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NEW PERSPECTIVES ON ANCIENT DIVINATION

Jörg Rüpke

1. Introduction

In summing up the numerous research trends of past and present divination,¹ a definition of divination might sound as follows:

Divination is a form of individual acting in situations of uncertainty which identifies and articulates consent and dissent by using certain social roles to interpret standardized signs and to ritually deal with them. In such a performance a specific appropriation of social roles and religious traditions is indicated.

Such a definition always stresses some points more than others. In this case, not institutions, but situations have been put to the fore. By these means, a reduction of uncertainty in face of important decisions was attempted: private decisions such as marriage or the building of a house; or in the public realm, the transfer of power or of offices to certain persons, the marking out of space for public buildings, or the ideal moment for the beginning of battle. Looking at the cognitive content of the methods employed, there are some discrepancies. Although some “theological oracles” characterize divinities and give clues as to the appropriate interaction with these, in most cases, we find an extreme reduction of decision possibility, in that the question is posed in such a way as to leave only “yes” or “no” as possible answers: to do or not to do, today or tomorrow, here or there, this one or that one, that was the question. In most cases, practical constraint or a previous elimination of other alternatives led to such a binary formulation of decision situations.

My own definition grew out of more complex procedures. Concerning African divination rituals, Victor Turner was able to show that these usually involved a large number of participants and bystanders, as well as having manifold communicative functions and consequences on the social structure within the community.² While looking at the form and function of late republican auspices, I realized that it was much less the contents than the participation in divinatory practices that signaled political options and thus played an important part in the complex processes of sounding out and negotiating political consent.³

In this article, I would like to continue along the methodological path mapped out by these considerations and concentrate on an element of the definition which

1 ANNUS 2010; BEARD 1986; BELAYCHE ET AL. 2005; BERCHMAN 1998; BURKERT 2005, 2011; CAQUOT/LEIBOVICI 1968a, b; CRYER 1994; DENYER 1985; ELM VON DER OSTEN 2006; GLADIGOW 1990; JAILLARD/WALDNER 2005; JOHNSTON/STRUCK 2005; KROSTENKO 2000; LLOYD 1999; NORTH 1990; SHAW 1996; SMITH 1991; VERNANT 1974.

2 TURNER 1975; TURNER 1968; see also PEEK 1991.

3 RÜPKE 2005.

is easily overlooked in a cognitive and communicative context of divination, an element that is marked by terms such as “ritual generation” and “appropriation of religious traditions”.⁴ Therefore I focus on the interplay between institutions and individuals in specific situations beyond structuralist aspects. In doing so, I will turn to anthropological research concerning rituals.

2. Ritual

The basic problem in employing anthropological ritual theory lies in its focus on complex action sequences that can be ethnologically observed and described. Such an approach focuses strongly on participants, context, and performance. As classicists, we, however, only deal with mediated fragments of such rituals, or with secondary representations of these. Bearing these restrictions in mind, I would like to quote a ritual definition by Roy Rappaport:

I will argue that the performance of more or less invariant sequences of formal acts and utterances not entirely encoded by the performers logically entails the establishment of convention, the sealing of social contract, the construction of the integrated conventional orders we shall call *Logoi* (...), the investment of whatever it encodes with morality, the construction of time and eternity; the representation of a paradigm of creation, the generation of the concept of the sacred and the sanctification of conventional order, the generation of theories of the occult, the evocation of numinous experience, the awareness of the divine, the grasp of the holy, and the construction of orders of meaning transcending the semantic.⁵

This is, of course, only the beginning of a definition, to which the author appends the program of his study. His words are infinitely helpful to me, however, to shed light on the social and cognitive implications of rituals, and to pose the question of influence of these implications on divinatory rituals. I will therefore stress some – I would say: the major – elements of the just given definition of the late anthropologist Rappaport.

2.1 Standardization

When looking with the mainstream of ritual anthropology for an answer to the question of what differentiates ritual from everyday action, stereotyping of action is regularly named as the central marker. That is, the awareness that an action in a certain form without regard to situation, persons, or ends, must take on a defined form that marks the action out as ‘ritual’. More recent ritual research goes beyond the classic definition. Walter Burkert speaks of ritual “in the sense of stable action programs which are marked out by repetition and hyperbole, and which are less of practical, but of communicative function.”⁶ Such a definition may as well – as has been Burkert’s aim – be applied to pre-human behavior. In employing the term

4 The term “appropriation” is taken from CERTEAU 2007; see also FÜSSEL 2006.

5 RAPPAPORT 1999, 27.

6 BURKERT 1998, 35.

“ritualization”, recent ritual research is rather focusing on the fact that agents are aware of the special status of their actions.⁷ Standardization, therefore, is less an objective circumstance of endlessly repeated actions, than a consciousness of the invariance of action sequences. Minimal changes in performance are not excluded. Furthermore, one-time acts can also legitimately be termed ‘ritual’.

2.2 Tradition

While Rappaport is speaking of a limited availability in the constitution of rituals, I would like to add to this thought the notion of being traditional. For it is precisely the notion of unavailability which plays a major part in the legitimacy of religion, even though experts or smaller groups do make alterations to rituals, which is why “invented tradition” is much closer to the mark than “tradition”. In concentrating on the few flexible elements of the ritual – which may be the text of a prayer, the form in which a divine answer is supposedly given, or the choice of participants in a ritual – the agents submit to the legitimacy and efficiency of traditional forms. To this may be added the strategic aspect of ritualization, the central element of the term: “Ritualization is a way of acting that is designed and orchestrated to distinguish and privilege what is being done in comparison to other, usually more quotidian, activities.”⁸

2.3 Authority

The following element, the “social contract”, allows us to deepen the implication of ritual action as defined so far. Again with Californian ritual specialist Catherine M. Bell, I take my point of departure from the dilemma into which the traditional character of ritual puts the agent. The desired efficiency achieved by standardization robs the ritual of a flexibility which might enable it to deal with specific problems in a precise and comprehensive way: “Often a looser style of speaking must be recognized in order to actually work out real problems, even though its authority is far less than that of the tighter code of formalized speech. Hence, as a strategy of social control, formalization promotes a fairly powerful but constrained voice of authority, one that must in turn delegate authority to lesser voices”.⁹ In other words: Only some, and only secondary, ritual elements or even agents and interpretations outside the ritual provide the necessary specification, e.g. the potter who forms the body part votive, the father who explains the prayer formula with respect to the *gens* and its traditions. Ritualization, then, is a strategy within a tight framework.

7 See BELL 1992, 7; HUMPHREY/LAIDLAW 1994.

8 BELL 1992, 74.

9 BELL 1992, 121.

2.4 Morality

The special quality of ritualized action, which is defined by its own traditions, is not restricted to itself. Any ritual communicates a normative element which goes beyond the instance in which it is performed: In participating in a ritual – this, at least, is a fundamental decision preceding any distinct performative variation¹⁰ – the agent gives in to the ritual and accepts its results. Once the question is posed, I can no longer ignore the divinatory reply. The availability of ritual authority which asserts the normative character of the ritual is a model for social authority and the establishment of social norms which is to be made clear to every member of the community.¹¹

2.5 Cosmology

The concept of *logoi*, which Rappaport extensively explains to his readers, need not be spelled out within the context of Religious Studies.¹² We are dealing with cognitive, intercultural implications and correlations of ritual action. It is best explained by employing once more Marcel Mauss' theory of gift-giving: Any gift defines the person it is given to.¹³ The gendered construction of ancient divinities by gender-specific votives, or colour-coding – white for celestial, red for fire gods – are other good examples.¹⁴ Permanently addressing an entity that is not present during the ritual makes its attendance plausible to the audience, although answers may only be given intermediately. Such an assumption in its turn makes ritual action plausible; *action* and *belief* cannot be separated, they rather strengthen one another. Thomas Lawson, scholar of cognitive sciences, speaks of the plausibilization of “counter intuitive agents” (CI agents), and differentiates the effects of different types of ritual. Specifically, he mentions repeatable rituals in which the CIA is directly addressed via instruments, and those in which the CIA is referred to a human patient – in initiations, for example – and which are therefore not repeatable.¹⁵

2.6 Time

Of Rappaport's numerous keywords, I would like to make mention of only more: time. Although any ritual action is always a passing thing and strictly defined with regard to time, due to the repetitive nature of the action and its supposed execution, it becomes fixed, is eternalized. The speed of the ritual is actually quite high, in that it co-ordinates different movements and social agents in a very brief space

10 RAPPAPORT 1999, 36.

11 RAPPAPORT 1999, 132–138.

12 Cf. RAPPAPORT 1999, 344 ff.

13 MAUSS 1925.

14 RÜPKE 2007, 149–150.

15 LAWSON 2006, 314.

of time, being thus clearly marked out from any other, “normal” action. Spatial identity of the repetition, for example oracle sites, as well as its medial representation in reliefs, paintings, or coins, underline the timelessness and externalization of the performed ritual action.

In summing up my explanations and expansion of Rappaport’s program, one can say that ritual creates stereotypes despite unavoidable variations in specific performances. This statement is true even in view of the actual gestures and actions the ritual is made up of, and which themselves are taken from a stock repertoire of normal, changing everyday actions. What the ritual creates are paradigmatic “conventions”, thus not only providing foundation for itself, but also supplying social, even sub-cultural contexts.¹⁶

2.7 Ritual Variants

The anthropologist Stanley J. Tambiah, who focuses his studies on South-East Asia, goes beyond Rappaport in one important aspect.¹⁷ Concerning contents, and not only the formal characteristics of rituals, he points to the communicative function of ritual action and its indexicality, their going beyond ritual and social circumstances. In such a perspective, deviations in performance add meaning to the ritual. First of all, one must accept that redundancy as much as inaccuracy – as is always the case in any kind of communication – were readily accepted. Rituals or separate ritual sequences were for the most part not performed by religious specialists. It is the intensity of the ritual communication which strengthened the community; it is the indexicality which bound the ritual to non-ritual communication and the social context. This, however, leads anew to the fact that rituals were part of strategic action.¹⁸ By creating rituals, by interrupting everyday life with ritual actions, the ritual agent can create authority and draw clear lines, spatial, temporal, and social.

In this context, individuality in divinatory ritual and the ritual context that is particular to it, take on a new meaning. In a flexible reality in which facts are just as easily changed as social positions, ritual becomes much more flexible and thus much more adequate to social reality. Such a conclusion has, of course, far-reaching consequences concerning the entire religious system. In going forward, I draw on the findings which Richard Gordon made in regard to ancient magic:

... to create an appropriate spell for the purpose he [the practitioner] had to analyse the situation and choose ‘proper’ ingredients, that is, those which were already associated in one way or another with the task as he understood it. Part of the practitioner’s expertise, and much of his scope for acquiring a reputation with which to attract clients, lay precisely in this freedom to innovate within the constraints of the tradition within which he worked ... Constant slight innovation was one of the major means by which the arbitrariness of the magical system as a whole was veiled from its practitioners.¹⁹

16 Cf. RAPPAPORT 1999, 126.

17 TAMBIAH 1985; KREINATH 2006, 463.

18 Cf. Bell 1992, 43–44 on BELL’s criticism on TAMBIAH.

These conclusions can easily be transferred to religious ritual and especially divination, even showing that there should really not be unbridgeable conceptual gaps between magic and religion.²⁰ For ritual includes the possibility for, and the tolerance of, variation, which allows for repetitions, for finding and rectifying mistakes in the communication with the gods, and for experimenting. In this way, a strictly empirical access to religious practice is excluded, which would control divine effects in a rigorous system of trial and error, i.e. in strict reproduction.

3. Divination in Rome

Let me briefly sketch divination at a particular place, in Rome, in order to demonstrate the perspectives opened up by the anthropological analysis of ritual.

Taking the auspices (*auspicia*)²¹ was basically the prerogative and activity (*auspicium*) of magistrates, figures of authority. Private auspicy existed but did not concern the public, except when a limited number of standardized signs conferred a short-term immunity from the draft.²² Consuls and praetors had to ask Iuppiter for his consent before any major activity. The divinatory ritual was clearly related to a theological world view and the mighty cosmological figure of Iuppiter. The lack of his visible presence was compensated by conceptualizing birds as “messengers of Iuppiter”.²³ Iuppiter’s consent was valid for that day only. If the activity could not be completed on the same day or consent was not given, the divinatory procedure would have to be repeated another day – time is one of the most important elements in Roman divination even before the ascent of astrology extolled the temporal dimension of divinatory practices. In Rome, the normal procedure was for the magistrate to rise before dawn, choose a place for the observation (*spectio*), and wait for a sign. The ritual definition of his field of observation, called a *templum*, while usual for auspication in daylight, was probably not performed for observations in the dark. Apart from traditional positive or negative signs, which permitted or forbade action, the magistrate himself could define signs that he would consider positive, probably auditive rather than visual signs. This possibility to make variations to the ritual underlined the authority of the individual actor without destroying the highly standardized procedure. Once the aural signs had been received (or lightning seen, which conveyed a strong prohibition), the *spectio* was finished, and the action the magistrate intended could be tackled.²⁴

This divinatory system legitimized the use of power in a piecemeal fashion. Legitimacy was given on a daily basis only. A general, who had taken the auspices

19 GORDON 2007, 128.

20 Cf. OTTO 2011.

21 For all factual information see LINDBERSKI 1986; VAAHTERA 2001; BELAYCHIE et al. 2005.

22 Gell. 16.4.4; RÜPKE 1990, 69.

23 E.g. Cic. *leg.* 2.20.

24 VAAHTERA 2001, 115–6 stresses the aural nature of these signs.

(after his election as a magistrate) upon entering office, on the day of his departure from Rome, upon crossing rivers, and on many other occasions, also had to repeat the procedure on the morning he proposed to fight a battle. The procedure could be enormously simplified. Generals in the field did not get up after midnight to watch for signs, but had chickens carried around in cages. To take the auspices before battle, generals ordered the chicken keeper (*pullarius*) to feed them and observe how they ate and whether their eating was greedy, which was the best sign.²⁵ The limitations of time and the necessity of renewed legitimation remained. Stories about generals' neglect of the auspices resulting in military catastrophes – Flamininus' defeat at the Lake Trasimene, for example²⁶ – drove home the same point. Coins bearing augural symbols, in particular the augural crozier (*lituus*), also stressed the importance of augural procedure by representing the ritual far beyond the place of augury.

The validity of the system was strengthened by an awkward form of individual appropriation. The *obnuntiatio*, the observation and announcement of adverse signs, was possible. Such augural protests were often debated and even neglected, but the system worked and even intensified into the very late republic.²⁷ Claims easily conflicted. Because the rituals and their outcomes were not visible, utterances counted, not verifiable observations. Auspicy ritual thus offered the possibility to make mistakes which could be identified by others, especially augurs. Adverse signs could be announced by any magistrate until the *comitia* were convened (*obnuntiare*), leading directly to the adjourning of proceedings. Once the assembly was in progress, only augurs had a further right of interruption and adjournment (a point which is, however, debated in recent scholarship). From what we know, this circumstance applied in the late republic exclusively to elections; legislating assemblies were not interrupted, even if signs were announced to the magistrate.

The frequent disregard of the announcement of adverse signs in processes of lawgiving might be interpreted within the framework of different types of negotiations, again drawing on models of international relationships. Thus, the quotation of prohibiting signs could be regarded as a form of opting out of decisional processes. By such procedures, consent and dissent among the relevant figures was measured and articulated in a very precise way.

Religious legitimizing went further. Public votes involved the drawing of lots in certain stages, that is divine intervention by lot to determine the sequence of the voting units. Other public actions relied on the lot, for example the assignment of provinces to magistrates and promagistrates.²⁸ It is obvious to us, and it was obvious to the Romans, that many procedures such as casting lots were open to manipulation, and accusations of manipulation were sure to spark controversy and

25 The *tripudium solistimum*, e.g. Liv. 10.40.4.

26 Cic. *div* 1.77.

27 LINDERSKI 1995b; LIBERO 1992.

28 STEWART 1998; cf. LINDERSKI 1995a, 467; contra ROSENSTEIN 1995.

debate. Thus, their functioning could not be guaranteed by technical procedures but only by the undeniable involvement of the gods, who were even more aware of fictitious signs than contemporary humans. The gods alone were able to ensure effective legitimizing by such procedures. To be able to do so, they had to be intensely present, to be talked about, and represented by frequent ritual.

Involving the gods in public matters was not restricted to magistrates. The gods could send *signa* (signs) to anybody. Private *omina* (omens) were taken seriously even by public institutions, for example in the context of military conscriptions as demonstrated before. A more difficult problem was presented by the private observation of signs that might be of public importance. Romans were taught how such a conflict ought to be resolved in the Roman way – not by a myth but by an episode from the republic's early history preserved by Livy.²⁹ The gods warned of a ritual fault in the Roman games by sending a dream to an ordinary citizen, Titus Latinius. His reluctance to risk being held up to ridicule by telling the magistrate about his dream caused the gods to send a massive warning to do so, the death of his son within a few days. However, only after another dream and another warning in form of a sickness that befell Latinius himself did he venture to approach the consul. The moral dimension of the ritual communication was clearly driven home in such a narrative. Of course, Latinius' message was taken seriously. The message to the senate was verified by a miracle, and the games were splendidly repeated (2.37.1). Such a repetition to expiate ritual faults was called *instauratio*. Again, rituals that were imagined as stereotyped, thus claiming to be fully traditional, were at the same time defined by situations, were validated by communication about rituals.

The Romans dealt with the broad spectrum of obtrusive, oblativ signs related to public life under the heading of *prodigia* (prodigies).³⁰ These prodigies could be observed by anyone but had to be reported to a magistrate who would present them to the senate for discussion. The senate either made its decision directly or brought the priesthoods in for interpretation and recommendation concerning expiation. Private initiative, hence, caused senatorial reaction. Within the diffused religious authority of the Roman aristocracy the senate held a central place and a position of control.

The procedure was frequent and routine. But again, variants, ensuring the situational appropriation of the ritual, were allowed. For very special or new cases, the Sibylline books, a collection of oracles written in Greek, were consulted. For that purpose a small commission of two men was set up, the *duoviri sacris faciundis*, who slowly evolved into a priesthood second only to augurs and pontiffs. The *decemviri* chose a fitting oracle and interpreted it in response to a *prodigium*. Their hallmark was the introduction of new cults, gods, and rituals from the Greek world. Thus, they formed an element of organized innovation

29 Livy 2.36.1–8. The story is retold in central position by Valerius Maximus (1.7.4).

30 Important observations have been made by BLOCH 1963; ENGELS 2005; GLADIGOW 1979; KAPPIUS 1772; LUTERBACHER 1967; MACBAIN 1982; ROSENBERGER 1998, 2005; RÜPKE 1993.

within the senatorial system. Occasionally the senate called upon *haruspices*, Etruscan specialists in divination, particularly extispicy, the examination of the entrails of sacrificial victims. Thus when the senate ordered it, foreign wisdom, individual experts from outside, could confer legitimacy.

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Divination with its permanent necessity to adapt to specific situations demonstrates more clearly than many other types of rituals the flexibility of the interplay of tradition and appropriation, of institution and individual.

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