Nocturnal religious rites in the Roman religion and in early Christianity

IX

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The meanings attributed to the hours between dusk and daylight have been, throughout the history of Western civilization, quite stable, as some central meanings attributed to the night show great continuity throughout the ages. On the one side, the night can be understood as a symbol of the primordial, original chaos from which the Universe originated,[1] a birth of the world repeated in small every day.[2] Next to this, the night appears as a moment of danger and fear, but also as a moment of revelation, in which something which is hidden to the senses can be grasped.[3] What keeps together all these aspects is an image of the night as an interruption of the norm, as a suspension of what is 'daily' and 'routine'. In this sense, the night is, already since Classical Antiquity, the polar opposite of the day, and thus the time for the subversion of norms and rules.[4] Roman culture and society also perceived and understood the night mostly in the sense of a moment of danger and subversion, and it is the aim of this chapter to investigate Roman discourses and stereotypes of the night, with a particular attention to their application and repercussions in the religious sphere — and thus in the relationship with the Christian religion until the 4th century CE.

[1] See Jansen (2015) 160-162; 165-169, also for non-Western similar readings of the night.
[2] Bronfen (2008) 15.
[3] Ekirch (2005) 202-208; Bronfen (2008) 167-168; Friese (2015) 13.
[4] Ekirch (2005) xxvi; Bronfen (2008) 171-177.

1. Roman approaches to the night

The night, as a moment of darkness and secrecy, in which it is easier to do anything without being seen, was to the Romans frightening at least since the moment Roman sources become available.[5] Saying that some meetings or some events had taken place "during the night" was an important strategy for immediately casting a strong suspicion upon someone, a device used repeatedly by Cicero to generate a sense of uncanniness around his opponents: for example, Rullus meets his allies in the night to develop the proposal for the agrarian law (*Leg. agr.* 2, 5, 12). The night is evoked numerous times at the beginning of the first Catilinarian speech (1, 1, 1): "Is it nothing to you that the Palatine has its garrison by night? [...] Who of us do you think is ignorant of what you did the last night, what you did the night before?"[6] [...] "What point is there, Catiline, in your waiting any longer, if night cannot conceal your criminal assemblies in its shadows nor a private house contain the voices of your conspirators within its walls, if they all are in a blaze of light and exposed to view? Take my advice; abandon your scheme and forget your murder and arson. You are trapped on every side; all your plans are as clear as daylight to us" (1, 3, 6).[7]

The uncanniness of the night is also reflected in values, norms and laws, as early as the first sources available to us. In the *Twelve Tables* the sunset marks the end of all public proceedings and the suspension of everything that constitutes a

[5] In general, on the night and on the difficulties of measuring it, as well as on its definition, in Roman sources, as a moment of inactivity and silence, see MUELLER (2004b) 125-128. On the problem of the validity of juridical activity by night, see also CARBONNIER (1959).

[6] All translations from the Loeb Classical Library, unless otherwise indicated. In the night Catilina goes to Laeca's home (1, 4, 8; 2, 6, 13), in the night move the Allobrogi (3, 2, 5-6), etc.

[7] *Etenim quid est, Catilina, quod iam amplius exspectes, si neque nox tenebris obscurare coetus nefarios nec priuata domus parietibus continere uoces coniurationis tuae potest, si inlustrantur, si erumpunt omnia? Muta iam istam mentem, mihi crede; obliuiscere caedis atque incendiorum. Teneris undique; luce sunt clariora nobis tua consilia omnia.*

civilized life (1, 9)[8] — Cicero will say that there is a time to act and a time to rest (*Nat. deor.* 2, 132). Crimes committed in the night are particularly horrible: anyone who is caught while committing a theft by night can be lawfully killed (8, 12), while he who is caught committing a theft by day is scourged and given as a slave to the person against whom the theft was committed (8, 13-14).[9] It might be that the thief encountered in one's own house at night was considered more dangerous (as less recognizable), but still the main idea is that the night is more dangerous than the day. The same applies to people destroying, cutting or appropriating crops: if they are an adult and act by night, they will be hung, as a sacrifice to Ceres (8, 9). Here the indication "by night" is accompanied by the indication "secretly". Indeed, in Roman mentality, moving in the night, and thus in darkness, automatically implies secretiveness and the desire not to be seen. The danger posed by the nocturnal thief is also foremost in Livy's representation of the decemvir Appius Claudius' downfall, forced to lie in chains among the night thieves and the brigands (*inter fures nocturnos et latrones*), apparently the two worst categories of people with whom one could share bread (3, 58, 2).

The *Twelve Tables* also forbade organizing nocturnal assemblies in Rome — something which is punished with death (8, 26),[10] as later confirmed by a *lex Gabinia* of unknown dating.[11] Indeed, there is an almost automatic connection between gatherings in the night and political conspiracy, which appears as a staple of Roman historiography, not only in reference to Catiline: Livy writes for instance, about the year 494 BCE, that

[8] *Solis occasus suprema tempestas esto*. See CARBONNIER (1959) 346.

[9] See MUELLER (2004a) 81 and (2004b) 132: that crimes committed in the night could be considered worse than the same crimes committed in the day is a feature which sometimes survives in Roman law until Late Antiquity. On the connection between nighttime and crime in European early modern mentality, see EKIRCH (2005) 31-47.

[10] See KIPPENBERG (1997) 153-154.

[11] LATR. *Decl. in Cat.* 19. SEN. *Decl.* 3, 8 also defines such meetings as capital crime.

the *plebs* "held nightly gatherings, some on the Esquiline and others on the Aventine, lest if they met in the Forum they might be frightened into adopting ill-considered measures [...]. This seemed to the consuls, as indeed it was, a mischievous practice" (2, 28, 1-2);[12] later, when Appius Claudius tries to take Virginia, he uses as an argument that he knows "that all through the night meetings had been held in the City to promote sedition" (3, 48, 1).

The prohibition of night assemblies (and the suspicion against them) applied also to religious meetings, when they implied nightly gatherings of numerous groups:[13] they were considered as an occasion for immoral practices, connected to cults generally described as foreign and corrupting the Roman *mores*. The temples are closed at night, and the magistrates conclude their duties before sunset. There were a few exceptions: some Roman rites did take place in the night, but in highly controlled situations, generally characterized by a high sense of liminality (as in getting the *auspicia* that would legitimate the decisions taken the next day)[14] and of subversion of the 'normal' order. The night did not belong to the gods, but rather to the spirits of the dead, the *manes*;[15] in the night are celebrated the *Lemuria*, rites and sacrifices appeasing the spirits of the dead.[16]

The most famous traditional cult with night meetings is the one of Bona Dea. The most important rites in honor of the goddess were held during a night of December in the house of a high Roman magistrate, presided by his wife or mother;[17] the presence of men was strictly forbidden and considered a

[12] The episode is correctly highlighted in its relation to the night by MUELLER (2004a) 82-84.

[13] PERRI (2005) 70-71.

[14] MUELLER (2004b) 224; MUELLER (2011) 236.

[15] MUELLER (2011) 238-241. Julian still argues thus when imposing that funerals take place only in the night: JUL. *Ep.* 136b; *CTh* 9, 15, 7. See MUELLER (2004b) 134-137.

[16] OV. *Fast.* 5, 429-444. See BECKER (2013) 572-573.

[17] PLUT. *Caes.* 9.

desecration.[18] While there is a big debate about the specific meaning of these rites, it is generally accepted that, in broad terms, they represent an initiation for Roman women, in a complete suspension of the regular social order (as the women are not 'controlled' in this occasion).[19] During the celebration, abundant wine was drunk,[20] which was otherwise forbidden to women and even punishable with death.[21] The very character of one of the most important official cults of the Roman *res publica* explains therefore why a part of it took place in the night, to highlight its exceptionality,[22] and therefore does not contradict the general Roman 'opposition' to night cults.

Cicero constitutes again an important testimony. As a keen adept of Bona Dea,[23] he expressed his clear disdain for all other religious rites celebrated at night. In the *Laws*, after having defined the difference between the natural law and the written laws, he highlights that, given the divine origin of law, religious belief must be the cornerstone in defining what law is, and proposing in a very short form the 'titles' of ideal *leges de religione*. One of them is explicitly dedicated to night rituals celebrated by women: "no sacrifices shall be performed by women at night except those offered for the people in proper form; nor shall anyone be initiated except into the Greek rites of Ceres, according to the custom" (2, 21). The legitimate nocturnal rites for Roman women are those for Bona Dea, and the prohibition refers mostly to Bacchic rites. Already in 206 BCE Plautus used the name Nocturnus to identify a god,[24] most

[18] Famously, Clodius cross-dressed to access them, generating a huge scandal: PLUT. *Caes.* 9-10.

[19] See BROUWER (1989) 359-370.

[20] IUV. 9, 115-117; ARN. *Adv. nat.* 1, 36; 5, 18; LACT. *Div. inst.* 1, 22; MACR. *Sat.* 1, 12, 25. See PICCALUGA (1964) 202-217; BROUWER (1989) 330-336.

[21] DION. HAL. *Ant. Rom.* 2, 25, 6. Cf. VAL. MAX. 6, 3, 9; GELL. 10, 23, 5.

[22] PICCALUGA (1964) 226-231. But other rites for Bona Dea, as the May rites, took place during the day.

[23] BROUWER (1989) 262-265.

[24] PLAUT. *Amph.* 272.

probably Dionysus/Bacchus/Liber Pater.[25] Bacchus Nyctelius, whose rites took place in the night, is mentioned by Ovid in a passage of the *Ars Amatoria* (1, 565-568) that connects him with sexual "freedom" and with wine consumption: "Therefore when the bounty of Bacchus set before you falls to your lot, and a woman shares your convivial couch, beseech the Nyktelian sire and the spirits of the night that they bid not the wines to hurt your head".[26] As Servius confirms (*Aen.* 4, 303), the *Nyktelia* were forbidden in Rome — as they were probably identified with the Bacchanalia that were repressed in 186 BCE.[27]

Cicero admits that this imaginary legislation is very strongly inspired by traditional Roman religion — or what the Romans of his time believed to be such,[28] and proceeds to some more detailed explanations about women's religious rites in the night. As Cicero is trying to delineate the perfect laws in general, he must consider the religious habits of other peoples. As Atticus answers that exceptions, as for Bona Dea, could be made for the mysteries to which he and Cicero have been initiated, the latter agrees, as the (Eleusinian) mysteries have greatly contributed to civilization. But, still,

> "the ground of my general objection to nocturnal rites is indicated by the comic poets. For if such licence had been granted at Rome, what would that man have done, who, as it was, intruded his lustful designs into a ceremony so sacred that even an unintentional glance at it was a sin? [...] Assuredly we must make most careful provision that the reputation of our women be guarded by the clear light of the day, when they are observed by many eyes, and that initiations into the mysteries of Ceres be performed only with those rites which are in use in Rome. The strictness of our ancestors in matters of this character is shown by the ancient decree of the Senate with respect to the Bacchanalia [...]. And, that we may not perchance seem too

[25] STEWART (1960).

[26] See also PLUT. *Quaest. Rom.* 112 on the *Nyktelia*.

[27] PERRI (2005) 70-71 cannot be followed when he claims that the Ovidian passage is a demonstration that the *Nyktelia* were still practiced in Rome at his time.

[28] CIC. *Leg.* 2, 23.

> severe, I may cite, the fact that in the very centre of Greece, by a law enacted by Diagondas of Thebes, all nocturnal rites were abolished forever;[29] and furthermore that Aristophanes, the wittiest poet of the Old Comedy, attacks strange gods and the nightly vigils which were part of their worship by representing Sabazius and certain other alien gods as brought to trial and banished from the State" (2, 35-37).

Mysteries characterized by high antiquity and importance (for Cicero easily recognizable: they are the ones he chose to join) are therefore allowed in the same way as the traditional Roman rites, while still clearly admitting their 'Greekness'. The judgment against women's nocturnal rites is still clear and motivated with the fear of the lack of control, the 'wildness', and therefore the immorality and indecency, connected with the night, as highlighted through the reference to comedy. Beyond Aristophanes (whose comedy mentioned here, probably the *Horai*, is lost), in the New Comedy and in the Latin one, night rites are an occasion for drunkenness and rape, as in Plautus' *Aulularia* (36; 689; 745; 795) or *Cistellaria* (156-159). Plautus might follow here his Greek models, but the special insistence, in the latter comedy, on the Greekness of the setting is relevant when associated to Cicero's idea of a difference, on this specific point, between the Greeks and the Romans. But in the *Amphitruo*, revealing a more "Roman" attitude, Sosia complains that he has to walk around in the night, in spite of its dangers, and hopes he will not be arrested by the very Roman magistrates, the *tresuiri capitales* (153-155);[30] in the *Stichus*, the

[29] KNOEPFLER (2000) 345-351 has suggested to correct the Diagondas of the manuscripts, which is indeed onomastically difficult to accept, in Daitondas, and to identify him with a boeotarch attested in the 360s, thus dating the law to the same years. In his opinion, the Romans would have known this law when they dealt with the Bacchanalia and it would have inspired their decisions on that occasion.

[30] See CASCIONE (1999) 127-129. The *tresuiri capitales* probably represent a later evolution of the *tresuiri nocturni*, who might have been in charge of the night-watch — and therefore of protecting the city from night fires, checking that no illicit or suspicious activities took place in the night, and that no slaves wandered alone at night, something which would have immediately led to believe

dangers of the night are indicated clearly in the huge amount of violence on the streets (606-613).[31]

The Roman attitude to religious rites performed in the night is very visible also in the repression of the Bacchanalia in 186 BCE. In Livy's narration of the episode the insistence on the night is an instrument, for the author, to increase the sense of fear and estrangement towards these rites. The night appears from the very beginning: a Greek, writes Livy, came to Etruria, and he was "a priest of sacred rites performed by night" (*occultorum et nocturnorum antistes sacrorum*), opposed to the positive pole of the *aperta religio* (39, 8, 4). These initiatory rites started attracting a lot of people, both men and women of different ages, then expanded from Etruria to Rome, and started being celebrated in the *lucus* of Stimula (identified with Semele). The rites, celebrated in a state of inebriation induced by wine, are an occasion of highly immoral behavior (*obscena sacra*, 39, 11, 7), in which the initiates are, for instance, raped.[32]

When the origin of the mysteries is revealed, it is a story of degeneration: originally, they were only for women, the initiations took place on three days each year, and only by day.

that they were runaways — since the 4th century BCE. The *tresuiri nocturni* are mentioned among others by LIV. 9, 46, 3; IOH. LYD. *Mag.* 1, 50. For a prosopography of the known *tresuiri nocturni*, see CASCIONE (1999) 205-208. See also CARBONNIER (1959) 349-350. It is possible that, when the *tresuiri capitales* were instituted as full magistrates, it appeared inconvenient for them to move around at night; at this point a group of *quinqueuiri* was established, which acted in their place for this specific function: CASCIONE (1999) 21-24; 77-79. For the *quinqueuiri*, *D* 1, 2, 2, 31 and CASCIONE (1999) 82. The name *nocturni* indicated later, during the Principate, either the same *tresuiri* in a popular way or other magistrates who, around the Empire, took care of night surveillance of the cities (PETR. *Sat.* 15; *CIL* III 12593).

[31] Among many other sources, also PROP. 3, 16 and IUV. 3, 269-314 highlight, in the Principate, the dangers of wandering around at night. BOUTEMY (1936) 32-33 considers this a reference to the Bacchanalia, but the Stichus was performed in 200 BCE — what forces Boutemy to think that the text we have was the product of a later revision. On references to the Bacchanalia in Plautus, see also RIESS (1941) 151.

[32] Intoxication and inebriation are across the centuries among the most important sources of the aesthetics of the night: FRIESE (2011) 72-82. See also EKIRCH (2005) 187-190.

When the Campanian Paculla Annia became priestess, she reformed the cult, initiating men, starting with her sons, holding the rites by night and not by day, and initiating new people five times per month. So, the decision to have rites during the night rather than the day is, in Livy's narration, one of the main aspects of the degeneration of the cult into complete immorality and loss of control. Once again, night is automatically the anti-day, a moment in which the norms and rules on which society is based are suspended; indeed, the presence of both men and women, and the "freedom of darkness", *licentia noctis*, caused a situation of debauchery, in which nothing was considered wrong (39, 13, 8-12).

The entire story is then reported to the Senate. The connection between night, secrecy, and lack of order, which we found already in the *Twelve Tables*, prompts the greatest fear and incites action, "lest these conspiracies and gatherings by night might produce something of hidden treachery or danger" (39, 19, 4). It is decided to start an investigation, meaningfully called *de Bacchanalibus sacrisque nocturnis* (39, 14, 6). The cult is forbidden and, for the city of Rome, it is decreed that the *tresuiri capitales* (not by chance, considering their control over the Roman nights), should make sure that no night meetings are held (39, 14, 10).[33] In his speech to the people, the consul insists on how alarming the cries and sounds of the rites at night have been; the danger, especially to the men, comes from their state of nightly inebriation. He highlights that gatherings of people, when not called or authorized, are not a good sign and are even worse when these assemblages take place at night. The gathering of huge crowds at night brings only one possible conclusion: their final aim is to overthrow the state (39, 15).[34] But this is not an attempt (either by the consul or by Livy) to 'politicize' these events, as these two aspects are impossible

[33] See CASCIONE (1999) 123-124.

[34] Livy connects strongly this religious innovation with political conspiracy, and calls the Bacchanalia more than once *coniuratio*: PERRI (2005) 65-66.

to differentiate in the Roman mentality; already in the *Twelve Tables* we see that gatherings taking place in the night are automatically dangerous and seen as a menace to the existing order, and have therefore automatically a political meaning. So, they now must be crushed, and the gods are to be awarded the responsibility for their discovery: as their name was being polluted, they brought these rites from the darkness to the daylight — and not only metaphorically (39, 16). The people involved, scared of what would happen to them, tried to escape — in the night after the investigation began (39, 17, 5).

The definition of the Bacchanalia as "foreign", for a long time misunderstood as the sign of a political backlash against Greek influence and taste, is significant. It characterizes them as against the Roman tradition — independent of the origin of the rite, such rites are perceived as dangerous because they risk disrupting the *pax deorum*.[35] This is not caused by the mixed presence of men and women: Paculla's reforms are the central point in Livy's narration, and an important part of these is also the transformation of day rites into those of the night.[36] Rites taking place in the night are, as in Cicero's statement, 'un-Roman'. Indeed, it has been argued that the repression of the rites was juristically motivated by the prohibition of nightly gatherings, which would have provided the formal frame for proceeding against the Bacchanalia.[37]

The night is thus a highly relevant element, as in all the other stories in which nightly gatherings are signs of conspiracy, violence, disruption, and a lack of respect for any norms and rules (Catiline's conspiracy probably also was a literary model

[35] BAUMAN (1990) 345-347; TAKÁCS (2000) 307-308.

[36] SCHULTZ (2006) 86; DUBOURDIEU (2010) 18-19. This does not exclude the importance of the subversion of gender aspects in the rites, but these are not independent of the temporal scale: the day is the time of the *res publica*, the night the time of the Bacchants: see ALBRECHT (2016) 100-110. On the importance of the night in the Livian description of the Bacchanalia, see also MUELLER (2004a) 84-85; DUBOURDIEU (2010) 13.

[37] MANTOVANI (1989) 18-21.

for Livy's narration).[38] Even if the night was purely a literary mechanism introduced by Livy,[39] it would reveal that this was an important *topos*, as in Cicero, for provoking in his readers a sense of discomfort and uncanniness. But as already mentioned, Latin authors in general, already before Livy, refer to the Bacchic cult as nocturnal,[40] reinforcing the idea that Cicero's and Livy's take on this was widely widespread.[41]

Indeed, even if Livy elaborated on this using of the night as a scaremongering device valid for his time and his social milieu (which was not precisely the same as Cicero's), there are too many other references in ancient sources demonstrating that the Romans were generally suspicious of nocturnal congregations and rites. Juvenal sheds doubts about the liceity of behavior also in the 'recognized' rites — Bona Dea first of all. While his point is the loss of the old, traditional simplicity and morality, his depiction of the feast of the goddess and of the women's attitude in partaking of it is extremely graphic, as "a torrent of undiluted lust runs over their dripping thighs" (6, 318-319). The men are not excluded anymore, but brought in at the right moment — and if there are not enough, it will be the turn of animals (6, 314-345). The degeneration has come to the point, so says the satirist, that effeminate men organize their very own feast of Bona Dea, excluding the women, in a parallel to the Athenian rites of the Baptae, which, needless to say, happened "at torchlight" (2, 82-116).

"Night" is a word and a concept which is therefore deployed to automatically generate a sense of something 'creepy' going on. This unsettling aspect is connected not only to sexual license and political danger but also, as a third element often

[38] SCHULTZ (2006) 87; DUBOURDIEU (2010) 12-13.

[39] Indeed, the Tiriolo inscription, which contains the text of the *senatus consultum de Bacchanalibus*, contains, among many of the measures referred by Livy, a quite general prohibition to perform religious rites "in secrecy" — *sacra in dquoltod* = *oquoltod*: *CIL* I^2 581.

[40] E.g. VERG. *Georg.* 4, 521. See PERRI (2005) 59.

[41] References to the Bacchanalia and their repression can be found in Plautus, too: see JANNE (1933) 527-529.

impossible to separate from the other two, with magic. Already in the early 2nd century BCE, a freedman, C. Furius Cresimus, was brought to trial by his neighbors, with the accusation of using magic to destroy their crops — he had much better results from his small field, than his rich neighbors had from their big properties. By showing his cattle and tools and saying that they were his spells, he was acquitted, not without having added, "I cannot also show you or bring into the forum the nights I work into or completely through, or my sweat".[42] Cresimus surely stressed the fact that he worked hard when his neighbors were sleeping or having banquets, but it seems relevant to highlight that the night would also have been the perfect moment for enchantments (as in the *Twelve Tables*), and that this was probably contained in the accusation that he overturned by insisting on the fact that yes, he was awake and out and about at night, but working.[43]

Apuleius also had to defend himself from, among other things, the accusation of having performed nocturnal rites (*nocturna sacra*), as his accuser had seen the smoke of a torch and birds' feathers, signs of sacrifices (*Apol.* 57-58).[44] While this confirms once again that the simple evocation of "nocturnal rites" worked in a repulsive way on a Roman public, the suspicion at stake, here, is that Apuleius would have, protected by the darkness of the night, performed dangerous forms of magic. Apuleius himself confirms such a *topos* while rejecting the accusations by arguing that he could not have performed dangerous, unsettling rites with fifteen slaves as witnesses, as he says that such a mysterious, horrible art "needs night-watchers and concealing darkness" (47, 3). This is, somehow, a spiral: visibility is good, darkness is bad; people doing forbidden, dangerous things would do them in darkness, and therefore what happens in the night is automatically suspicious. The boundary between

[42] PLIN. *NH* 18, 41-43.

[43] In the Middle Ages, for instance, nocturnal labor was forbidden in many fields and trades: see EKIRCH (2005) 155-157.

[44] In general, on the trial, RIVES (2003) 322-328.

magic and religion in Roman culture is very hard to draw, and that which can be defined as magic emerged as proscribed practice and ritual actions from civil discourse:[45] "in Roman legal discourse secrecy served to distinguish illicit from licit rituals. In religious practice secrecy turned a religious action into a magical one".[46] As the night is the place of secrecy *par excellence*, the connection with magic becomes very clear.[47]

In the Principate, this connection assumes a particular character, as night rites were considered always to have a divinatory or evocative function,[48] connected to the life of the Emperor, his well-being, and his succession. According to Philostratus, the main accusation made against Apollonius of Tyana under Domitian was the following: "you are said to have gone to Nerva in the country, and butchered an Arcadian boy for him when he was sacrificing for the emperor's harm; by these rites you raised his hopes, and all this was done at night" (*VA* 7, 20, 1). Still in the 4th century CE, Firmicus Maternus, when still a pagan, wrote that a good astrologist should not do anything secret, also not to attract undesired attention and suspicion of conspiracy.[49] This is partly achieved by not attending nocturnal sacrifices, not even the public ones (*Math.* 2, 30, 10). Night rites

[45] KIPPENBERG (1997) 139-141, recognizing in particular two moments of intensification of this discourse, the 1st and the 4th centuries CE; RIVES (2003) 314-317. MASSONNEAU (1934) 19-20 thought for instance, on the contrary, that legitimacy was one of the characters distinguishing divination from magic, even if she already highlighted that it is in the end law what divides religion from magic.

[46] KIPPENBERG (1997) 151-152. Kippenberg also highlights (158) the difference between Greek and Roman mentality on this point: for the Romans, secret performances are to be punished, for the Greeks the revelation of secret performances.

[47] PHARR (1932) 278-279 argued that the secrecy of magical rites made them suspicious; it is rather exactly the opposite: secret rites were suspicious and therefore described as magic. Pharr highlights here how magicians are suspected also of sexual crimes, how the Bacchanals were considered magical rites, or how the magic seems to have been a cloak to hide politically seditious movements — it is rather that all these activities became 'magical' because of their illicitness.

[48] See LIEBS (1997).

[49] MONTERO (1991) 69-70. See also MASSONNEAU (1934) 129-130.

are thus automatically *superstitio*, understood in its early meaning of divination practices, generally of foreign origin, and meant in a negative, pejorative sense.[50] Salzman has underlined the structural vicinity, in Roman mentality, of divination, magic, excessive religious fear (and political conspiracy, one might add),[51] but it is necessary to highlight that this bundle of practices and meanings is also generally connected to the night as the proper moment for such actions.[52]

The night appears therefore throughout the history of Roman culture as uncanny for three different kinds of reasons, which are in most cases not really separable from each other and often appear together. They are all connected to the idea that during the night the norms, rules and boundaries which are active during the day are either 'suspended' or easier to breach because of its automatic 'secrecy'. (1) Moral codes are suspended, and in the night unconventional sexual behavior, illegitimate intercourse of many possible kinds, takes place, destabilizing masculinity and social order; (2) Political gatherings meant to overthrow the state, as they are directly contrary to 'institutional' gatherings, happen by night. People meeting at night evoke the suspicion that they are actually planning a conspiracy; (3) Magic takes place at night; especially black magic which, once again, implies the possibility for individuals to act above and beyond the limits of what is human, and to destabilize social and political order.

It is thus no surprise that religious meetings in the night were considered particularly problematic, as they could be considered as magical, immoral and politically dangerous — as the Bacchanalia. Next to Cicero's "ideal legislation" (which does not mean much about actual Roman laws), a passage from the *Pauli Sententiae* refers to nocturnal religious rites: "Those who participated in or organized impious rites or nocturnal

[50] SALZMAN (1987) 173-174.
[51] SALZMAN (1987) 175; GAUDEMET (1990) 454.
[52] See e.g. APUL. *Met.* 3, 16.

ones, in order to enchant, bewitch, or bind someone, shall be crucified or thrown to the wild beasts" (5, 23, 15).[53] Night rites were presumably thus not forbidden for their own sake, but only in their connection with darkness. Such rites are either "impious" or simply "nightly", as if nightly rites would be supposed to be automatically of this kind. Even if a rite's nocturnal activity was not in itself a reason for its suppression, the fact that this temporal positioning would be automatically equated to political conspiracy and magic would very easily bring further accusations and to the general repression of such a cult.

2. The night and its rites in early Christianity and in pagan perception

In the Judeo-Christian tradition the night, meant as the worldly night, is God's creation.[54] On the first day, God creates the light, which is the 'good thing', then separates it from darkness, and calls the darkness "night" and the light "day" (*Gen.* 1, 3-5). Darkness and night appear thus to be a primordial element which is separated and made distinct by the creation of light, but their existence is also subordinate to the creation of the earth and the sky (*Gen.* 1, 1); nonetheless, the light represents explicitly the positive pole and the night is perceived as a moment of temptation and challenge. Thus in *Exodus* the preparation for leaving Egypt is the institution of the nightly vigil (*Ex.* 12, 42). In early Christianity, every night is a struggle for the power of the light to come back; but every night is also going to finish and let the principle of life triumph.[55] It is in the middle of the night that the angel appears to the shepherds

[53] *Qui sacra impia nocturnaue, ut quem obcantarent defigerent obligarent, fecerint faciendaue curauerint, aut cruci suffiguntur aut bestiis obiciuntur*. On the insertion of "magic" and religious deviance within the *lex Cornelia*, see RIVES (2003) 328-334.

[54] BRONFEN (2008) 58-60.

[55] BRONFEN (2008) 265-266.

announcing the birth of Christ (*Lc.* 2, 8-15). But at the same time, it is in the night that Jesus is arrested in the garden of Gethsemane, it is in the night that he is questioned by Caiaphas, and it is in the night (the night as temptation) that Peter denies him, before the cock crows (*Mt.* 26; *Mc.* 14; *Lc.* 22; *Io.* 18).

It is no surprise therefore that the night is an important religious moment for early Christianity: prayers in the night help in opposing temptation while waiting for the return of the light.[56] These vigils are instituted by Jesus himself, when he prays in the garden of Gethsemane: when he finds Peter and the two sons of Zebedee sleeping, he wakes them up saying, "Watch and pray that you might not undergo the test. The spirit is willing, but the flesh is weak" (*Mt.* 26, 41; see also *Mc.* 14, 37; *Lc.* 22, 40-45). In *Matthew*, Jesus explains also through the story of the ten virgins that it is necessary to watch (*Mt.* 25, 13). In the *Acts of the Apostles*, we find meetings and prayers going on throughout the night — and if the one time that Paul in the Troas speaks until midnight with many lights turned on (20, 7-8) is unusually long, there is nothing bad or wrong associated with such protracted discussions and prayers throughout the hours of darkness.[57]

The Christians of the 2nd century practiced two central rites, both at night — in connection with the rising and setting sun: one in the morning before dawn and one in the evening. In the morning, they prayed (probably sang) and read from the Holy Scriptures; the evening was devoted to the common meals, the *agape*, a central aspect of early Christianity since the Apostolic Age. Drawing on the Judaic tradition of the Sabbath, once per week Christians would also gather for the vigil of Sunday, once again a rite taking place in the night and 'preparing' the Sunday. Finally, the vigil which characterizes Passover, as instituted in the *Exodus*, conflates the most important nightly rite for the

[56] *1 Thess.* 5, 6-8. See BECKER (2013) 582-583. See also CLEM. AL. *Paed.* 2, 9, 79, on the necessity of waking up multiple times during the night to praise God.

[57] See also EKIRCH (2005) 59-60.

Christians, the Easter vigil, which was celebrated in the night between Saturday and Sunday.[58]

The *Traditio Apostolica*, a church order presumably dated to the early 3rd century CE, confirms the importance of the night in Christian rituals, independent of the precise dating and the region of origin of the text. Night rites appear in the section dealing with catechumens and their preparation for baptism — the night before their baptism is foreseen they "shall spend all the night in vigil, reading the scriptures and instructing them" (20, 9)[59] until the cock crows (21, 1), then proceed to be baptized.[60]

Vigils are generally an element characterizing the entire process of the catechumens approaching baptism (Tert. *Bapt.* 20, 1). More generally, during the meetings of the congregation, there are procedures recorded for the moment darkness comes, the so-called *lucernarium*: the deacon brings in a lamp, while the bishop prays (26, 18). Only widows of advanced age should be sent home, if invited for dinner, before sunset (27, 1). The relevance of the night is revealed also by the prescription for individual prayers. These take place at different times of the day, but the true Christian is expected to pray before going to sleep, and also to wake up to pray at midnight (36, 8), "because in this hour every creature hushes for a brief moment to praise the Lord; stars and plants and waters stand still in that instant; all the hosts of the angels ministering unto Him together with the souls of the righteous praise God. Wherefore it is right for all them that believe to be careful to pray at that hour" (36, 12-13). When the cock crows it is necessary to wake up and pray again (36, 14).

The feasts of the martyrs and of the saints were also characterized by an intense — and festive — nightly religious activity.

[58] On the Easter vigil and its liturgical aspects, see BERTONIÈRE (1972) 21-71.

[59] All translations from *The Treatise on the Apostolic Tradition of St Hyppolitus of Rome Bishop and Martyr*, eds. DIX / CHADWICK (London 1991).

[60] These vigils and baptisms probably did not take place only in the Easter week: see BRADSHAW (1993) 41-42.

The feast began with the so-called "all night", as the faithful gathered before dawn to celebrate together the coming of the new day.[61] Later, against the mixed and luxurious character of these celebrations, some Fathers of the Church intervened, arguing that drunkenness did not belong to the saints,[62] deploying the same *topoi* and stereotypes as their Roman predecessors and counterparts.[63] Augustine remembers in a sermon how, when he was a student in Carthage, the night vigils took place among huge temptations. Such a vigil could become an occasion for heavy drinking, flirting and so on — luckily, according to Augustine, it was not the case anymore, now that stronger control and a neat separation of the sexes had been introduced.[64] Nonetheless, what the Fathers of the Church criticized was always the way in which the night was spent, not the fact that the night itself was the moment of the cult — and these cults of the saints always maintained a character of vigil and of expectation.

The nightly character of Christian rites probably played a part in the onset of accusations of immoral behavior moved against them, sometimes explicitly connected to 'lack of light'. In the perception of the Roman population, these gatherings in the night were so problematic,[65] that the most elaborated stories started circulating about such meetings. The lights would be

[61] McMULLEN (2009) 29.

[62] See BROWN (2000) 2-5. Already the *Apostolic Tradition* reminds the faithful that they need to eat and drink with moderation at religious feasts (26, 7).

[63] McMULLEN (2009) 29. See also CLEM. AL. *Paed.* 2, 4, in which he attacks "immoral" ways of spending the night, with alcohol and sex, and suggests what is the "Christian" way of attending banquets. It is important to highlight that Clemens writes here from a Greek, and not from a Latin, cultural background.

[64] AUG. *Serm. Dolb.* 2, 5.

[65] Also PLIN. *Epist.* 10, 96, 7 insists on the fact that the Christians perform their rites before dawn. There is no need here to suppose with GRANT (1981) 161-162, that Pliny wrote this letter in strong reference to Livy's description of the Bacchanalia, as Pliny is stating rather the contrary: that as crazy as they might be, the Christians do not seem to be 'dangerous' (even if he condemns to death all those who admit to being Christians).

extinguished during the rituals, which generated the suspicion that, at that point, any kind of intercourse might happen:[66]

> "after full feasting, when the blood is heated and drink has inflamed the passions of incestuous lust, a dog which has been tied to a lamp is tempted by a morsel thrown beyond the range of his tether to bound forward with a rush. The tale-telling light (*conscio lumine*) is upset and extinguished, and in the shameless dark lustful embraces are indiscriminately exchanged" (Min. Fel. *Oct.* 9, 6-7).[67]

The toppling of the lamp was thus a recurrent element in attacks against the Christians, and it is no "comedy of innocence", meant to symbolically "hide" the crimes,[68] but the discursive construction of a danger coming in the night and through the night. In Minucius Felix' *Octavius*, significantly, the pagan character Caecilius Natalis admits of some accusations against the Christians: "This may be false, but such suspicions naturally attach to their secret and nocturnal rites" (9, 4).

The secrecy of the rites, and in particular the fact that these took place at night, must thus be considered a central element in the opposition against the Christians — such secrecy caused rumors on one side of sexual excess (incest)[69] and cannibalism, on the other of political conspiracy.[70] Such references to darkness are mostly concentrated in Latin authors, while they are almost absent from Greek apologetic writing (Origen replies to Celsus) — Cicero's difference between the Greeks and the Romans on this specific point seems to have been still valid, as Greek opponents of Christianity would not have seen this point as one worth raising. Wagemakers argues that the Christians met at night to avoid attracting attention and suspicion:[71]

[66] WAGEMAKERS (2010) 338-339.

[67] The same accusation is referred to in JUST. MART. *1 Apol.* 26; JUST. MART. *Dial.* 10, 1; TERT. *Apol.* 7, 1; 8, 7; ORIG. *Cels.* 6, 27.

[68] So HENRICHS (1970) 25-26.

[69] Generally read as a misunderstanding of the Christian concept of "brotherly love": WAGEMAKERS (2010) 343.

[70] WALSH / GOTTLIEB (1992) 44-48.

[71] WAGEMAKERS (2010) 343.

as the main rites in early Christianity would have taken place anyway in the night, it is hard to follow him on this; but he is surely right when he underlines that "these acts became even more suspicious because of the early Christians' habit of holding their secret gatherings at night".[72] Sexual immorality surely belongs to a staple of *topoi* used against different groups, religions, and sects (as the Bacchanalia), but this accusation and the fact that they met in the night were interconnected and reinforced each other in creating a troubling image of the Christians.

As the night is connected to sexual excess but also to political conspiracy and magic, indeed, the bundle of meaning described above applied to Christianity, too. Jesus Christ was considered by many a powerful magician (and is therefore evoked in ancient magic spells), and it is presumable that Christian rituals were understood as magical rites by pagan observers:[73] the suspicion that Christian rites would hide dangerous magic practices was in reciprocal reinforcement with their nightly meetings. This applies also to the fear of political conspiracies: the idea that they were a menace for the political stability of the Empire is unlikely to have been the main reason for persecuting the Christians,[74] but it is well known that conspiracy against the Empire and against the Emperor belonged to the staple of accusations against them. Interestingly, therefore, the three elements which are connected with nightly gatherings in Roman mentality also appear in relation to the Christians in Western sources, and it is maybe not useless to ask whether the Christian habit to gather in the night could have been one of the catalysts of the rumors about and the public hostility against them.

[72] WAGEMAKERS (2010) 354.
[73] SMITH (1980).
[74] *Contra* VITTINGHOFF (1984).

3. Night and religion in Late Antique law

For Late Antique Christians, the night still represents a moment of danger, of lack of control and it is in the night that most anecdotes implying sin and self-destruction take place.[75] For this reason, the night is still the perfect background to situate the activities of the enemies of a strict Christian world order governed by prayer and vigil. It is in this sense no surprise to see that within Christian literature, the same *topoi* about rites in the night and in darkness are used to describe the religious rites practiced by heretics. Clemens of Alexandria, thus, will deploy the story of the lights turned off to attack the Carpocratians (*Strom.* 3, 2, 10), and Eusebius of Caesarea will admit that the practices described by the pagan accusers were indeed real — but were practiced only by a small groups of the heretics (*HE* 4, 7, 11).

Next to the heretics, starting in the 4th century, the traditional rites assume the role of a menace to the political and social order. They become the dangerous ones, which need to be forbidden — even if Late Antique law highlights only one aspect of their multifarious danger, the political one, connected to practices to foresee the future and to scrutinize the emperors. As Christian emperors of the 4th century did not actually have any legal model to start with if they wanted to proceed against the traditional cults,[76] "the Roman practice of labelling 'illegitimate' religion as magical or superstitious" was a viable solution.[77] But Sandwell has correctly shown that this should not be understood as a rational decision, meant to satisfy both the Christian and the pagans (whose rites were not forbidden *tout court*), because "it was impossible for them completely to distinguish legislation against magic from legislation against pagan

[75] As for instance GREG. M. *Dial.* 4, 33.

[76] SALZMAN (1987) 179-182.

[77] SANDWELL (2005) 90. In this sense, about Constantius II, already MASSONNEAU (1934) 200: "sous le couvert de crime de magie, il s'en prit à certaines formes de la religion officielle".

practices":[78] wrong religious behavior was magic.[79] The Late Antique emperors wanted to outlaw divination because of its political meaning, in continuity with the Republic and the Principate, but they did so by outlawing in general the rituals involved in divination; they thus opened the way for an identification of pagan rituals with magic rituals. As a consequence, pagan rituals in general were pushed further into the private sphere, and thus were exposed even more to the accusation of being secretive and dangerous.[80]

Indeed, Augustine explains that ancient rituals have been forbidden in continuity with previous law, and in reference to night rites: replying to the statement that the pagan rites (but not the night ones, forbidden by the pontifical law) must have been earlier accepted by God, as he allowed them to continue for such a long time, Augustine brings the discussion onto the terrain of what happens illicitly, and whether this should show that God accepts it or not. All pagan rites, substantially, have now acquired the status of the night rites — which had, according to Augustine, always been forbidden by pontifical law (*Diu. Daem.* 2, 5).

Already Constantine forbade sacrifices in his honor on one side, and private sacrifices on the other; the latter, following a trend which had characterized the entire Principate starting with Augustus and Tiberius,[81] was a prohibition caused by the fear that they might be used to explore the future, what was still considered a form of political opposition and betrayal to the Emperor.[82] For this reason, not only are queries *de salute*

[78] SANDWELL (2005) 90.

[79] Previous literature separated neatly magic from religion, following modern definitions of both concepts.

[80] SANDWELL (2005) 119-121. See also LIZZI TESTA (2004) 220-222.

[81] CASS. DIO 56, 25, 3; SUET. *Tib.* 63. Augustus should have forbidden in 11 CE to seers to prophesize to anybody without witnesses, and in general to prophesize about someone's death. See also MASSONNEAU (1934) 169-170; CASTELLO (1990) 667-671; RIVES (2003) 320-321, on the prohibition, probably in the 1st century CE, of *mala sacrificia* (presumably including night ones).

[82] MARTROYE (1930) had already argued that the legislation 'against the Pagans' in the 4th century should actually be understood as 'against magic';

principis uel de statu reipublicae subject to punishment, but also *de salute suae suorumque* and, for slaves, *de salute dominorum* (*Coll. Leg. Mos. Rom.* 15; *Paul. Sent.* 5, 21, 4);[83] private haruspicy is forbidden,[84] while the same practices are allowed when they take place *libera luce*, which hints both at their openness and publicness, but also the time of the rites, during the day (*CTh* 9, 16, 2).[85] Night sacrifices were suspicious already since the Republic, as they would cause night gatherings. Further late imperial laws continue to focus on pagan night rites, identified as dangerous because still read in the century-old bundle with magic and political conspiracy.

Nocturnal sacrifices were apparently made legal again by Magnentius during his usurpation; it is hard to say whether hejust wanted to show a greater tolerance or rather, as usurper, had an interest in making 'legitimate' queries about Constantius' life as part of his self-representation. The text of his decree is not preserved, and we know about it only because Constantius II, after Magnentius' defeat, forbade night sacrifices again (*CTh* 16, 10, 5).[86] Constantius II seems to feel the need to particularly highlight this prohibition — as Magnentius had been subjected to *damnatio memoriae*, and *CTh* 9, 38, 2 seems to declare void all Magnentius' laws, constitutions and decisions, the measure could have been formally superfluous and generated from a desire to particularly stress the opposition against night rites. This resonates from a passage in Ammianus, in which it is highlighted with what suspicion the Emperor, or better the *notarius* Paulus, looked at any kind of magic — and of night activity (19, 12, 13-14). The ensuing series of trials has been widely discussed, in particular whether it was a purely religious,

ROUGÉ (1987) 288: these measures "ne sont pas dirigées contre le paganisme, mais contre ce qui constitue la *terror* des empereurs et pas seulement la leur: les opérations magiques qui demandent la nuit pour s'effectuer".

[83] See CASTELLO (1990) 671-672.

[84] DELMAIRE (2004) 321-325.

[85] See GAUDEMET (1947) 50-51; CASTELLO (1990) 680-681; GAUDEMET (1990) 452-453; MONTERO (1991) 68. See also the above-mentioned passage by Firmicus Maternus, written in this period.

[86] See DE GIOVANNI (1980) 140-141; DELMAIRE (2004) 326.

anti-pagan movement, or rather a political action against potential opponents.[87] But, as shown until now, the two reasons do not have to be separated at all — the bundle of meanings is still active, and now leads to the application of *topoi* which had been earlier used against the Christians.[88] The night can be still 'activated' as a scaremonger when detailing accusations or proposing negative portraits.

Nocturnal sacrifices were forbidden again by Valentinian I and Valens when they became Emperors in 364, following the same principles of the Constantinian laws.[89] The reason for the measure was again the connection between religious rites in the night, magic and conspiracy, through the evocation of unsettling powers: "Hereafter no person shall attempt during the nighttime to engage in wicked prayers or magic preparations or funereal sacrifices" (*CTh* 9, 16, 7).[90] The addressee of the law, Secundus Salutius, was praetorian prefect of the Orient,[91] and it has been assumed by some scholars that the law applied only to the Eastern parts of the Empire,[92] but it is possible that the law was valid everywhere, and the compilers of the Code used a copy from the Eastern archives. According to Zosimus, this measure originated in the West but was meant for the entire Empire, and aimed to forbid the mysteries. It created troubles in the East, i.e. among those 'Greeks' who, as Cicero already knew, traditionally performed rites in the night. The proconsul of Achaia, Praetextatus, would have made Valentinian aware of the importance of the Eleusinian mysteries in Greece, and he

[87] See e.g. VON HAELING (1978).

[88] LIB. *Or.* 14, 16-17 refers of a case, in this context, in which Aristophanes was accused because he consulted a soothsayer, even if only on private matters.

[89] DELMAIRE (2004) 330. The same principle of allowing pagan rites but forbidding 'magic' had been followed, in his short reign, by Jovian and praised by THEMISTIUS (*Or.* 5, 70b).

[90] *Ne quis deinceps nocturnis temporibus aut nefarias preces aut magicos apparatus aut sacrificia funesta celebrare conetur*. All translations of the *Theodosian Code* are by C. PHARR.

[91] *PLRE* I, 814-817.

[92] WIEBE (1995) 224-226.

would have thus abrogated the law and allowed the celebration of the traditional rites. All this is a false assumption by the author, as the law was clearly directed against magic and its possible political outcomes (4, 3, 2-3); Zosimus sounds very much inspired by Cicero, and the idea of the annulment could actually be a reference to another law, this time surely Western, which explicitly allows 'innocent' haruspicy.[93]

Independent of the amount of 'elaboration' in Zosimus and of the original area of the law of 364 CE,[94] it can be safely stated that both Valentinian and Valens restated the prohibition, already formulated by Constantius II, of night sacrifices as 'suspicious' because of their connection with divination and with possible political conspiracies; the formulation of the law, which forbids 'dangerous' prayers and magic, is ambiguous enough to allow both the prosecution against any kind of night rite and the celebration of traditional rites which, in spite of their taking place after sunset, would consist of 'not dangerous' prayers. Forbidding 'nocturnal', 'private' and 'consulting' sacrifices[95] is somehow one and the same thing, as the three are considered to overlap constantly,[96] and the identification of the night as a moment of danger, and of a substantial difference in this sense between 'Greek' and 'Western' religion, as recognized by Cicero, was still valid. This is visible for example in the trials in Antioch in 371-372 CE, caused by the 'conspiracy' of a group which had tried to divine, with Delphic rituals, in complete darkness,[97] the name of the next Emperor (Amm. 29, 1).[98]

[93] *CTh* 9, 16, 9, 371 CE, explicitly stating that in religious matters the dispositions given at the beginning of the reign are still valid. See WIEBE (1995) 241-246; LIZZI TESTA (2002) 229-235. Both connect the law of 371 with an embassy led by Praetextatus to Valentinian I, which actually aimed to obtain from the emperor a prohibition of torture for senators and a statement about the correct relationship of punishments to crime (AMM. 28, 1, 24-25).

[94] THRAMS (1992) 137-138, believes e.g. completely Zosimus' version.

[95] So DELMAIRE (2004) 333.

[96] DELMAIRE (2004) 328.

[97] On darkness as a necessary element for the ritual: WIEBE (1995) 99 and the literature referenced there.

[98] In general, on this conspiracy, WIEBE (1995) 86-130.

In 381 CE Theodosius allowed again the traditional religious rites, but only in their 'pure' form, with correct prayers and not with enchantments, excluding the "forbidden sacrifices, by day or by night", approached "as a consulter of uncertain events" (*CTh* 16, 10, 7: *uetitis sacrificiis diurnis nocturnisque [...] incertorum consultorem se inmerserit*).[99] Some nocturnal sacrifices were probably still allowed, as important traditions as the Eleusinian mysteries were still an exception.

In the 4th century therefore, the Christian emperors appropriated the suspicion against rites performed in the night as connected to divination and political conspiracy (and much less to sexual matters, mentioned only as part of accusations against groups perceived as heretical), while their ambiguous way of formulating laws against *superstitio* opened the way to a possible general association of traditional rites with evocation and divination. But this was appropriated, in the course of the 4th century, by the 'pagans', who, as a reaction, considered evocation and divination as central parts of their religious tradition, and defended it against Christian attacks. Through the radicalization of the religious conflict, the representatives of the 'traditional' religion practiced, in response to the initiatives of the Christian court, always more such rites and met and sacrificed often in the night, in a way that the tradition they thought that they were defending would never have accepted.[100]

Libanius is thus very keen to stress, in his funerary oration for Julian, that the emperor could live next to the temples of the gods because of his (sexual) continence: he would not practice in the night anything unworthy of his neighbors (*Or.* 18, 128). This seems to imply that Julian did not use the night as moment of sexual and moral lack of control, but rather as moment for religious practice, thus already 'subverting' traditional thought. This would mean that by the mid-4th century the traditional rites had already changed, somehow 'adapting' to the changed

[99] See De Giovanni (1980) 141; Delmaire (2004) 331.
[100] Wiebe (1995) 236-238.

political circumstances. Praising Julian, Libanius also states that "all the sacrifices that he knows other people make at the month's beginning he has ensured shall take place every day; he greets the rising of the sun and sees it to its rest with offerings of blood, and also prepares the same for the spirits of the night" (*Or.* 12, 80): Julian practiced sacrifices to propitiate the dawn and in the evening — the times of the Christian rites. If such a change had already happened, Magnentius might have explicitly allowed night rites to attract the sympathies of the Neoplatonic pagan elites that he wanted to mobilize against Constantius.[101]

As a consequence of this radicalization, Christian sources will always more connect any non-Christian rite performed in the night to the evocation of the daemons. Such is the case, for instance, with the *interpretatio* of *CTh* 9, 16, 7, referring to those who "celebrate nocturnal sacrifices to the demons or [...] invoke the demons by incantations".[102] It is with this connotation, in connection with the dead and demonic forces, that rites in the night will continue to be deeply unsettling throughout the following centuries.

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[101] WIEBE (1995) 235-236.

[102] See also *Brev. Alaric.* 6, 2, 4. See WIEBE (1995) 226-227.

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DISCUSSION

R. Schlesier: In your paper, you deliberately focused on stereotypes and discourses, but also on legal definitions and juridical procedures. According to you, is there a correspondence between stereotypes and discourses, on the one hand, and practices on the other? And does this also apply to the legal definitions and juridical procedures connected with nocturnal religious practices in Roman culture?

F. Carlà-Uhink: This is a question that would require probably an entire conference to be thoroughly discussed. I will therefore have to give a short answer, which will sound a bit like a postulate. As you correctly highlight in your question, I would argue that we deal here with three different levels: there is the level of practice, there is the level of legal definition and of juridical production, and there are the stereotypes and discourses. All these three levels must be kept separate, but they do strongly influence each other. Stereotypes and discourses as available in a society — let's say the Roman imperial society — have a direct repercussion on the images of an 'ideal' society, or of how society should work. Such images, in the form in which the possessors of political power hold them, find an expression in legal texts and juridical definitions. Scholarship has highlighted for quite some time now that laws and legal texts do not describe at all how society functions (the continuous prohibition of the same crimes, with always harsher punishments, as recurrent in Late Antiquity, is in this sense a trace that such actions went on being performed…), but impose normative discourses about what society should be, and, thus, they have an extremely important function. They are forms of self-representation of the political power (for example, of the

Roman emperors). Practice can be partially ruled by juridical texts (as just noted, not necessarily and not always, but fear of punishment, actual punishment, being forced to perform some actions in secret, are all factors which do influence the way actions, as religious rites, are dealt with), and in its turn it influences, through its perception, thematization and reproduction in speech, the dominating discourses. I do not want to give the idea that I perceive this as a pure circle, from discourse to law, from law to practice, and from practice back to discourse, as the reciprocal influences and relationships are much more complicated; I want to highlight that it is in my opinion, taken with due care, methodologically correct to take into consideration discourses and stereotypes, laws and practices in the context of one and the same research question, as long as one is aware of the specific difficulties and issues connected with each of these three levels.

A. Chaniotis: This paper shows, once again, the importance of comparisons in the study of perceptions of the night: while for the Greeks there is a night of creation, in Judaism there is a day of creation. In your presentation you focused on the Republic and then a much later period. Might one argue that there were more discourses about the night in Rome because the Romans were confronted with radical changes — through their exposure to foreign cultural influence in the course of their expansion —, whereas in the Greek world changes were more gradual?

F. Carlà-Uhink: No, not really; you are of course right in arguing that Rome, throughout its history, was exposed to different forms of cultural contact and exchange — and the Greek cities in Southern Italy would tell a different story, not to speak of the provinces with a strong Greek culture, as Sicily or those in the Eastern Mediterranean. But the lamps from Pompeii reveal for instance the practices of nightlife, and not of the discourses or the stereotypes concerning nightlife. So, while my

contribution mostly deals with the city of Rome and with the Western provinces, and not with the Roman Empire at large, I still would like to highlight that the normative discourses we find in the literary sources which can be connected to the Roman mentality (and in general to the imperial élite) are always very similar. To say it in a very short way, Cicero's sight is representative of the sight of the entire Roman and Romanized ruling class, at least when they write (which cannot say anything about what they really did in the night!). As for the chronological bias in my contribution, I mostly wanted to show the extreme stability of the stereotypes and discourses about the night in Roman culture. I concentrated, therefore, mostly because of reasons of time and space, on the earliest and on the late sources, as I wanted to show this consistency, but of course there is plenty of other sources which reinforce these stereotypes during the Late Republic and the Principate. One can think of literary figures, such as Horace's Canidia, for instance: her destructive invocation was directed to Nox and Diana (meant as Moon: *Epod.* 5, 51-54), while the sacrificed boy's final malediction in the poem anticipates his comeback, after death, as *nocturnus furor* (*Epod.* 5, 92). Historiography moves on the same lines: Tacitus highlights again the connection between nighttime and lack of restraint when condemning the general moral degeneration he describes under Nero, when even the days were not exempt from shameful sights, and "every profligate could dare to pursue in the dark the lusts he had conceived in daylight" (*Ann.* 14, 20; trans. J.C. Yardley). The same Tacitus, interestingly, highlights the fact that the Germans calculate time based on the nights, and not on the days, as a central aspect of Othering (Tac. *Germ.* 11, 2: "Night they regard as bringing on day"; trans. A.J. Church / W.J. Brodribb). When Suetonius wants to describe the moral opprobrium of Domitian, he says that he promised "a night" to Clodius Pollion, with obvious sexual implications — the same when it is stated immediately afterwards that he ran away during the war against Vitellius and spent the night with the guardian of

the Capitoline temple (*Dom.* 1, 3). The same Domitian even organizes gladiatorial games at night, which is for Suetonius an absurdity on the same level as having women fight in the arena (*Dom.* 4, 2).

L. Dossey: You have wonderfully traced the Roman suspicion of night rituals over a thousand year period. You have convincingly shown that the Greek *mentalité* of the night that we have been discussing this week (one where pleasure, drinking, dancing, conviviality, and the gods all have a place) was not part of the Roman idea of the night. I think these are differences of discourse, not (or not just) practice. The Bithynian inscriptions about the night festivals discussed by Angelos are in fact normative texts, dating from the 1st and 2nd centuries CE. The city officials are presenting in a very public fashion their benefactions to enable the people to drink, make music, dance, and have light shows at night. Yet in the Latin texts, there is a dislike of public drinking, dancing, and the mixture of men and women at night. The Romans desire to control — and segregate — nocturnal rituals, to make them private. My question is why is there such a difference between Latin and Greek normative attitudes towards the night? Is it simply a cultural difference or something else?

My second question, or rather comment, is about the segregation of the sexes in Late Antique church ceremonies. Your paper shows that the Romans disapproved from the beginning of the mixture of the sexes at night ceremonies — and Augustine's discussion of his youthful search for women at church services — and then later segregation of the sexes in church fit in with this disapproval. I wanted to comment that this segregation of the sexes occurs throughout the empire, not just in the Latin authors. Augustine starts to do this because of the reforms by the bishop of Carthage (and there are objections to this in the Latin *De singularitate clericorum*, a Donatist text of the late 4th century, because the presence of God does not allow any sin). In the east, at the same time as Carthage and Hippo are

segregating the sexes, John Chrysostom wants to divide men and women in Constantinople, especially at the night vigils. So it is something you find as much in the Greek as Latin world by this time. In general, I think your paper suggests that by the late fourth century, eastern norms and Latin norms about the night are converging. Do you think this might be the case?

F. Carlà-Uhink: You are absolutely right about the difference between the Greek and the Roman world, which is one of the most important aspects, in my opinion. Your question about the reasons behind this difference is extremely difficult to answer — the difference is there in the earliest sources: as I said, the Roman suspicions about the night are clearly visible in the *Twelve Tables*, and are already connected to the dangers of subversion of the political and social order, but I honestly would not want to dare proposing any explanation, which would simply be haphazard and at risk of cultural determinism. The religious aspect is less of a problem. As Cicero shows, specific cults which are recognized as 'traditional' or as 'necessary' for the social order — in a Bachtinian sense, I would say — are accepted, as accepted is the inversion they cause in the night; but they are accepted, as you say, exactly and only because they are strictly controlled, both temporally and spatially: they take place on specific occasions and in specific places; this is known and accepted, and it is not something happening in a 'secret way'. Of course, we are back to the problem of distinguishing magic and religion: according to different authors and to each person the boundary of the 'good and controlled' subversion rite and of the 'illegitimate and dangerous' one can run in a completely different way. Cicero, for example, calls legitimate the mystery cults to which he is initiated; later emperors might have tried to introduce new cults which were perceived as illegitimate and dangerous by most of the population (I am thinking of Elagabalus), and this belongs to their condemnation in the literary sources — but Elagabalus would have probably said that that was a traditional and legitimate rite…

As for your second question, thanks for your observation, which indeed integrates in a very meaningful way some of my points. You are right that some Christian texts defend the mixture of the sexes during religious meetings, as during the celebration of mass (even if there might have been still clear separation during the celebration itself, for instance, in the distribution within the church). Still, as I have mentioned in my contribution, many Christian authors, as Augustine, are extremely critical of situations in which religious feasts take place during the night, in particular those in honor of the martyrs, where men and women are together in situations that are not easily controllable. The main point, I guess, is that a religious rite such as mass is a controllable situation, in which men and women can be together, because everyone is together and there is light during the celebration. But feasts where darkness abounds, and where people can hang around and do not stay together become much more suspicious from a Christian perspective. I would say that for Christians it is not about the night, which for them is, as I hope I have shown, far less dangerous than for the Romans, as much as it is about leaving open spaces for temptation — for instance leaving a man and a woman alone in the dark.

K. De Temmerman: My comment is triggered by the general idea of the lack of control characterizing the night, which also has an interesting role to play in hagiographical Latin texts of Late Antiquity, where it is bound up with secret conversion. In the *Passio Caeciliae*, for example, night is the time when Caecilia persuades her newlywed husband not to have sex with her and to convert to Christianity — which has inevitably a socio-political dimension, not only because the idea of chaste marriage undermines at least some aspects of the social institution of marriage, but also because Christians in these texts are consistently opposed to the pagan political (and persecuting) authorities.

F. Carlà-Uhink: Yes, you are absolutely right: the night is central in many hagiographical texts from Late Antiquity, which

I could not consider mostly because of reasons of space. As hagiographical texts are written by Christians for a Christian audience and with the aim to celebrate the history and courage of the community and found its identity, we find in them a role for the night which must be explained from this point of view. Sometimes the night in these texts is the moment of prayer, and of divine revelation, the moment in which the congregation meets, and this corresponds perfectly to the "Christian night" I tried to delineate. Just to mention one example, Melania the Younger, just before giving birth to her second child, spends all night before the commemoration of Saint Lawrence in a vigil, praying and making genuflections, and then goes to the martyrium of the Saint and there delivers the child. (*V. Mel.* 5) But the case you mention is also a recurrent *topos* in the life of Christian female saints; in this case, I would say that what we see here is the appropriation and subversion of the role of the night. While Roman mentality saw in the night, among other aspects, the moment of uncontrolled sex, and this is one of its dangerous sides, such texts do use the night as time for intimacy between the spouses, but also for prayer — as the moment in which every form of sexual intercourse is challenged and in the end renounced for a completely Christian life. Somehow, the hagiographical text 'memorializes' in this form both the tension between Romans and Christians about the night and its value, which I tried to explain in my contribution, and the 'victory of the Christian night', from which sex is now absent, but prayer is a constant presence.

V. Pirenne-Delforge: Comme un des apports centraux de cette belle analyse concerne les représentations stéréotypées et les distinctions que l'on peut déceler entre la vision romaine et la vision grecque de la nuit, je me demande si l'on peut percevoir une différence à cet égard dans le discours des Pères de l'Église selon qu'ils écrivent en latin ou en grec, selon qu'ils viennent des régions occidentales ou orientales de l'Empire?

En contexte chrétien, trouve-t-on des traces d'une appréciation positive de la nuit en tant qu'elle est une création de Dieu

lui-même? À première vue, on a plutôt l'impression qu'il s'agit surtout d'une période où la tentation frappe avec plus de force que pendant le jour.

F. Carlà-Uhink: Answering your first question, yes — I think there is a clear difference on this point. The stories connected to the lamps being turned off are generally in authors from the West, or responding to Western accusers: in my paper I quoted Minucius Felix, because he has the most elaborate presentation of this accusation; but the same story can be found twice in Justin Martyr, whose works have all been written after his arrival in Rome, in Tertullian and in Origenes; but the latter was responding to Celsus, whose origin is unknown, who travelled throughout the Eastern provinces, and who wrote in Greek, but who also bears a very Latin name. Interestingly enough, other authors of *Apologies*, such as Athenagoras, do mention the accusations of sexual incontinence and incest (Athenagoras uses the expression "Oedipean intercourse" (*Leg.* 3, 1), and refute them, but do not put them into any connection with the night or with such episodes with dogs and lamps. So, I would definitely see such a difference and a bigger insistence on the aspects connected to the night in Western attacks on the Christians — and, therefore, in the Christian authors who respond to them. I mentioned Clemens of Alexandria, for instance, and he is a good example of that: he states (*Paed.* 2, 4) that the good Christian should not attend banquets where people get very drunk and in the end commit immoral acts, and explains how the good Christian should attend banquets, far away from prostitutes and, of course, pagan rites. But interestingly, he does not express anything against night activity as such, but against bad and immoral night activity. In this sense, it is clear that the 'Roman' bundle of darkness, conspiracy, magic and sex is not in the background of his chapter. Indeed, Clemens, as I said, also uses the *topos* of the lamps turned out, but against heretics, and probably deriving it from 'Western' accusations of the Christians.

As for your second question, I think I need to start making clear that Cicero and Livy and their peers did not, in my opinion,

have a negative opinion of the night as such, as natural phenomenon. I mentioned the *De natura deorum*, in which the night is the natural moment for rest. What they dislike is any other kind of activity taking place in this time. But indeed, I see a difference with the Judeo-Christian tradition, even if I do agree with you that most characterizations (or at least the most vivid ones, which one tends to remember!) are often stories of temptation. Already in *Genesis* (1, 4), the creation of light is explicitly presented as good, the creation of darkness not; still, the darkness is created by God and is inserted, in alternation with the day, in the order of the world, as in *Gen*. 8, 22 (see also Becker [2013] 575-577). Also Augustine, commenting on *Genesis*, calls the night "ordered darkness" (*ordinatae tenebrae*: *Gen. ad. Litt.* 1, 17, 34). In general, as Becker has shown ([2013] 578-583), the night has a positive side in Christian thought, not only as it is inserted in God's creation, but also because it has a providential meaning: it gives the humans needed rest, both in the East and in the West. John Chrysostom, who recognizes that most people consider darkness evil, replies that it is a moment of relaxation and suspension of pain and struggle, and that without it we could not appreciate the light (*PG* 56, 152). Ambrose touches upon this point too, and does it in a way which brings somehow together Christian providential thought with Cicero's idea, inspired by Stoicism, of a time to work and a time to rest, as expressed in the *De natura deorum* (Ambr. *Hex*. 1, 10, 38: *noctem enim ad quietem corporis datam esse cognoscimus, non ad muneris alicuius uel operis functionem, quae somno et obliuione transcurritur*). I do not see here a contradiction with the surviving and long-lasting Western suspicion of the night — or better, of activity in the night, as this is 'naturally', from a Stoic perspective, a time to rest (and therefore Seneca's criticism of the intellectual working in the night in *Ep*. 122, 16, mentioned by Angelos Chaniotis — but see also Sen. *Ep*. 122, 9). But in Christian thought, this implies that the night is a time free from bodily activities and daily worries and therefore free for prayer and meditation — on this Cicero and his peers would not agree. This does not mean that Christians see the night only positively, and you are perfectly

right in highlighting the huge amount of episodes of temptation, of sin, etc., which takes place in the night (Ambr. *Exp. in Ps. 118*, 8, 46 has for instance a vivid description of the sinner, upset during the night). This is not inconsistent with the other aspects, if we see the night in Christianity as a moment in which the daily norms are suspended and one is left somehow alone with his conscience and in front of God. This is the opportunity, but also the great danger, which needs then to be once again controlled by the religious and the political authorities. Interestingly, the two aspects come together in the prayers said in the night to keep away daemons.

P. Ducrey: Selon les *Actes des Apôtres*, 16, 22-34, l'apôtre Paul et son compagnon Silas furent libérés de leurs entraves au milieu de la nuit, à la suite d'un tremblement de terre. Comment analysez-vous cet événement?

F. Carlà-Uhink: I think that this particular episode can be read following two threads, both very present in discourses about the night. The first one is the role of the night as "enhancer of emotional responses," as Angelos Chaniotis has made evident in his contribution. This also implies recording most natural phenomena, such as earthquakes, as happening in the night. Next to it is the night as moment of divine revelation, which is intrinsic to its being 'unbound' by the daily rules of human limits and behaviors — as this earthquake is a powerful revelation of God's will, this is a further reason to record it, in discourse, as having happened in the night — of course independent of what the actual episodes behind the narration are, which cannot be reconstructed.

A. Chaniotis: I think that this episode is more about earthquakes that occur at the right moment to save the 'good guys'. I have treated this subject in a study.[103]

[103] A. CHANIOTIS (1998), "Willkommene Erdbeben", in E. OLSHAUSEN / H. SONNABEND (eds.), *Stuttgarter Kolloquium zur historischen Geographie des Altertums 6, 1996. "Naturkatastrophen in der antiken Welt"* (Stuttgart), 404-416.