

Submitted to the University of Chicago Religion and Culture Web Forum
January 2015

Critical Review: Brent Nongbri's *Before Religion: A History of a Modern Concept* (Yale University Press, 2013)

In his recent work on the emergence of the distinctly modern category of religion, Brent Nongbri argues against supposed “premature births” of religion in antiquity. These are moments in which scholars of antiquity have identified something like religion or potential antecedents to the modern category of religion emerging as distinct from the previously undifferentiated whole of ancient social and political life. Although Nongbri rightly emphasizes the discontinuity of these moments with the modern birth of the category of religion, the question still remains: if these moments were not forerunners to the modern category of religion, then how should we understand their importance both within the worlds in which they emerged, and more importantly, within the modern study of religion? By way of answering, this paper examines the case of ancient Rome in the so-called “age of Cicero.” I argue that although the intellectual proliferation during this time might not usefully be considered a historical antecedent to the category of religion, a dynamic set of concepts nonetheless emerged from a distinct discursive formation. Building on recent research in the field of “Roman religion,” I explore how these might provide a useful set of comparanda for analyzing the modern discursive formation from which the category of religion emerged. Yet, in doing so, I express my worry that too strong of a reassertion of the “modernity thesis” for the category of religion—as I think we get in Nongbri’s book—errs by way of overstatement, and ultimately serves to isolate and segregate, hindering the important work of comparison and redescription, which I find to be at the heart of his book.

Nongbri's book would be a useful contribution if for no other reason than, as he says, it provides coherence to a subject and a history that has emerged haphazardly and discontinuously.¹ Indeed, over the last quarter century scholars have proliferated studies that have exchanged one discourse on the "origins" of religion for another. Rather than focus on the primitive conditions under which humans began to act "religiously," the focus has been instead on from what period the concept of "religion" emerged as a way of organizing disparate human experience. One implication of such an emphasis is that the past "naturalness" of the term has been replaced (at least putatively) by an awareness of its contingent historical conditions, utter provinciality, and a desire to understand the processes by which it was naturalized in the first place.

Broadly, the consensus of these studies is that religion is a *modern* category. In this regard, Nongbri's book is merely part of a larger refrain among scholars: simply put, in the early modern period, in light of violent doctrinal rivalries among competing Christian groups in Europe coupled with the deluge of extra-European, non-Christian ethnographic data flowing back to the continent, "religion" was a discrete category that was usefully articulated to mitigate the social tensions and partition this data. Yet, Nongbri's iteration of this "modernity consensus" is specifically tuned to his proximate colleagues who study the Ancient Mediterranean world, some of whom have lately

¹ The standards are still: Asad, Talal, *Genealogies of Religion: Discipline and reasons of power in Christianity and Islam* (Johns Hopkins Press, 1993) and Smith, Jonathan Z., "Religion, Religions, Religious" in *Relating Religion: Essays in the Study of Religion* (University of Chicago Press, 2005), 179-196. Yet there have been other important variations on this theme (to name a few): Preus, J. Samuel, *Explaining Religion: Criticism and Theory from Bodin to Freud* (Scholars Press, 1996), Dubuisson, Daniel, *The Western Construction of Religion: Myths, Knowledge, and Ideology*. Trans. William Sayers (Johns Hopkins University Press, 2003 [1998]), Masuzawa, Tomoko, *The Invention of World Religions: Or, How European Universalism Was Preserved in the Language of Pluralism* (University of Chicago, 2012), Stroumsa, Guy, *A New Science: The Discovery of Religion in the Age of Reason* (Harvard University Press, 2010).

offered a number of challenges to such a consensus.² For the most part, these challenges from scholars of antiquity come from a sentiment that takes the historical dimensions of “religion” quite seriously. In other words, the realization of religion’s historical nature has invited some scholars to explore this historicization all the way down, or, all the way back, so to speak. Given this, it has seemed less clear to some that a history of this concept “begins” in the early modern period and should not be sought earlier. After all, the ancient world does provide a number of terms (not the least *religio*) and discourses (Christian heresiology) that inflect our modern vocabulary. Yet, for Nongbri, these terms in their ancient idioms seem to be more “verbal activities rather than conceptual activities” and although “ancients systematized” and had “concepts,” none of these, for Nongbri, amounted to a partitioning off of a “religious” zone from a “none religious” zone.³

It is Nongbri’s four cases of “prematurity” from Chapter 3 that interest me here insofar as these cases are meant to represent such challenges by scholars of antiquity.⁴ In particular, I focus here on Nongbri’s second case, which centers on Mary Beard’s reading of Cicero’s dialogue *On Divination*, in which she argues that divination had become in this text, for the first time, an object of discourse.⁵ For her, what is important in Cicero’s

² E.g. Beard, Mary, John North, and S.R.F Price, *Religions of Rome* v.1-2 (Cambridge University Press, 1998), Boyarin, Daniel, *Border Lines: The Partition of Judaeo-Christianity* (University of Pennsylvania Press, 2011). A pair of articles appeared in the February 2014 issue of *History of Religions* (Vol. 53, No.3) that dealt with the issue of “religion” in the Roman world that have been immensely helpful to me here: North, J.A., “The Limits of the ‘Religious’ in the Late Republic,” 225-245 and Rüpke, Jörg, “Historicizing Religion: Varro’s *Antiquitates* and History of Religion in the Late Roman Republic,” 246-268.

³ Nongbri, *Before Religion*, 2; 4.

⁴ These cases are careful assessments 1) of the term *Ioudaismos* from 2 Maccabees, 2) the three theological treatises of Cicero (*De natura deorum*, *De divinatione*, *De fato*), 3) Eusebius’s *Demonstratio evangelica*, and 4) the Qu’ran and early Islam. Each of Nongbri’s cases nicely balance the primary sources, the respective arguments made by scholars that read these as indicating a conception of “religion,” and his own arguments against such readings.

⁵ Beard, Mary “Cicero and Divination: The Formation of a Latin Discourse,” *Journal of Roman Studies*, 76 (1986), 33-46.

imagined dialogue with his brother Quintus is less the specifics of the arguments on the truth or falsity of divination, or, even less, the scholarly debates over what Cicero's "true" opinion was. Rather, it is significant that the subject of divination was itself considered a candidate for such deliberation in the first place. Further, in Beard's reading, Cicero's writings, when taken with those from the same period who were also writing specialist treatises on subjects like augury or reading entrails, appear indicative of a moment when " 'religion', as an activity and a subject, became clearly defined out of the traditional, undifferentiated, politico-religious amalgam of Roman public life."⁶

For Nongbri, the issue here is one of finding more precise terminology, since "religion" might invite confusion. He asks: how helpful is it to describe Cicero's discourse as "Roman religion," or better, in what sense can we say Cicero is "distilling" religion out of undifferentiated civic life of Rome? If we are using Nongbri's map, i.e., a delineation of religious/secular that designates discrete spheres of experience, then the answer is—not at all. Yet, toward developing a more robust vocabulary, I propose to shift the focus away from "religion" and instead on the designation of Roman society as theretofore "undifferentiated." This designation often gives the impression that the civic life of Rome was a fully and perpetually integrated affair prior to the first century. However, the Romans had a complex set of divisions that guided their relationship with their gods, and to these the intellectuals of the first century BCE were in part responding. And although frequently presented in the sources as ancient, traditional, and static, these divisions were subject to constant contestation and were elaborated under a wide range of topics. For example, at the level of law (*ius*), such matters as we might call "religious" were widely dispersed under other headings: the *ius divinum* denoted the gods' disposal

⁶ Beard, "Cicero and Divination," 46.

of their property (*sacra*), whereas the *ius publicum* recorded, at least in part, Roman rulings on cults and priests. Furthermore, the pontiffs also seem to have had their own set of regulations (*ius pontificale*).

Yet, the intellectual development of the Late Republic, specifically in the first century BCE, did reconfigure a great deal of traditional divisions and was primarily a response to the effects of empire. Internally, the Roman political landscape was growing more intense, ultimately culminating in the civil wars and, later, the collapse of the Republic. Concurrently, the territorial expansion of Rome, which can be understood as a major consequence of the ruling elites' internal vying for power, brought about the subjugation of many peoples with non-Roman forms of cult. With such varied and complex processes of change and the barrage of new information, cultic and otherwise, many areas of Roman life that had previously remained variously and/or tacitly defined became obtrusive, "liquid,"⁷ and in need of explanation in a more intensive and comprehensive manner. Roman intellectuals sought to make some sense of these. Particularly through Greek forms of knowledge and writing, the Romans undertook the literary task of collecting and collating their traditions and "carving out" a place for themselves in a world enlarged by their own imperial ambitions.

Yet to make sense of was not simply just to comment on already constituted knowledge and practice. In fact, there seems to have been no stable base of cult knowledge at Rome, and the texts produced by intellectuals and others during this time period were attempts to exert control over centuries of unsystematic accretion of knowledge and practice across various media. The acts of compiling and organizing were

⁷ I borrow this term from Jörg Rüpke's "Varro's *Tria Genera Theologiae*: Religious Thinking in the Late Republic," *Ordia Prima* 4 (2005), 107-129.

an intervention into sets of performative practices and priestly cataloguing that often operated relatively independently of one another. Further, the deracination of these differently situated knowledges and practices and their reconfiguration and recalibration in texts thereby created new and different specialized objects for second-order discourses.

Cicero's theological works are the fullest elaboration of the culmination of this process, but the fragments of Marcus Varro also give a different perspective. I will treat each in turn. Regarding the former, Nongbri is right to emphasize the holistic relationship of *On Divination* to the other related works of *On The Nature of the God* (*DND*), and *On Fate*. In fact, from the first line of *DND* Cicero announces a distinction that not only extends through his theological writings but also gives an initial sketch of the *religio Romanorum*, the cultic institutions of the city of Rome, as a discrete object of discourse. The first line of *DND* reads: "Not only are there many matters in philosophy heretofore not enough explained, but ... the investigation (*quaestio*) concerning the nature of the gods, which is necessary both for the most beautiful knowledge of the soul and for the regulation of religion (*ad moderandam religionem*), is also difficult and obscure" (1.1). Here the *quaestio* concerning the nature of the gods is set in a particular relationship with *religio*. The former, which is Cicero's main subject, involved questions appropriate for philosophers (e.g. what are the gods like, do they intervene in the world?). The latter refers to the traditional institutions of Roman cult. In *DND*, *religio* is set mostly into juxtaposition with such terms as *sanctitas* and *pietas*, but in the opening of book three Cicero sets *religio* in a superordinate position:⁸ "The religion of the Roman people (*populi Romani religio*) comprises ritual, auspices, to which is added a third item, that is,

⁸ For the use of *religio* in Cicero (and in the larger context of Latin literature) see Jörg Rüpke, "Religious Pluralism," in *The Oxford Handbook of Roman Studies* (Oxford University Press, 2012), 748-766.

whatever the interpreters of the Sibylline books or *haruspices* warn concerning foreknowledge on the basis of portents and omens...” (3.5). Although Cicero is less interested in elaborating this cultic aspect,⁹ the relation between investigating the nature of the gods and its potential consequences for the cult of the gods is significant.

Three points can be made briefly here regarding this relationship. The first is that inquiry concerning the nature of the gods is for Cicero easily classifiable as one of the many items of philosophical speculation, despite the fact that it is under-studied and rather opaque. Secondly, this relationship implies something of a substantive notion of *religio*, i.e., *religio* is something that can and must be moderated by philosophy. Nongbri is correct that *religio* was a term with a wide semantic range throughout antiquity, but here *religio* has been stabilized for the purpose of juxtaposition and to set Cicero’s main subject into relief. Finally, to even make the positive claim that philosophy and its traditional domain of human wisdom can be used to steer the civic institutions of Roman cult is to make an important distinction: it is to employ a category from one domain of knowledge and apply it to another domain quite different from it.

On Divination then—Cicero’s follow up to *DND*—approaches this relationship in order to “simplify and extend” (2.3) it. Specifically, it speaks to a particular case of how philosophical speculation can steer *religio* in matters of divination. The issue here is one of the *moderatio* of *religio* against *superstitio*. The moderating of *religio* refers here to keeping one’s sentiment and by extension practice confined properly to the realm of

⁹ Cotta’s comments are after all presented in the text as an excursus: At the end of book 2 as Balbus finishes his argument in defense of Stoic theology, his final appeal is that Cotta should reflect on the fact that he is not just an Academic but also a “leading citizen and a pontiff.” Thus, rather than using his Academic arsenal for “wicked and impious” ends, Cotta might put these towards assenting to the Stoic view. It is in the context of reflecting on this matter at the beginning of book 3 that Cotta’s comments emerge, but he then switches gears back to a skeptical philosophical critique of Stoic theology until the end of the dialogue.

scruple rather than to extreme degrees associated with *superstitio*.¹⁰ Cicero posits a difference between a realm for *religio* and improper *religio*, yet *religio* still operates here as a substantive concept. To quote Jörg Rüpke: “*Religio* is not a vague feeling ... or an ‘empty fear’ like *superstitio*, but something resulting from the acceptance of the gods as part of the social order, a human disposition, a habit, that finds its expression in corresponding rituals.”¹¹

If Cicero’s theological works are mainly concerned for the nature of the gods, it is in Marcus Terentius Varro’s *Antiquitates rerum divinarum* that the cultic institutions of Rome are rendered as an object of interest and subjected to sixteen tightly divided books.¹² Varro’s text organized a great deal of information on the colleges of priests, on sacred places, times, and objects—interestingly enough, saving the gods for last.¹³ These processes of articulation become evident in Varro’s taxonomy of the three theologies

¹⁰ At the end of book 2 of *On Divination*, as Cicero nears the end of his devastating critique of Stoic views of divination and having dispensed specifically with his critique of dream-divination, he turns to the pervasiveness and threat of *superstitio*: “Speaking frankly, *superstitio*, which is widespread among the nations, has taken advantage of human weakness to cast its spell over the mind of almost every man. This same view was stated in my treatise *On the Nature of the Gods*; and to prove the correctness of that view has been the chief aim of the present discussion.” For Cicero, *superstitio* is ever lurking in all those moments when human beings engage in practices that evoke the divine realm via divination: “It is with you when you listen to a prophet, or an omen; when you offer sacrifices or watch the flight of birds; when you consult an astrologer or a soothsayer; when it thunders or lightens or there is a bolt from on high; or when some so-called prodigy is born or is made.” Here then Cicero’s philosophical duty to the Roman people, to which he alludes at the beginning of book 2, is in part clarified, namely not only to uproot *superstitio* (*superstitionis stirpes omnes eligendae*) but also to spread *religio* (*religio propaganda*), which “is joined with knowledge of nature (2.148-149). Also one should note Cicero’s lingering anxiety—variously registered throughout *DND* and *On Divination*—that philosophical oversight has the possibility of being surgical in its extracting of superstitious elements, but, if not wielded with care, could also undermine the entire edifice of *religio*, namely belief in the gods. (See, for example, 2.8-9, where at the start of *On Divination* book 1 the character of Quintus reflects on possible ramifications of Cotta’s rebuke of Stoicism in *DND* book 3.)

¹¹ Rüpke, Jörg, “Religious Pluralism” 750-51.

¹² Unlike Cicero’s theological works, which are largely preserved, Varro’s *Antiquitates* is preserved only in the citations and polemic of Augustine’s *City of God*. This fact gives rise to a number of interpretive issues, although most scholars would agree that despite these something of the nature and dynamics of Varro’s work can be gleaned from Augustine’s work. The works cited throughout this paper on Varro contain various discussions of some of these interpretive issues.

¹³ Note that Cotta’s exposition of the *religio Romanorum* above does not specifically mention gods, only the institutions by which they are worshipped.

(*tria genera theologiae*). As Varro states: “There are three kinds of theologies...that is of account (*rationalis*), which explain things about the gods.”¹⁴ The first is that of myth, written by poets and performed on stages, on the salacious stories about gods. The second is that of the philosophers, engaged in something of the sort that Cicero did, investigating the nature of the gods. Finally, there is civic theology, which constitutes the totality of the cults of a city and everything thought necessary for the city to maintain proper ties with their gods. It is this last discourse that Varro highlights as the central subject of his work.

In fact, Varro’s whole taxonomy reconfigures the Ciceronian distinction between and priority of investigating the nature of the gods versus the cult offered to them. The books Varro wrote on divine matters (*res divinae*) were preceded by twenty-five books on human matters (*res humanae*). He placed the latter before the former because, for him, human communities (*civitates*) existed prior to things instituted by those communities—in other words the cultic institutions set up by Rome came after the establishment of Rome itself. As a counter-factual, we are told that if Varro’s subject had been “the whole nature of the gods” (*de omni natura deorum*) then he would have set the divine matters first. However, his interest was only in Rome, not the whole world, therefore he put the human first. Rather than follow *ex naturae formula* (like Cicero), Varro instead follows the formula instituted by Rome, which is quite ancient and already established. Varro holds then that there is a particular pattern and history of worship that is specifically Roman, a configuration that is representative of the city’s own contingent reactions to the gods—and itself deserves to be investigated.¹⁵

¹⁴ Cardauns Fr. 7; The fragments of Varro’s *Antiquitates rerum divinarum* have been collected and edited with commentary by Burkhard Cardauns in *M. Terentius Varro: Antiquitates rerum divinarum* (Franz Steiner Verlag, 1976).

¹⁵ Fr. 5

Varro, like Cicero, did not see the nature of the gods as the only legitimate object for philosophy. However, Varro implemented other Greek categories of thought to render the unsystematic centuries of Roman performance as an object that could be subjected to investigation. He employed *theologiae* as a theoretical tool. Now, to what extent this schema was Varro's own creation or an earlier product is debatable.¹⁶ But what is important here is how Varro used this triad of categories to set into relief Roman civic *religiones*. Varro marks off the dimensions of civic theology by relating the mythic and natural theologies: he points out that from both camps many things have been subsumed into civic use.¹⁷ Recent commentators have taken to calling his articulation of civic theology a "theory of practice."¹⁸ For in casting civic theology as a category that would contain the wealth of antiquarian information on Roman cult, Varro raised the profile of civic *religiones* in general to the status of theoretical respectability. Specifically, by using the de-localizing techniques of Hellenistic thought and its claims to universality, he asserted a place for civic cults within the wider Mediterranean world. In the Greek world a discourse on myth had long been subject to second-order interpretation of various kinds by philosophers. Here Varro has configured these two in such a way as to justify the intellectual respectability and conceptual intelligibility of the highly particular set of cults that would be peculiar to any given city—in this case Rome.

Returning to Nongbri, we can now set these considerations against a certain idea of the modernity of religion that controls Nongbri's analysis as well as the calibration of

¹⁶ See Rüpke 2004.

¹⁷ Fr. 11

¹⁸ Rüpke 2004 along with Ando, Clifford "The Ontology of Religious Institutions," *History of Religions* 50:1 (2010), 54-79.

his historical narrative.¹⁹ Religion is a modern category insofar as it coheres with a concomitant set of concepts that emerge from the contingent reactions of Europeans—intellectuals mostly—situated in a particular time and place toward their gods and cults. It is not just a modern category in so far as it becomes “reified” (pace W.C. Smith). Rather, religion is modern because of its specific articulation and relation to other concepts and terms that emerged simultaneously with it, and, through various contrastive logics, reinforced its distinctiveness and normativity. Specifically, Nongbri draws from Talal Asad in his interest in the emergence of religion and its “twin,” secularism.²⁰

If space permitted, I could elaborate further the dynamics of a Roman theological discourse, especially those concepts that began to emerge in the following century as the conceptual “others” to a normative notion of *religio*. For example, Seneca’s dialogue *On Superstition* seems to have developed a strong concept of *superstitio* such as was gestured toward in Cicero’s dialogue on divination.²¹ Elsewhere, Pliny the Elder offered in his *Natural History* a substantive attempt to understand “magic” (*magicae vantiates*), since he saw these as having coopted the “powers of religion” (*vires religionis*).²² Indeed, much like the formation that set into relief religion as a distinct notion in the modern period, *religio* was also intelligible based on its own contingent discursive formation.

¹⁹ In fact, the first four chapters of his history are a sustained argument as to why the ancient world should not be included in a history of the modern category of “religion” (except as post factum projections). It is only from chapter five onward that we begin to get an actual history of the category of “religion.”

²⁰ I take Randall Styers to have made a similar point with regard to “magic” in his book *Making Magic: Religion, Magic, and Science in the Modern World* (Oxford University Press, 2004).

²¹ For the depressingly sparse fragments see Augustine’s *City of God*, 6, 10-11. If we are to believe Augustine (a big if), then as opposed to Varro, Seneca had the “libertas” to criticize civic theology for its gross superstitious elements. Much like Varro criticized the mythic. Yet, both privileged the natural theology of philosophers in their critiques.

²² See *Natural History* 30.1-18.

Yet, if at least one response of early modern Europe to a newfound attention to cultural difference was the category of “religion,” what then did the Romans have? What do we call what Cicero, Varro, and others were doing? I have loosely called it “theology,” which has its benefits and drawbacks.²³ Both situations seem to be concerted cognitive responses to similar sorts of general social stimuli—internal factionalism, external imperialism, and the fragility of tradition—yet we seem to lack a second-order category with which the two discourses on “religion” might sit together. In other words, the issue with modern scholarship concerned with the emergence of the category of religion, as I see it, is not the search for “religion” prematurely conceived elsewhere. Instead, it is that scholars have not, in light of situating the emergence of “religion” as a particular product of the early modern period, generated a second-order category—an analytic genus or type, so to speak—within which this contingent discourse can be treated as one of a number of cultural and rhetorical species, or tokens, and placed alongside other attempts by other “religions” to articulate similar discourses on the more-than-human.²⁴

We will continue to get books like Nongbri’s that belabor the modern contingency of the category of religion, because despite the proliferating historical study on the early modern circumstances of this category, we have not thought much past what to do in light of this contingency. The therapeutic language to “own up” to the history of the terms of our discipline, various calls for reshuffling disciplinary boundaries and epithets in order

²³ “Theology” as applied to Roman material has the benefit of inciting thought on religious discourse beyond the largely orthopraxic categories (namely “ritual”) by which Roman religion is usually conceived. Yet, since the early modern period is often characterized as a move away from Christian theological forms of explanation toward philosophic, and later more “social scientific” forms, “theology” might not help much to clarify as a second order, analytic term.

²⁴ This sentiment is structured around a similar articulation by Clifford Ando made specifically in regard to Roman religion in his preface to *The Matter of the Gods: Religion and the Roman Empire* (University of California Press, 2008).

to resituate “Religious Studies,” or even playful questions such as “For what purpose might it be useful to understand X as a religion/religious?”—these speak to a genuine impasse. Too often the social and political circumstances of the 16th and 17th centuries (and beyond) are put forth for the purpose of deconstructing our modern methodological assumptions regarding religion. However, under what circumstances might the specific dynamics of this period regarding religion be usefully compared to non-western and non-modern dynamics of supernatural, more-than-human discourse and frame useful second-order categories for the sake of constructive study? Scholarly work on the contingency of the early modern period under which religion came to be a category continues in a useful and thoroughly historical manner, but it may ultimately result in positing irreconcilable difference and thus analytic isolation.

I find something akin to this in Nongbri’s reassertion of the modernity consensus, which injects a potentially unhelpful nominalism at the level of first-order analysis, threatens to (re)duplicate at the second, and ultimately stymies the work of redescription. At the linguistic level, Nongbri’s use of Wittgenstein attempts to exorcise the unarticulated “ghosts” of religion: i.e., to think of a people, in this case, the Romans, as having religion without a term “religion,” a concept without an *explicit* signifier is, for Nongbri, a non-starter. Yet, for all the care such an approach shows, it seems too strong when those moments of pre-modern theorizing, in which conceptual schemas were developed that seem to border on or overlap with the modern division of religious versus non, are dismissed as anachronisms almost by definition.²⁵ Such nominalism draws a hard line of difference between the pre-modern and modern periods, one that errs on the

²⁵ This is not to say that Nongbri’s description of backward projection in chapter 7 is not accurate as well as interesting.

side of making the ancients too foreign rather than too familiar. For Nongbri, other possible histories of “religion” are possible, but none that starts in the ancient world. Again, such a break makes it relatively easy to work forward in order to critique our current academic institutions, but leaves the ancient world to its wholly other, discontinuous projects of conceptualization. It seems to me that if one were to use Wittgenstein for a theoretical assist in such matters, his notion of “family resemblances” would seem better suited to this project.

Andrew Durdin
PhD Candidate, History of Religions
University of Chicago