

CHAPTER I

ROOTING IN: WHY GIVE TIME TO SACRED
TREES?

In summer 2011, *Private Eye* featured in their ‘Funny Old World’ column a letter written by one Radnor the Wise. He had sent this letter to the *Surrey Advertiser*, in an attempt to address local concern about the Wiccan practice of draping a sacred tree in underwear.

Some of your readers may be aware of the recent discovery of a tree in the Hurtwood forest, which was found to be covered in black underwear (both men’s and women’s panties, briefs, bras and ladies’ stockings), and reported in the local Peaslake parish magazine. As a practising Wicca (with the ceremonial title of High Witch), I can confirm that there is nothing sinister in this practice, and users of the Hurtwood forest should have no fear. The decoration of sacred trees is a feature of our religion, and represents our faith in the virility and generosity of mother nature. The tree-dressing ceremony is conducted very early during an icy spring morning, and is followed by a tactile exploration of rebirth, rejuvenation and renewal which is the highlight of the Coven’s annual calendar. A similar ceremony is held at Harvest time, followed by our annual barbecue and quiz night. I hope this ceremony shows how religion, fashion, feminism, and ecology can work harmoniously together in the modern day.¹

Radnor is at pains to emphasise the intellectual sophistication and relevance of the tree-dressing practice, enacting as it does the potential intersection of religion, fashion, feminism and ecology in modern culture. He also takes care to frame sacred trees within the recognisably normal: what could be ‘sinister’ about anything followed by a barbecue and quiz night, that staple of Anglican social life and no doubt often advertised in the Peaslake parish magazine? Yet Radnor is fighting a losing battle here. For there is *nothing* sophisticated about sacred trees in the public imagination. To the contrary, sacred trees almost always find themselves stereotyped as the preserve of the weird and deluded, something very much marginal to the concerns of mainstream society.² For most

¹ *Private Eye* no. 1295 (19 August–1 September 2011): 15.

² These stereotypes persist despite increasing public concern in the UK for our arboreal heritage and future: consider the recent outrage over government proposals to sell land

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people today, ‘Funny Old World’ is simply the only appropriate kind of space for giving any thought to sacred trees.

I begin with Radnor to emphasise how the urge to publish his letter in ‘Funny Old World’ stifles our intellectual openness to the idea of sacred trees. Be it a Wiccan sacred tree in a Surrey forest, the world-ash Yggdrasil with its central role in Norse mythology or the Bodhi Tree, an offshoot of the fig under which the Buddha is said to have reached enlightenment, our assumptions about the *weirdness* of sacred trees hamper our ability to engage seriously with their significance in any given culture. Indeed for students of the Roman world – the focus of this book – it is not only images of neo-pagans hanging bras on trees which might prejudice our approach to sacred trees. The figure of Sir James Frazer and his multi-volume *Golden Bough* loom large in the classicist’s imagination, the very idea of sacred trees tainted by association with the scholar whom a recent biographer has branded an ‘embarrassment’ to the academic community.³ As one of the most notorious of the nineteenth- and early twentieth-century academics who employed comparativist methods to understand ‘primitive religion’ – and held up sacred trees for the rich insights they provided into such primitive thinking – Frazer represents a type of scholarship on which current classicists have firmly turned their backs. The prominent role of sacred trees in this now discredited scholarship has blackened their reputation today, meaning that any scholar of Roman religion giving time to such trees runs the risk of being typecast as a Radnor of the academic world.

Yet for scholars of Roman religion to act on this instinct to steer clear of sacred trees is, I believe, a guaranteed way to impoverish our understanding of Roman religion. For it is the foundational claim of my book that trees provoked the inhabitants of the Roman world into grappling with challenging theological questions that took them to the heart of their understanding of where they stood

owned by the Forestry Commission (over half a million signed the Save Our Forests petition) or the Trees for Cities campaign (www.treesforcities.org). Lewis 1999: 291–292 provides a brief survey of the significance of trees in neo-pagan movements. Harvey 1997: 25–32 draws out the role of trees and tree-lore in modern Druidry, and later discusses how neo-pagan practices encourage the exploration and expression of ecological concerns (131–138).

³ Ackerman 1987: 1.

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in relation to the divine. Yet before we can explore this claim further a basic question needs to be answered: what do I *mean* by a Roman ‘sacred tree’?

What is a sacred tree?

My answer offers a loose definition which has little to do with the sacred tree in the popular imagination. For me, a Roman sacred tree is any tree which intersects with Roman religious thought and practice. Sometimes such trees are easy to spot: the famous *ficus Ruminalis* in the Roman forum is, Pliny the Elder tells us, considered *sacra* (sacred; *Nat.* 15.77). Yet the vast majority of Roman sacred trees are not ‘labelled’ in this way. When we see inhabitants of Lydia inscribing prayers of confession to Zeus of the Twin Oaks, the Arval priesthood sacrificing for the sake of pruning their grove or Augustus transplanting a palm so that it stands alongside the *penates* in his *conpluvium*, in all these cases we stand in the presence of what I will be considering sacred trees. Roman sacred trees were everywhere and there can be no hard and fast rules for identifying one, nor can we expect agreement within the Roman world as to whether a particular tree was sacred or not. Indeed my understanding of Roman sacred trees presupposes a very flexible model of sacrality, the like of which are influential in some contemporary theoretical approaches to the study of religion. Bell, for example, defines the sacrality of an object as ‘the way in which the object is more than the mere sum of its parts and points to something beyond itself’.⁴ To many contemporary scholars of religion there might seem little controversial in taking a similar kind of broad-brushstroke approach to what makes a tree sacred in Roman culture, yet within scholarship on Roman religion this is a far from standard approach. For to date, scholars of Roman religion have relied on a one-size-fits-all model of Roman sacrality.

The official line is that objects become sacred by being dedicated or consecrated to a god, a process which must be performed by a Roman magistrate and take place within Roman

⁴ Bell 1997: 157. Smith 1982: 55 also reflects this idea that what is significant about a sacred object is not the object itself, arguing that ‘there is nothing that is sacred in itself, only things sacred in relation’.

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territory.⁵ Roman sacrality thus boils down to a transfer of property to the divine, making the object inviolable. This view has been repeated *ad nauseam*, with ideas expressed by Wissowa in 1912 still being regurgitated a hundred years later.

So erfolgt die Überweisung durch den Akt der Dedication, durch den sich der Verpflichtete des Eigentumsrechtes an der gelobten Sache entäußert und sie an die Gottheit aufläßt.⁶

The sacred was not a ‘magic force’ placed in an object, but simply a juridical quality possessed by that object. Like all public or private property, the property of the gods was inviolable, the more so because its owners were terribly superior to men and their vengeance was inexorable.⁷

The Latin word *sacer* of course means ‘holy’; but is derived from the terminology relating to ownership ... Votive offerings, or statues, could be consecrated ... and thus legally conveyed into the possession of the divinity.⁸

By dedicating an object, one ceased to own it; and by transferring it into the sphere of divine law, one invested it with godly power, transforming its very nature and turning it into a *res sacra*, with important implications for its juridical status.⁹

By contrast, the argument continues, objects dedicated by private individuals were not legally sacred.¹⁰ Rather they had ‘an ambiguous status’, as Galvao-Sobrinho puts it, for whilst ‘they may have been juristically profane ... they were not deprived of religious force’.¹¹ Also left in limbo were objects consecrated by a Roman magistrate in Italy, but not in Roman territory itself, and thus considered quasi-sacred.¹² As their legalistic language signals – and as they themselves openly admit – these scholars’ construction of Roman sacrality is tightly modelled on definitions of the word

⁵ I follow Nisbet 1939: 209–212, Bodel 2009: 21–22 and Galvao-Sobrinho 2009: 131 and 156 in emphasising that Roman authors often used *dedicare* (to dedicate) and *consecrare* (to consecrate) interchangeably (e.g. Fest. 321M). Scheid 2003a: 24 and 64–66 discusses consecration regulations and conceptual changes in what counted as Roman territory after the Social War. Orlin 1996: 162–172 analyses evidence for how dedications were legally authorised (Liv. 9.46.6–7; Cic. Att. 4.2.3; Cic. Dom. 127–130).

⁶ Wissowa 1912: 385.

⁷ Scheid 2003a: 24.

⁸ Rüpke 2007: 8.

⁹ Galvao-Sobrinho 2009: 131. For further reiterations of the orthodoxy see Gall 1975: 39; Schilling 1979: 49; Dubourdieu and Scheid 2000: 60.

¹⁰ Wissowa 1912: 385; Nisbet 1939: 210; Scheid 2003a: 64; Bodel 2009: 22.

¹¹ Galvao-Sobrinho 2009: 151.

¹² Scheid 2003a: 64 and Lambrinoudakis 2005: 304 note the use of the legal term *pro sacro* (quasi-sacred) in this context.

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sacer found in the Roman jurists, like that of Aelius Gallus, as quoted by Festus:

Gallus Aelius ait sacrum esse quocumque modo atque instituto civitatis consecratum sit, sive aedis, sive ara, sive signum, sive locus, sive pecunia, sive quid aliud, quod dis dedicatum atque consecratum sit: quod autem privati suae religionis causa aliquod earum rerum deo dedicent, id pontifices Romanos non existimare sacrum. (Fest. 424L)

Aelius Gallus says that something consecrated in whatever way and by a mandate of the state is sacred, whether a temple, altar, statue, place, property, or any other thing which is dedicated and consecrated to the gods: but any of those things which private individuals dedicate to a god for their own religious observance, that the Roman pontiffs do not consider sacred.¹³

Paramount authority is given to this one adjective *sacer* (as defined in the jurists) in scholarly accounts of what it means for something to be sacred in Roman culture.¹⁴

Yet when engaging with Roman conceptions of the natural world, this legalistic model of sacrality falls short. After all, Ovid can call a lake *sacer* with no hint of a suggestion that it had been consecrated by a Roman magistrate (*Fast.* 3.264). In response, scholars have drawn a distinction between objects formally transferred to the gods' possession through consecration, and natural objects or

¹³ In quoting this text, scholars are of course ignoring the fact that its very existence suggests that 'popular' thinking about what made something sacred was rather different. Justinian (*Dig.* 1.8.6) and Gaius (*Inst.* 2.5) are also frequently cited. For open scholarly reliance on the jurists see e.g. Schilling 1979: 49, Scheid 2003a: 24 and Rives 2012: 166. Smith 2004: 105 discusses how the work of Durkheim has also given impetus to the understanding that 'the structure of property and the structure of sacrality are parallel'.

¹⁴ Within the jurists' texts, definitions of *sacer* often feature within wider discussions of objects or places whose status is of religious significance in Roman culture: *res sanctae* and *res religiosae* are also defined, with *res profanae* sometimes forming an additional category. See Dumézil 1970: 130–131 and Rives 2012: 166–169 for discussion of this tripartite or tetrapartite division. Following this format, some modern 'textbooks' on Roman religion also provide an overview – alongside discussion of *sacer* – of the terms *sanctus* ('anything which it was a religious offence to violate'), *religiosus* ('objects or places marked by death'; 'places left to the *di manes*') and *profanus* ('anything not sacred'), to borrow definitions from Scheid 2003a: 25. Cf. Dumézil 1970: 129–133; Schilling 1979: 49–50; Rüpke 2007: 8–9. By replicating the categorising tendencies of the jurists in this way scholars reinforce the implication running throughout their discussion that Roman sacrality can be neatly pinned down, although strictly speaking it is only *sacer* which they understand to indicate what 'being sacred' meant in Roman culture. Fugier 1963 provides a very rare example of engagement with the adjective *sacer* which is not purely derivative of the jurists, dividing it into multiple categories: '*sacer* = cultuel, rituel', '*sacer* = qui est consacré', '*sacer* = numineux', '*sacer* = magique'.

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spaces, which, it is argued, were understood to be the possession of the gods automatically: trees and wooded spaces play a prominent role in this latter category, alongside rivers, lakes, hills and fields.¹⁵ This leads to broader definitions of Roman sacrality than those encountered so far, characterised by a ‘distinction between the sacred as defined by human authority and the sacred as more or less spontaneously perceived’.¹⁶ Yet, at the same time, this distinction is downplayed by reusing the language of consecration to elucidate what makes natural phenomena sacred. To use Bodel’s words:

Natural phenomena (rivers, trees, meteorites, etc.) were regularly regarded as consecrated (*pro sacro*) without formal dedication by a human agent.¹⁷ Many natural settings were thought of as having been claimed directly by the gods and thus, in a sense ‘auto-consecrated’.¹⁸

In short, whether dealing with a sacred statue or a sacred lake, the orthodox scholarly position insists that their sacrality depended on their being understood as in some way consecrated to, and hence the property of, a particular deity. As for explaining *why* Roman thinkers might have understood lakes or trees or mountains to be automatically consecrated to the gods, no reasons are given beyond gestures to a ‘divine presence’ or their numinous quality.¹⁹ Turcan, for example, thus breezes through his explanation of what makes a forest sacred: ‘The forest belonged to the gods. To the ancients it gave that frisson of the supernatural.’²⁰

¹⁵ See e.g. Gall 1975: 54–55; Scheid 2003a: 73–74; Bodel 2009: 22.

¹⁶ Rives 2012: 165. Dumézil 1970: 130 also argues that ‘*sacer* describes that which is reserved and kept apart for the gods, whether by nature or by human agency’.

¹⁷ Bodel 2009: 22. On the blurring of this distinction cf. Sabbatucci 1952: 91–92, who argues that the idea of *sacer* meaning ‘*offerta ad una divinità*’ leads organically to ‘un’estensione di questo significato al *sacer* che definisce un possesso divino nello spazio’.

¹⁸ Bodel 2009: 24. Cf. Scheid 2003a: 63 and 73. For a similar account of the sacrality of mountains, groves, springs, etc. in Greek culture, see Larson 2010: 57–58: humans respond to the ‘pre-existent holiness’ of such places (57), which were ‘often regarded as inherently sacred’ (58).

¹⁹ Scheid 2003a: 73. Rives 2007: 89–92 also provides examples of how ‘the natural world ... would for many people have been shot through with the presence of the divine’ (92).

²⁰ Turcan 2000: 39. Sometimes even less explanation is forthcoming: Rives 2012: 178, relying on a reading of Cato, *Agr.* 139, writes that ‘the grove was simply perceived as sacred’, even though it ‘had not been formally consecrated to a particular god’. Even Fugier 1963, who is more prepared than many to think outside of the box about Roman sacrality, echoes the idea that arboreal sacrality depends on a ‘frisson of the supernatural’. Writing of the *ficus Ruminalis*, for example, she first notes that on one level its sacrality depended on its connection with Romulus and Remus, but then subordinates

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The vague terminology of ‘frisson’ sits uneasily with the fact that the underlying model of sacrality in operation here is a legalistic one concerning property, an incongruity which suggests just how much is being forced when scholars try to apply juristic models of sacrality to the sacrality of natural phenomena in Roman culture.

Indeed this incongruity is quite glaring, but it is only recently that allegiance to these juristic models has come under any attack from scholars of Roman religion. What has attracted attention in particular is not the irrelevance of these models to the sacrality of lakes or forests, but the fact that the jurists’ elitist and top-down approach to sacrality clearly represents one particular way of thinking about and ordering the world: it is hard not to suspect that the world of Roman sacred objects and places was a lot less tidy in the experience of those less interested in definitions.²¹ Bodel, for example, noting the sheer number of private dedications in the Roman world – which on a strict juristic model of sacrality must be considered of no religious significance – has recently challenged the relevance of the jurists to lived experiences of Roman sacrality. He argues that it was not being legally consecrated by a magistrate which made an object sacred, but someone *conceptually* setting it apart for the gods.²² Thus Bodel denies the jurists definitive authority over what it means to be sacred, yet at the same time perpetuates the fundamental tenet of their model of sacrality: ‘what matters for the religious status of an object is ... its conceptual placement within the framework of the rules of *property*’ (my italics).²³ His ‘new’ understanding of sacrality thus takes only a very small step away from the standard juristic model, and in fact replicates that of another jurist, Trebatius, as quoted in Macrobius, who defines the sacred as *quicquid est quod deorum habetur* (whatever is considered to belong to the gods; 3.3.2).

this to the fact that, at a more elementary level, ‘ce qui crée le sentiment de sacralité ... est une impression constituée de crainte et d’attirance – d’un mot, une impression “numineuse” – éprouvée devant l’arbre’ (83).

²¹ Rives 2012: 165 also acknowledges that non-technical writers ‘tend to employ the words *sacer*, *sanctus*, and *religiosus* in fairly loose and overlapping ways’. Sabbatucci 1952: 91 was much more of a lone voice in the 1950s when he questioned the value of a legalistic approach (although he did not develop the idea in any detail).

²² Bodel 2009: 26–30.

²³ Bodel 2009: 27.

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Rives too is sceptical of the value of the jurists' construction of sacrality. In an imaginative (but precariously grounded) argument, he claims that in archaic Rome *sacer* was applied to 'anything spontaneously perceived as having some inherent connection with the divine'.²⁴ Then, once the elite came to regard this 'as a potentially disruptive factor in Roman society', they tightened their control over the category of the sacred, resulting in the kind of definitions we find in the jurists.²⁵ Thus Rives diminishes these definitions to a distortion of what sacred really meant to most people. Yet by presenting the 'real' sacred as something felt to have an 'inherent connection with the divine' – the examples he gives being mountains and groves – he echoes the traditional emphasis on the numinous quality of 'auto-consecrated' natural features, an emphasis itself rooted in attempts to apply universally the juristic model of sacrality as consecration. Roman sacrality is still crying out to be freed from the mould into which the jurists poured it.²⁶

On one level, common sense alone should prompt us to a more fluid understanding of Roman sacrality. We do not expect the English word 'sacred' to have a simple definition or the same connotations in different contexts; even the *Oxford English Dictionary's* entry for sacred, which naturally attempts to boil down the adjective to its essential meanings, consists of fifteen sub-entries, followed by a list of special collocations. So why impose a reductive definition of *sacer* on the Romans? Why, moreover, should we restrict our understanding of sacrality in

²⁴ Rives 2012: 177.

²⁵ Rives 2012: 179.

²⁶ Nor is this juristic focus among scholars of Roman religion by any means restricted to discussion of *sacer*. Indeed a vicious (and lazy) circle has developed by which reliance on juristic texts leads to the characterisation of Roman religion as quintessentially legalistic, which then in itself seemingly justifies the use of such source material. Since Mommsen this characterisation has held sway, as this brief selection of quotations illustrates. At the beginning of the last century Warde-Fowler 1911: 120 branded the *pontifices* 'religious lawyers'; six decades later Ogilvie 1969: 35 observed that 'Roman prayers were phrased like legal documents'; at the start of the twenty-first century Turcan 2000: 4 was still insisting that 'the gods were to be approached like magistrates ... the formalism of words and gestures went hand in hand with a strict legalism'. More sophisticated work on the intersection of law and religion has recently made an appearance, e.g. Ando and Rüpke 2006, but in general scholarship on Roman religion remains hampered by the unquestioned assumption that cult practice and ideas about the divine were all bound by strict sets of rules.

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the Roman world by tying it to this one adjective? Any meaningful discussion of Roman sacrality should, I argue, focus on the *notion* of sacrality, rather than the use of a specific word. It is vital that we relax our conception of what sacrality means in Roman culture, and it is my hope that the trees we will encounter in this book will jolt us into doing so. Consider the *ficus Ruminalis* which, as I have already mentioned, Pliny the Elder labels *sacra* (sacred; *Nat.* 15.77). He goes on to elucidate its sacrality in two ways: firstly it is sacred *fulguribus ibi conditis* (from the lightning-struck objects buried there). Sacrality, it seems, can be catching. Yet this fig, Pliny continues, is more sacred *ob memoriam* (because of its memorial power). As we come face to face with a tree which is sacred by degrees – sacred from contagious proximity to other sacred objects, but more so from the memories it embodies – we are forced to acknowledge that no property-centric model of sacrality could ever do justice to what makes this fig sacred.

Throughout this book, trees like the *ficus Ruminalis* will show us how we have distorted and simplified our understanding of Roman sacrality through unthinking reliance on the restrictive model of sacrality found in the jurists. This is, however, by no means the only way in which the trees we are about to meet will enrich our understanding of Roman religion. For these sacred trees – loosely understood as trees which *mean* something in religious terms to those engaging with them – provoked questions which went straight to the heart of Roman efforts to understand the divine. As this book draws out such questions, the trees on which it shines a spotlight offer us a way into Roman theological thinking in action. Yet before we can allow the trees to take centre stage and prove their theological worth, it is necessary to confront any doubt over the place of ‘theological thinking’ in a book on Roman religion.

Thinking theologically through trees

Midway through his book on the Roman religious experience, Warde-Fowler sums up his attitude to the intellectual capabilities of those whose religion he is studying: ‘the Romans were not a

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thinking people'.²⁷ Since 1911, when Warde-Fowler's book was published, this attitude has changed far more on the surface than in practice. Recent conferences have aimed to put the 'belief' back into Roman religion – or at least to argue about whether this is advisable – but the assumption persists that Roman religion is better understood as an orthopraxy rather than an orthodoxy:²⁸

A Roman was free to think what he liked about the gods; what mattered was what religious action he performed.²⁹

Paganism was not credal, but a matter of observing systems of ritual.³⁰

This distinction is both artificial and misleading. Beliefs and religious action – the 'doxy' and the 'praxy' – are deeply entwined, and shape each other's development. Religious thinking or belief expresses itself through action as well as words, and religious actions must be accompanied by some kind of thinking about what is taking place and why. The common claim that Roman paganism was about unthinkingly 'going through the motions' is unrealistic, not to mention condescending. Moreover, as Dowden's use of 'credal' here suggests, it is also a deeply Christianocentric – indeed Protestant-centric – claim. For such constructions of Roman religion are born of a long history of scholarship which is deeply imbued with Protestant assumptions. Taking for granted that Catholicism consists of unthinking performance of 'rites', and thus sidesteps the element of belief central to Protestant doctrines of salvation, it is almost instinctive for these scholars to present Romans as 'proto-Catholics' in their unthinking reliance on actions alone.³¹

²⁷ Warde-Fowler 1911: 114. Cf. Rose 1948: 9, who categorises the Romans as 'a much slower-witted people' than the Greeks, whilst Halliday 1922: 30 sees the early Romans as 'a practical and unspeculative people'.

²⁸ A conference entitled 'Belief and its Alternatives in Greek and Roman Religion' was held at St Andrews in 2010; 'Disbelief in Antiquity' took place at Corpus Christi College, Oxford in 2013.

²⁹ Ogilvie 1969: 2.

³⁰ Dowden 2000: 2.

³¹ See discussion on pp. 50–51 for the vivacity of anti-Catholic tendencies in early scholarship on Roman religion. Such thinking also continues to thrive in more recent scholarship. Ogilvie 1969: 38 is particularly overt about this, with his criticism of Roman pagans and their 'Catholic descendants'. Turcan 2000: 13 also boldly claims that 'the Roman attitude continued to impregnate the Catholic religion, at least until the advent of modernism or the Vatican II Council'.