

Nighttime Graffiti in the Roman Republic: Populism and the Anti-State

Grafitos nocturnos en la República Romana: populismo y el anti-Estado

Gaueko grafitiak Erromatar Errepublikan: populismoa eta anti-Estatua

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Abstract

This paper contends that populist graffiti in the Roman Republic, including famous examples from the aftermath of Gaius Gracchus's death and the last weeks of Julius Caesar's life, were at times intentionally produced at night, not just for the security and anonymity of darkness, but also in order to generate maximum impact, with a daybreak surprise that breached the notional barriers between the populist night and the aristocratic day. Various sources indicate that the formal institutions of the *res publica*, as dominated by the elite, were largely diurnal in nature, such that the state was effectively suspended at every sunset, and the night became the province of the marginalized. Graffiti from this context, when newly revealed at dawn, thus constituted a missive from an anti-state to the «legitimate» one – a kind of technology of illumination that facilitated popular engagement with political debates from which the people were otherwise procedurally excluded.

Keywords

graffiti; Rome; night; populism; subversion.

Summary

1. WRITING AT NIGHT. 2. THE DIURNAL STATE. 3. A TECHNOLOGY OF ILLUMINATION. BIBLIOGRAPHIC REFERENCES.

Resumen. Este artículo sostiene que los graffiti populares en la República Romana, incluidos ejemplos famosos de las secuelas de la muerte de Cayo Graco y las últimas semanas de la vida de Julio César, en ocasiones se produjeron intencionalmente durante la noche, no solo por la seguridad y el anonimato de la oscuridad, sino también para generar el máximo impacto, con una sorpresa al amanecer que traspasó las barreras teóricas entre la noche populista y el día aristocrático. Varias fuentes indican que las instituciones formales de la res publica, dominadas por la élite, eran en gran medida de naturaleza diurna, de modo que el Estado quedaba efectivamente suspendido cada atardecer y la noche se convertía en territorio de los marginados. Los graffiti de este contexto, cuando se revelaron nuevamente al amanecer, representaban el mensaje de un anti-Estado al «legítimo», una especie de tecnología de iluminación que facilitó la participación popular en debates políticos de los que de otro modo estarían excluidos procesalmente.

Palabras clave: graffiti; Roma; noche; populismo; subversión.

Laburpena. Dokumentu honen arabera, Erromatar Errepublikako graffiti populista batzuk berariaz sortu zituzten gauetz, adibidez Gaio Grakoren heriotzaren ondoko eta Julio Zesarren bizitzaren azken asteetako graffiti ospetsuak, ez iluntasunaren segurtasunagatik eta anonimotasunagatik bakarrik, baizik eta ahalik eta inpakturik handiena sortzeko, eta egunsentian ezusteko moduan agertzeko, gau populistaren eta egun aristokratikoaren arteko oztopo kontzeptualak apurtuz. Zenbait iturrik diotenez, *res publicaren* instituzio formalak, eliteen dominaziopekoak, nagusiki egunekoak ziren, eta, iluntzean, estatua erabat gelditu, eta gauetz marjinetuen probintzia bihurtzen zen. Testuiguru horretan, graffitiak, egunsentian agertzen zirenean, anti-estatu baten mezuak adierazten zizkieten estatu «legitimoari» –argiztapen teknologia moduko bat zen, eta horrek erraztea egiten zuen herritarrek konpromisoa hartzea bestela prozeduraz baztertuta gelditzen ziren eztaba politikoekiko–.

Gako-hitzak: graffiti; Erroma; gaua; populismoa; subertsioa.

1. Writing at night

Graffiti were a regular weapon in the political conflicts of the Roman world. In episodes admirably collected and analyzed in recent scholarship¹, we find leaders alternately encouraged to action or vilified for malfeasance through the medium of anonymous writing on walls or monuments. The contribution of this paper is to emphasize the nocturnal context of select episodes, and to consider them in light of new observations about the Roman clock and how politics were arranged and legitimized (or in the opposite, how they were *de-legitimized*) by their relationship to the organization of time. Populist proclivities, otherwise disadvantaged in the Roman system through processes that favored the aristocratic social order during daylight hours, could find heightened expression through graffiti, freely composed at night. Indeed, such writings on walls can be found at the center of momentous change: the episodes of explicitly nocturnal

¹ Zadorojnyi, 2011; Morstein-Marx, 2012; Hillard, 2013; Chaniotis, 2019; Montlahuc, 2019. See also graffiti's literary qualities: Milnor, 2014.

graffiti from the Republic are only two in number², but they precipitated major developments in its turbulent history, namely, the radical reforms of Gaius Sempronius Gracchus in 121 BCE and the assassination of Julius Caesar on the Ides of March in 44 BCE.

First, in 121 BCE, the city was in turmoil as the tribune Gaius Gracchus was pursuing an aggressive agenda on behalf of his plebeian and equestrian supporters. Alarmed at the potential threats to aristocratic privilege (among other affronts), the consul Lucius Opimius convened an emergency meeting of the senate at the break of dawn. Since senatorial meetings did not typically take place until the third hour or later, the timing of Opimius's bid had the effect of casting Gracchus's movement as particularly dangerous. The senators gave Opimius what he requested – special powers to move against Gracchus and his followers as enemies of the state – and a veritable pitched battle ensued in the streets of Rome, and Gracchus lost his life, either by suicide or execution³.

By all appearances, Gracchus's faction would appear to have been dealt a serious blow, but strategically crafted graffiti proved that it was still very much alive. Shortly after the *melée*, Opimius renovated the Temple of Concord, an old venue that loomed over the Forum at the base of the Capitoline Hill. This «Concord» had been conceived in the fourth century BCE to mark a new era of comity between plebeians and patricians at the time, and by refurbishing it now, Opimius was effectively declaring that his throttling of Gracchus had been meant to *protect* plebeians, not assail them. But as Plutarch tells us, the surviving Gracchans sought to expose Opimius's propaganda as a lie: at night they carved a verse on his temple's façade, «An act of madness created the Temple of Concord»⁴. As the sun rose on the new inscription, which notably faced due East and would have received the first direct rays, the Gracchans in effect were answering in kind Opimius's own unorthodox convening of the senate at dawn, which began the attack to begin with. It was inherently a political act: Opimius would have understood in no uncertain terms that the causes espoused by Gracchus had not died with him,

² Hewing to the twin parameters of nighttime composition and a Roman Republican setting, we set aside famous examples of graffiti that are not directly associated with the night, such as those that goaded Tiberius Gracchus onto his reforms in 133 BCE (Plutarch, *Tiberius Gracchus*, 8.10), as well as omitting nocturnal graffiti from contemporary, but non-Roman contexts, such as those leveled against Agathocles in the court of Ptolemy V (Polybius, 15.27.2-3). See Morstein-Marx, 2012, pp. 201-202; Chaniotis, 2019, pp. 13-14; Morstein-Marx, 2021, p. 527, n. 177. On the graffiti-like qualities of various non-written types of sloganeering, see Zadorojnyi, 2011, pp. 121-122.

³ Plutarch, *Gaius Gracchus*, 17.3. See Nippel, 1984, p. 26; Fuhrmann, 2012, p. 95.

⁴ Plutarch, *Gaius Gracchus*, 17.6. Plutarch's Greek obviously does not reproduce the Latin of the slogan; for game attempts at guesses, see Morstein-Marx, 2004, pp. 102-103, n. 159; Hillard, 2013, p. 111.

and whatever senatorial politics followed thereafter would do well to acknowledge the endurance of a Gracchan way of thinking⁵.

The events surrounding Gaius Gracchus are well known as major catalysts for yet further divisions in Rome in the years that followed his death, yet our second episode of nocturnal graffiti outstrips even Gracchus in its notoriety and its marking of a watershed in Roman history. In the early months of 44 BCE, Julius Caesar seemed to be on an unstoppable course in revolutionizing Roman politics and the nature of the state. After his conquest of Gaul nearly ten years prior, his recent defeat of Pompey in civil war, and his new alliance with Cleopatra VII of the Ptolemies, Caesar had amassed overwhelming influence and accrued new dictatorial powers. Resistance to Caesar would have seemed largely non-existent, were it not for graffiti that began showing up in the mornings, which principally called upon Marcus Junius Brutus to make a move. Brutus made sense as the champion of anti-Caesarian sentiment for a couple of reasons. Politically, he was a former supporter of Pompey's, though he had benefited from Caesar's clemency and was now serving as urban praetor, and symbolically, he shared his name with Lucius Junius Brutus, the storied founder of the Republic from the distant past, who had «liberated» the city from the last king of Rome in 509 BCE. The graffiti urging Brutus to action took advantage of both of these aspects of his identity: some of it appeared on the tribunal where he conducted his duties as a magistrate, and some, on the base of an honorific statue to the ancestral Brutus on the Capitoline. «You're asleep, Brutus!» went one of the slogans⁶; «Brutus, have you been bribed?» and «Brutus, are you dead?» and «You're no true Brutus!» were others⁷. Yet another tack took the form of direct addresses to the historic Brutus, rather than the living one: «Your descendant is not worthy of you!» and «Would that you [the historic Brutus] were alive!»⁸ Finally, a graffiti attested only by Suetonius was written on the base of a statue of Caesar himself, asserting that in contrast to Brutus having driven out the kings, this Caesar was now driving out the consuls, and was thus a new *rex* for Rome⁹. The significance of the multiple surfaces for writing – from current political architecture to museum pieces, as it were, that monumentalized the past – along with the sustained theme of the values of the old Brutus, bespeak a sophisticated and coordinated effort¹⁰.

⁵ Zadorojnyi, 2011, pp. 119-120; Morstein-Marx, 2012, p. 197-199; Hillard, 2013, pp. 109-112.

⁶ Plutarch, *Brutus*, 9.7; Plutarch, *Caesar*, 62.7; Dio, 44.12.3.

⁷ To the references in the previous note, add Appian, *BCiv.* 2.16.112.

⁸ Suetonius, *Julius*, 80.3; Appian, *BCiv.*, 2.16.112; Dio, 44.12.3.

⁹ Suetonius, *Julius*, 80.3.

¹⁰ Zadorojnyi, 2011, pp. 124-126; Morstein-Marx, 2012, pp. 204-207; Hillard, 2013, pp. 112-114; Chaniotis, 2019, p. 13.

During the day, Caesar was unmatched and uncontested, but by means of the graffiti, he would have been made aware that in the other half of time – the night – dwelled those who were unhappy with the direction he was headed. Our sources identify the source of the graffiti as the people – literally the *hoi polloi*, as per Dio, but Plutarch and Appian also preserve a tradition whereby Cassius, a senator and friend of Brutus, misattributed the campaign to the aristocracy as a way of convincing Brutus to take up the cause, since Brutus would otherwise not have heeded the calls of «artisans and shopkeepers»¹¹. Zadorojnyi and Morstein-Marx came to the simultaneous conclusion (neither cites the other owing to proximity of their publications) that this marks an attempt of a senatorial to appropriate the fruits of a populist¹². If this were true, it would only corroborate a central tenet of this paper's thesis, namely, that graffiti were a legitimate, or at least «legitimate-adjacent», foray into political debate – a salvo that was open to the trickery of rivals, which also characterized forensic rhetoric, and one that would have been impossible for the authors of the graffiti to effect according to the rules and habits of political speech and decision-making.

One should include in the discussion of the Brutan graffiti another, nearly simultaneous example of nocturnal sign-making from January, 44 BCE, though it did not involve written words. One morning, the sun rose to reveal that a diadem had been threaded into a laurel wreath and placed on the head of a statue of Caesar¹³. The message was clearly meant to expose Caesar's ambition toward royal power, but there is disagreement over whether the motivation was in support of such an outcome, or opposed to it, in the sense that Dio allows that aristocratic opponents of Caesar may have organized the vandalism thinking that it would incense the people and rouse them to action¹⁴. Such a theory is in keeping with the episode involving Cassius above, where an aristocratic faction could conceivably have dabbled in graffiti, but only in deceptive fashions predicated on the assumption that such graffiti were typically understood as populist in origin. Whatever the case, when the tribunes identified the perpetrator of the diadem incident and arrested him, the people cheered them as latter day Brutuses, and Caesar became enraged, to the point of taking the extreme step of deposing the tribunes. In Morstein-Marx's interpretation, the whole affair was what inspired the more systematic graffiti campaign rooted in Brutus's identities, although the

¹¹ Plutarch, *Brutus*, 10.6; Appian, *BCiv*, 2.16.113. See Zadorojnyi, 2011, pp. 126-127; Morstein-Marx, 2012, pp. 210-211.

¹² Zadorojnyi, 2011, p. 127; Morstein-Marx, 2012, p. 210.

¹³ Plutarch, *Brutus*, 9.8; Plutarch, *Caesar*, 61.8; Appian, *BCiv*, 2.108; Dio, 44.9.2-3. See Morstein-Marx, 2012, pp. 208-209.

¹⁴ Morstein-Marx, 2012, p. 208, n. 65.

chronology is uncertain¹⁵. I would allow for a third interpretation of the nocturnal episode of the diadem, namely that it was of a piece with the Brutian graffiti *criticizing* Caesar. The diadem must have looked ridiculous, to the extent that the image hinged on irony – as in, «see how preposterous a crown looks on this Roman?» – and the sarcasm was simply lost to our later sources. In this scenario, Caesar’s anger at the tribunes would not be for arresting the vandal but for drawing attention to, and thus exacerbating, what could have been diffused as a minor event. Caesar, after all, was known for tolerating jokes made at his expense, such as the bawdy verses questioning his masculinity, which his soldiers sang in his triumphal procession¹⁶: by laughing along Caesar neutralized the remarks as harmless and even affable bits of cleverness. In any case, Caesar clearly misjudged the political climate in early 44 BCE and did not take the graffiti seriously enough, for he was apparently surprised a few weeks, or perhaps just a few days, later when he found that the selfsame Brutus had answered the call and hatched a conspiracy that violently took him down. The sources do not say as much, but I suspect that Caesar did appreciate the populist message embedded in the graffiti and had every intention of altering course to accommodate it, given his propensity to gauge politics with near perfection up to that point, but he did not get the chance.

2. The diurnal state

The dual episodes of nocturnal graffiti recounted above have been studied as a piece by multiple scholars. Morstein-Marx deftly reads them as examples of both «hidden transcripts» that conveyed the displeasure of a population under the sway of a dominant group, as articulated by the anthropologist James Scott, and as generators of «common knowledge» that undergird feelings of solidarity, as defined by the political scientist Michael Chwe¹⁷. Hillard emphasizes the location of the graffiti, in keeping with the theme of the volume of which his essay was a part, arguing that they served to contest elite bids to dominate public space¹⁸. Similarly, Montlahuc looks at how the substantiation of political dialogue in public, written form leveled the playing field, and a disempowered populace used them

¹⁵ Morstein-Marx, 2012, p. 209.

¹⁶ Suetonius, *Julius*, 49.4.

¹⁷ Morstein-Marx, 2012, pp. 192-197, pp. 202-203. He deploys both interpretations against a Gramscian reading of «cultural hegemony» and a Marxist reading of «false consciousness» in resistant speech, or the lack thereof.

¹⁸ Hillard, 2013.

to engage an empowered elite as «equal to equal»¹⁹. Given that we possess none of the original graffiti in these cases but only their reportage by later historians, Zadorojnyi examines how elite historians and political figures portrayed and responded to the popular nature of graffiti authorship²⁰.

All of the above studies, superb in their way (and with more room than here to discuss the episodes themselves and their sources) have been influential for this essay, but I would like to shift focus to the temporality of the graffiti, both in their composition at night and in their revelation upon the rising of the sun. I argue that both of these moments in the Roman clock were fraught with *political* meaning, which the graffiti artists intentionally exploited as a supplement to their other (limited) levers of power and communication in the traditional processes of the Republic.

We begin by observing the fundamental characteristic of Roman political culture that legitimacy in the state could only be conferred in daylight. That is, most rituals of politics and official business, with all their transactions, proceedings, and conclusions, were stipulated to take place after dawn and before sunset. The line that is often taken as evidence is that of Varro, as quoted by Aulus Gellius, that decrees of the senate that were issued at night were invalid²¹. Along these lines, Cassius Dio records that a pre-dawn vote for a triumph in 54 BCE was seen as illegal by virtue of its timing²², and Caesar was able to sneer against his rival Pompey for convening a senate at night while on the run in the civil war campaign, rendering its proceedings null and void and demonstrating, also, Pompey's desperation. As Ramsey has shown, meetings of the senate were held only in the day, and well into the day, at that – not typically commencing before the third hour, or around 9:00 by our clock (though this varied, to our conception, with the seasons)²³. In making this argument, Ramsey was challenging Mommsen's conclusion that the break of dawn was the usual time for the senate to convene. By reexamining the references that Mommsen had adduced, he showed that all of them dealt with an emergency of some kind and were anomalous, including Lucius Opimius's daybreak gambit in order to deal with Gaius Gracchus, discussed above. Metzger has shown that judicial actions, too, were for the day: if the proceedings of a trial were running long, the court would adjourn before dark and reconvene the next morning, as late as the same third hour as senatorial meetings²⁴.

¹⁹ Montlahuc, 2019, 208: «égal à égal».

²⁰ Zadorojnyi, 2011.

²¹ *Atticae Noctes*, 14.7.8. See Mueller, 2004, p. 80; Ker, 2004, p. 220. Note Welch, 2005, p. 313: «Roman political had to happen in the daylight».

²² Dio, 39.65.2.

²³ Ramsey, 2008.

²⁴ Metzger, 2010. Note Martial 4.8.13, and compare Linn, 2014, pp. 43-44.

When Ulpian, in the third century, declared that contracts signed at night should now be viewed as valid, he was proving that many viewed the opposite to be the case in the period before him²⁵.

The daytime quality of the *res publica* applied not only to the mechanics of government, but also to the social performances of its elite actors. As Hölkeskamp observed, physical visibility was critical to the machinery of public life:

[a]ll institutions are... permanently 'present' and visible in the full sense of the word: magistrates, councils, and assemblies always confront each other 'face to face' and interact there with each other directly, again in the literal or 'physical' sense. In other words, they meet, stand with regard to, and communicate in their various sociopolitical roles in the public space²⁶.

For individual participants in this *res publica*, visibility involved not only moving through crowds and appearing before them, but doing so specifically in the regimented hours of day. The very start of a Roman day bears this out: Speksnijder has written about the political and temporal importance of the ritual of *salutatio* in which a leading man's clients gathered in the street outside his door in the morning to queue up for making petitions, or for merely physically reifying their support. *Salutationes* were a critical part of the Roman public sphere, and the comings and goings of an aristocratic house at first light were publicly tracked in the calculation of status and power²⁷. Quintus Cicero's commentary on the art of running for office is evidence for what might follow in the day – glad-handing through the streets, and being observed in important places like the Forum, even if he were not (yet) standing for election²⁸.

For an elite Roman, the day was meant for *officia* and *negotia*. That is the reason Pliny the Elder gave for pursuing his sideline literary interests at night – after hours, as it were. He seems to be channeling Varro when he assured the emperor Titus that the *Historia Naturalis* occupied the leftovers of the day, when he was «burning the midnight oil», one of Ker's translations for the term *lucubratio*, a virtue whose valences he unpacked in an important article²⁹. A senator might well work individually at night, but the day was for public life; service in public was his obligation. Funerals, the ultimate (as in, the truly final) appearance of elite senators in public, were also for the day, if we read backward from Servius's commentary at *Aeneid* 11.143 that nighttime funerals

²⁵ Ulpian, *Digest*, 28.1.226.6; Mueller, 2004, p. 78; Mueller, 2011, p. 235.

²⁶ Hölkeskamp, 2010, p. 71; see also Hölkeskamp, 2020, pp. 43-62 on the «performativity of power».

²⁷ Speksnijder, 2015.

²⁸ Quintus Cicero, *Commentariolum Petitionis*, 34.

²⁹ Pliny, H.N. praef. 18: *subsicivisque temporibus... id est nocturnis*. See Ker, 2004, p. 210.

were held in cases of premature or otherwise untimely deaths, so that the dark could conceal the tragedy from onlookers³⁰. Under normal circumstances the deceased and his family's *imagines*, or, funeral portraits extending many generations back in the most aristocratic of clans, which were assembled anew upon any prominent death, had to be seen by the many for the proper effect to be realized³¹.

3. A technology of illumination

The night was a different world from the day in the republican period, populated by different constituents and governed by different rules. The Laws of the Twelve Tables acknowledged this reality from the earliest days: according to the code, if a thief were caught at night, he could be killed with impunity, whereas if it were during the day, presumably, there would be due process³². Rather than an attempt to govern the night, the law seems more like a surrender to its denizens, or an admission of futility, rather as the same legal code clumsily declared all congress at night to be illegal – a highly dubious proposition³³. Who, then, flourished in the Roman night? Scholars of nighttime in early modern Europe are in agreement that night was for the marginalized³⁴, and one can readily see the same understanding in Roman sources. Cicero summed it up in the *Pro Roscio Amerino* in a reference to guard-dogs: they bark at night because anyone outside at that time, by definition, was suspicious, whereas they know to keep quiet for visitors in the daytime³⁵. Lucretius, Cicero's contemporary, wrote about villagers who saw the night as filled with spirits, and Spaeth analyzed stories of the so-called Night Hag in Roman literature, where witchy figures (as told by male authors) played penetrative and castrating roles, clear inversions of sexual norms³⁶. Linn cited several examples in Plautus in which the night seems to be what he called a «slave space»: in the *Rudens*, the slave Gripus walks the streets at night, performing tasks that will keep his master, who sleeps from dusk to dawn, out of poverty³⁷. The idea of nighttime as an inversion of reality is concisely articulated in the Roman Saturnalia, the December solstice festival

³⁰ Mueller, 2004, p. 81; Ker, 2004, p. 219.

³¹ Flower, 1996.

³² *Twelve Tables*, 8.12; Mueller, 2004, p. 80; Fuhrmann, 2012, pp. 49-50; Fagan, 2016, p. 233.

³³ *Twelve Tables*, 8.26; Nippel, 1984, p. 24.

³⁴ Palmer, 2000; Ekirch, 2005; Koslofsky, 2011.

³⁵ Cicero, *Pro Roscio Amerino*, 56.

³⁶ Lucretius, *De Rerum Natura*, 4.577-583; see Linn, 2014, p. 33. Spaeth, 2010.

³⁷ Linn, 2014, p. 63; Plautus, *Rudens*, 915-922.

that occurred on the longest night of the year, where social roles were reversed, and slaves became masters.

Mueller argued that the night was largely a plebeian space. He traced an association of night with not only the plebeian order but specifically with plebeian activism in politics, alleged in Roman antiquity to be at the very origins of the Republic: Livy understood the First Secession of the Plebs to have had its roots in the *nocturnus coetus* of 494 BCE³⁸. The same anxiety is flagged by Livy in his account of the senatorial response to the Bacchanalian controversy in 186 BCE, where the senate feared the rapid spread of a new nocturnal cult among the people of Italy. The anxiety that consumed the senatorial order, as evidenced by the inscription recording their decree, was not so much religion as its intersection with politics: «Let no man be a priest. Let not any man or woman be a *magister* or any likewise be minded to institute a common fund». As Mueller put it, senators were observing the formation of an infrastructure of power, made at and for the night, which «mirrored diurnal counterparts of legitimate government» and in dangerous ways³⁹.

In multiple forensic speeches Cicero uses imagery and metaphor to cast his opponents as agents of the night, and therefore of dubious ethics or competence. Cicero's early career coincided with the fallout and denouement of the violent proscriptions exercised by Sulla in the 80s BCE, and many of his cases dealt with correcting the abuses of Sulla's thugs (as he portrayed them)⁴⁰. Repeatedly, a hallmark of his rhetorical strategy was to place their activities in the dead of night, or even more interestingly, to describe them with nocturnal metaphors even when the episode was diurnal. In the *Pro Roscio Amerino*, for example, delivered in 80 or 79 BCE when Sulla was at least still alive and potentially when he was still holding the dictatorship, Cicero defends his client from charges that he sees as trumped up by henchmen who operated in Sulla's name, but without Sulla's knowledge. Notably, they are not only unsavory; they are nocturnal:

These people, as if an eternal night had enveloped the republic, rushed about in the darkness and threw everything into confusion. I am surprised that the benches were not also burned, to prevent any trace of judicial proceedings being left... But as long as the state lasts, trials will take place⁴¹.

³⁸ Mueller, 2004; Livy 2.28.1.

³⁹ *Inscriptiones Latinae Selectae* 18; Nippel, 1984, pp. 24-25; Mueller, 2004, p. 84, n. 28.

⁴⁰ Santangelo, 2007, pp. 88-94.

⁴¹ Cicero, *Pro Roscio Amerino*, 91; Pieper, 2020, p. 213. The allusion to the potential burning of the judicial benches seems to refer to the institution's diurnal quality, and so they serve as fitting targets of the nocturnally stateless.

Not only do the Sullans creep about at night, elsewhere in the *Pro Roscio Cicero*, their foil, acts as a kind of human flashlight, catching the crooks in the act and revealing their plot to the jury, at least as he himself conjured the scene.

Jurors, does it not seem to you that you can discern with your eyes what you have heard? Do you not see that unfortunate man returning from supper, unaware of the fate that awaits him? Do you not see the ambush in wait, the sudden attack? Is not Glaucia implicated in the murder before your eyes? Is not that the vile Titus Roscius on the scene?⁴²

Cicero himself is the light that will free the city from its nighttime assailants. Another famous example of the phenomenon can be found in the Catilinarian controversy of 63. On a cold November morning, like Opimius, Cicero called for a rare daybreak meeting of the senate; his task was to reveal what he knew of a scheme that had been unfolding up to that point at night, hatched by another Sullan associate, the disgruntled and impoverished senator Catiline. Against this threat, Cicero vowed to shine a light, and to do so explicitly in keeping with the model laid down by Lucius Opimius, whom he cited toward the start of the speech, at section 1.4. But the agenda had been prefigured even earlier in the speech, in no less notorious a passage than *In Catilinam*, 1.1, some of the most famous lines in Latin literature:

How far in the end will you abuse our patience, Catiline? How much longer will your vile rage mock us? What limit is there to the vaunting of your unbridled gall? Does the nighttime guard on the Palatine not convince you, nor the watches in the city, nor the fear of the people, nor the unanimity of all good men? What about this most fortified location for convening the senate [the Temple of Jupiter Stator], or the faces of these men [or, the Dawn] and our expressions?⁴³

In addition to the obvious references to the night – to the guard (*praesidium*) and the watches (*vigiliae*) – and to Cicero's ability to see and behold and reveal all, I would point out a clever piece of wordplay at the end of this excerpt. Cicero here wonders if Catiline can see «the faces of these men», meaning the senators in the room, but the Latin for this phrase, *horum ora*, allows for a double entendre. When spoken aloud, the «h-» at the start could very well be only lightly aspirated, and the «-um» at the end of *horum*, per the rules of Latin prosody, could well be elided with the vowel in the next word, *ora*. In other words, Cicero easily could have rendered *horum ora* as hor-~~um~~ + ora, at least audibly, which would have

⁴² Cicero, *Pro Roscio Amerino*, 98.

⁴³ Cicero, *Against Catiline*, 1.1.

invoked Aurora, or Dawn: «Have you not been convinced, Catiline, by this Dawn / sunrise [and how it is unfolding]?». This could not have been a mistake given that the timing of the senatorial meeting at sunrise was unusual. In this passage, Cicero was effectively sloganeering with the same kind of memorable cleverness that we have seen characterized graffiti, whether in the apparent rhyme of the line on Opimius's Temple of Concord, or in the association of a legendary Brutus with a living one. Indeed, I would argue that Cicero was operating under the influence of nocturnal graffiti when he spun his verbal web for Catiline.

Cicero led into the *horum ora* / Aurora line with a reference to the venue of the meeting, which also could have been as playful as the Gracchan smear against Opimius's Concord from 121 BCE. First he had drawn attention to their congregation in «the most fortified location for convening the senate» by virtue of its rank in an ascending cola. They were in the Temple of Jupiter Stator, and he went on to close the speech by referring to it again, at section 1.33, where he addressed Jupiter directly in the second-person, linking the epithet Stator to his role as guardian of the city, its walls, and its citizens. Just as it is tempting to read Aurora in the opening of this speech, one could also think of the god in terms of his etymological origins, not necessarily as Jupiter but as *dies* + *pater*, or the «Father of the Day». Since not only the time of day for this speech was unorthodox, but also its locale, we must conclude that Cicero chose them both with great intention, and it so happens that both collude in associating the speaker Cicero with a dawning day, and by corollary, his opponent Catiline with the night⁴⁴. Cicero's timing of the meeting was deliberate and not for the efficiency of time management; rather, it constituted something akin to a siege by which his senate were walling off a temporal space, a zone of twilight that surrounded Catiline's realm, which was the night, and protected Cicero's and the *res publica*'s own domain, which was the day.

Given all that we have seen with the different roles of day and night, we must see the timing of nocturnal graffiti as intentional, and not just because of the tactical advantage of darkness. Opimius's initial daybreak meeting for the *senatus consultum ultimum* was thus in a way answered by a nighttime defacement of «his» temple, and consequently, a daybreak revelation of resistance. The surest sign of the efficacy of nocturnal graffiti is the extent to which it appears to have irritated Cicero, whose contempt for the people he long struggled to disguise. He made note of the province and power of the night and sought to dismantle it with all the rhetorical tools at his disposal, some of which he borrowed from the graffiti-ists. But nocturnal politics and the use of graffiti naturally persisted, culminating

⁴⁴ Pieper, 2020, p. 219: «The night is associated with Catiline's crimes, the day, with Cicero's heroic defense of Rome». Compare Bessone, 2006, pp. 63-71.

in the *ne plus ultra* of defining historical events, the assassination of Caesar. In the end, the old Republic could not withstand populist movements taking place in its shadows, especially once graffiti had carried them, literally, into the light of day.

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