apologetics, the ‹advocates› of Christianity, Augustine does not focus his polemics on religion as actually practiced by his contemporaries, but on scriptural *representations* of these practices (and the interpretations provided). It might sound trivial, but this approach requires the non-trivial process of transmitting ritual practice into forms of writing. It is not enough to define culture as a system of signs,⁹⁴ as a text. Sometimes elements of culture actually have to be transformed into script. Certain types of discourses are only possible because of that. Reducing this discourse to a quarry of sources for individual facts, fails to take notice of this.

92 See Cic. *Acad. post.* 1.9: *Nam nos in nostra urbe peregrinantis errantisque tamquam hospites tui libri quasi domum reducerunt, ut possemus aliquando qui et ubi essemus agnoscere: ... tu sacrorum iura, tu sacerdotum, tu domesticam, tu bellicam disciplinam ... tu omnium divinarum humanarumque rerum nomina, genera, officia, causas aperuisti ...*

93 Cf. for different reconstructions LIEBERG 1982; Y. LEHMANN 1983. The term ‹theologia tripertita›, widely used nowadays, is not an ancient phrase.

94 See e. g. GEERTZ 1987, 46, for religion.

8 Summary and perspectives

Rituals and literature—that was the starting point—are equally legitimate subjects for the history of religions of Rome. It is a matter of different forms of communication, but forms that do not exist as an evolutionary replacement, nor as forms to be differentiated as compulsory and freely selected. Actual owners of *auspicia* were the ones to listen to Ennius' *Annales*, ambitious *pontifices* were those who knew about the records of the High Pontifex. Civil war generals read Varro and Livy or their sources, Italians loyal to Rome and the emperor admired calendars, ritual participants saw the Arval records. And the texts were composed for such persons, too—sometimes exclusively. Texts and rituals are mutual contexts for ritual performance as well as for the reception of texts, and go far beyond the intellectual attribution of sense or the conservation and transmission of knowledge. The pair of ritual and exegesis does not catch this connection sufficiently any more.

Communication about ritual—that is in historical matters, scriptural communication about ritual—is an inseparable part of ritual. As a consequence it is advisable to drop the term <ritual> for the investigation, which implies a normative, repeated structure of acts, being present independently of a concrete performance. The term <performance> by contrast opens up a perspective on the concrete realization, not only on the individual variants of acting but on the interpretations and individual motivations, too—individual orientations that inform ritual action as well as are informed by communication about ritual. It is not important that an act is repeated stereotypically, but that the performers or visitors know about this character or assume it respectively: *ritualization* instead of *ritual*. Only thus the quality of <ritual> is guaranteed for the dining pontifical committee, only thus the ritual quality of the Arval acts increases and gives more dignity to the acts. Thus the totally isolated spear-throwing of Octavianus can be a ritual, too. Text and ritual, performance and scriptuality, *acta* and *agenda* constitute interrelated systems, not alternatives.

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