

Roman Law and *collegia* in Asia Minor*

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In the 1996 volume under the title *Voluntary associations in the Graeco-Roman world*, Wendy Cotter devoted a chapter on the Roman legislation on clubs and the control exercised by the Roman administration.¹ The author claims that the documentation on *collegia* is poor, as far as the western and the eastern provinces are concerned. She wonders whether associations in the eastern part were dissolved or became part of Roman *collegia* or were altered to avoid dissolution. Cotter seems to base her research on the material collected by Waltzing (1895-1900) and his interpretation.² Both seem today out of date...

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¹ RANDAZZO S., “*Senatus consultum quo illicita collegia arcentur*” (*D. 47, 22, 1, 1*), *BIDR* 33-34 (1991-92), p. 49, spells out the current view on Roman *collegia*: “l’atteggiamento politico nei confronti della libertà di associazione in generale e dei *collegia* in particolare divenne sempre più rapidamente caratterizzato da un netto giro di vite che si tradusse in una severa normativa repressiva.”

² Unfortunately, there is not any recent collection of the material since POLAND Fr., *Geschichte des griechischen Vereinswesen*, Leipzig, 1909, lists A, B, E, Z. There is only a brief survey in SCHNORR v. CAROLSFELD L., *Geschichte der juristischen Person*, München, 1933, p. 266-312 with special reference to Roman *collegia*, as well as the list in BROUGHTON T.R.S., *Roman Asia* in FRANK T. (ed), *An economic survey of ancient Rome*, vol. 4, 1938, Baltimore, p. 841-44 for the professional associations in Asia Minor. LABARRE G. & LEDINAHET M.-T., *Les métiers du textile en Asie Mineure de l’époque hellénistique à l’époque imperiale in Aspects de l’artisanat du textile dans le monde méditerranéen (Égypte, Grèce, monde romain)*, Lyon (Collection de l’Institut d’archéologie et d’histoire de

There is a resounding silence in the sources about the implementation of the *Lex Iulia* in the Roman East, in sharp contrast with the Roman suspiciousness over *collegia*.³ Nothing in the epigraphical material of the eastern provinces published in the last 20 years hints at, or mentions, any legislative measure against *collegia*.⁴ Some historians of Roman law in their effort to bridge the gap between rules and reality, constructed the theory of *collegia* ‘tolerati’, *collegia* tolerated by the Roman administration. De Robertis (1971) rebutted convincingly this theory, arguing that there were no such things as *collegia* ‘tolerati’; there were only lawful and unlawful *collegia*. Ligt (2000) in a revisionist article on governmental attitudes to markets and associations, expresses serious doubts whether the Romans really had a morbid fear of markets and *collegia*. He concludes that a general ban on associations was never implemented. There were only temporary restrictions on the activities of associations. What Ligt does not underline is the fact that most of these restrictions seem to have a strong local focus. A ban is not intended to apply indiscriminately on the whole of the

l'Antiquité 2), 1996, p. 49-115, present the most recent updated list on associations of textile craftsmen. Cotter's article contains a couple of inaccuracies such as the wrong publication date of the *Digest* (AD 550 instead of the correct AD 533) in page 85 and the reference on page 86 to *BGU* 1074 instead of the correct *PLond* 1178, COTTER W., *The collegia and Roman law. State restrictions on voluntary associations, 64 BCE-200 CE* in KLOPPENBORG J.S. & WILSON S.G. (eds), *Voluntary associations in the Greco-Roman world*, London, 1996, p. 74-89.

³ CRACCO-RUGGINI L., *La vita associativa nelle città dell'Oriente greco: tradizioni locali e influenze romane* in PIPPIDI D.M. (ed), *Assimilation et résistance à la culture gréco-romaine dans le monde ancien*, Travaux du VIème Congrès International d'Études classiques, Madrid, Septembre 1974, Bucuresti-Paris, 1976, p. 470: “Ed è possibile che ciò spieghi anche l'apparente contraddizione fra l'estremo sospetto con cui, ancora nella prima metà del II s. d. C., lo stato romano osteggiava la costituzione di *collegia* professionali di tipo romano nelle città greco-asiatiche... e d'altro lato il totale silenzio delle fonti circa un'eventuale applicazione della *lex Iulia de collegiis* nelle province greche”; see also MacMullen's remarks, MACMULLEN R., *Roman social relations, 50 B.C. to A.D. 284*, New Haven & London, 1974, p. 76. For Egypt see, SAN NICOLÒ M., *Ägyptisches Vereinswesens zur Zeit der Ptolemäer und Römer*, 2 vols, München (Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 2), 1913-15, ii p. 11.

⁴ One may argue that the nature of the preserved epigraphical evidence, which consists, predominantly, of honorary inscriptions, funerary monuments, and dedications, does not favour references to public prohibitions.

empire, but usually target trouble spots, as in the case of Egypt, under Flaccus, or Bithynia-Pontos in Pliny's time.

In addition, Cracco-Ruggini (1976: 470) focused her interpretation on the formal character of professional associations in the Roman East. Professional groups adopted into their practice and discourse, values and attitudes that did not raise suspicion, and followed the Roman perception of order.⁵ Along the same lines, Nijf (2000) has recently argued that the practice of professional associations of honouring distinguished members of the local elite provided a place for the group within the civic space and the memory reconstructed out of the organisation of that space. In this manner, professional associations demonstrated that they shared the dominant set of values and principles. Furthermore, the bestowal of honours showed not only acceptance of the socio-political order but also allegiance to it.

In this article I shall argue that associative life in Asia Minor was not restricted to some specific areas, as Waltzing (1895-1900) claimed, that it did not disappear after the Roman domination and that only local and temporary interventions by the Roman authorities occurred.⁶ The epigraphical material published or reappraised since that time demonstrates that the places in which professional associations were active have multiplied. A brief enumeration of these will suffice: in Lydia, at Thyateira 27 professional and religious groups are known (the earliest in the beginning of the first

⁵ CRACCO-RUGGINI L., *La vita associativa...*, *op. cit.*, p. 470: "Eppure, le innumerevoli associazioni greche di mestiere, che nelle iscrizioni appaiono ricevere legati, apporre dediche agli imperatori, inviare ambascerie a Roma, trattare con i proconsoli, non dovevano essere, evidentemente, illegali."; and further (p. 471): "Ma il carattere saltuario e variabile di queste attestazioni - anche all'interno di una stessa città, e in momenti cronologicamente ravvicinati - esclude, mi pare, che si possa parlare di un controllo sistematico delle associazioni professionali da parte di πόλεις gelose dei propri diritti." See also CRACCO-RUGGINI L., *Stato e associazioni professionali nell'età imperiale romana in Akten des VI. Internationalen Kongress für griechische und lateinische Epigraphik*, München, 1973, p. 280 and ROUECHE CL., *Performers and partisans at Aphrodisias in the Roman and late Roman periods*, London (JRS Monographs 6), 1993, p. 127.

⁶ SARTRE M., *L'Orient romain. Provinces et sociétés provinciales en Méditerranée orientale d'Auguste aux Sévères (31 avt J.-C.-235 apr. J.-C.)*, Paris, 1991, p. 177-78.

century AD, *TAM* v (2) 978); at Saittai, there are 52 references to professional associations all dated in the period between the middle of the second century AD and the end of the third century AD [the earliest, *TAM* v (1) 85, is dated in AD 145/6 and the latest, *SEG* xxxi 1016, is dated in AD 293/4], while in the rest of Lydia, there are 90 epigraphical attestations of *collegia*, spanning from the first to the third century AD. In the large cities of Asia Minor there is a similar trend; in Ephesos, there are 78 references to religious and professional associations, in Smyrna 29, in Miletos 24, in Kyzikos 12 and in Pergamon 16. Inland, in Phrygia there are 79 references to associations, dated from the first to the third century AD.

This article is organized in two parts. In the first, I have put together legal rules and epigraphical evidence in order to illustrate the contrast between the imperial pronouncements and the testimonia of associative activity; and in the following I discuss some legal interventions into the associative life.

Leges and vita associativa

The first ban on associations, *SC de Bacchanalibus* (*ILS* 18 = *FIRA* I² 30), was issued in 186 BC. The decree banned the gatherings for the worship of Bacchus.⁷ A short-lived prohibition was introduced 120 years later, in 64 BC when, following a decision of the Senate, those associations deemed to be against the Roman constitution were dissolved.⁸ In 58 BC Clodius restored the freedom of

⁷ See PAILLER J.-M., *Bacchanales. La répression de 186 avt. J.-C. à Rome et en Italie*, Rome (BEFAR 270), 1988, p. 270 and DE LIGT L., *Governmental attitudes towards markets and collegia* in LO CASCIO E. (ed), *Mercati permanenti e mercati periodici nel mondo romano*, Atti degli Incontri capresi di storia dell'economia antica (Capri 13-15 ottobre 1997), Bari (Pragmateiai 2), 2000, p. 242. For the *collegia* in Numa's reign, see GABBA E., *The collegia of Numa: Problems of method and political ideas*, *JRS* 74 (1984), p. 81-86 and SOLIDORO MARUOTTI L., *I più antichi divieti di riunione: gruppi, ripartizioni sociali e potere regio nelle istituzioni romane arcaiche*, *Index* 29 (2001), p. 113-158.

⁸ Asconius in Cicero, *in senatu contra L. Pisonem* 7; in *Cic. Cornel. 67: senatus consulto collegia sublata sunt, quae adversus rem publicam videbantur esse*. See DE ROBERTIS F., *Storia delle corporazioni e del regime associativo nel mondo romano*, Bari, 1971, p. 83-108; AUSBÜTTEL F.M., *Untersuchungen zu den*

association while in 55 BC,⁹ after the Catiline affair, a *Lex Licinia* banned the activities of *sodalitates*, i.e. of political clubs (Cic. *ad Quint. Fratr.* 2. 3. 2; 2. 3. 4-5).¹⁰ Approximately ten years later Julius Caesar (49-44 BC), according to Suetonius' narrative "dissolved all the associations, except the ancient ones"¹¹ and those that the Senate chose to allow on the ground of *utilitas civitatis*. As Ligt (2000: 244) has succinctly pointed out these restrictions had a wider scope than earlier interventions. They affected not only political clubs but anything deemed not to be ancient and not to be useful to the community.

However, while the Roman Republic at home was torn by civil strife, and *collegia* as vehicles of political ambition were banned, associations were prospering in the Eastern provinces. In Phrygia, in Antikyra Sidera there were *synetheis philoi* mentioned on the funerary monument of Diogenes, son of Roufos (MAMA x 137, 58 BC). The term *synetheia* denoted a form of association widespread in Asia Minor. Ten years later associations of *Temenitai* in Miletos inscribed two lists of worshippers [*SEG* xxx 1341 (47/6 BC) and 1343 (49/8 BC)]. In the same decade, at Nisyra in Lydia, the *semeaphoroi* and *phratores* made a dedication to Apollon and

Vereinen im Westen des römischen Reiches, Kallmünz (Frankfurter Althistorische Studien 11), 1982, p. 85-86, and SALERNO F., *Collegia adversus rem publicam?* in *Sodalitas. Scritti in onore di A. Guarino*, vol. 2, Napoli, 1984, p. 615-31 [also in *Index* 13 (1985) 541-56].

⁹ See DE ROBERTIS F., *op. cit.*, p. 109-115; FLAMBARD J.-M., *Clodius, les collèges, la plèbe et les esclaves. Recherches sur la politique populaire au milieu du Ier siècle*, *MEFRA* 89 (1977), p. 115-56; AUSBÜTTEL F.M., *op. cit.*, p. 86-91, and TATUM W.J., *Cicero's opposition to the lex Clodia de collegiis*, *CQ* 40 (1990), p. 187-94.

¹⁰ See LINDERSKI J., *Ciceros Rede Pro Caelio und die Ambitus- und Vereinsgesetzgebung der ausgehenden Republik*, *Hermes* 89 (1961), p. 106-19; DE ROBERTIS F., *op. cit.*, p. 129-146 and AUSBÜTTEL F.M., *op. cit.*, p. 91-92.

¹¹ Suetonius, *Divus Julius* 42.3: *cuncta collegia praeter antiquitus constituta distraxit*. LINDERSKI J., *Suetons Bericht über die Vereinsgesetzgebung unter Caesar und Augustus*, *ZRG* 79 (1962), p. 322-28; DE ROBERTIS F., *op. cit.*, p. 193-272; DE LIGT, *op. cit.*, p. 243-44. The attitude of the Romans of the late Republic is not without precedent. After the traumatic events of the late 5th century BC, the Athenians passed a law, the *eisaggelikos nomos*, according to which anyone conspiring with others to abolish the constitution of the *polis*, could be prosecuted with *eisaggelia* in front of the assembly of the citizens.

Artemis (Malay, *Researches* 136, 48/7 BC).¹² However, Ligt (2000: 244), following De Robertis (1971: 264-68), does not doubt that a large number of associations were abolished in Rome and Italy, as well as in the provinces, as a result of the Julian prohibition. This is flatly contradicted, at least in Asia Minor, by the epigraphical evidence discussed above.

According to Suetonius (*Augustus* 32.1: *collegia praeter antiqua et legitima dissoluit*), Augustus (27 BC-AD 14), reenforced Caesar's regulation. Any new association, therefore, required the authorization of the Senate (in senatorial provinces) or of the emperor (in provinces administered by the Emperor's appointees).¹³ However, the climate of repression was soon to be partially lifted. An inscription from Lanuvium, dated in AD 136 mentions a “*kaput ex s(enatus) c(onsulto) p(opuli) R(omani): qui[bus] reatenuior est, co[n]venire collegiumq(ue) habere liceat*” and reveals that the formation of cult groups was permitted for people of limited means, on condition that there was not more than one meeting a month.¹⁴

In the first century BC some religious groups are attested in the Rhodian Peraia (*IrhodPer* 12; 52; 471; 604) while in Miletos the

¹² In the rest of the eastern provinces there are the following pieces of evidence on associations: *IG* ii² 1339 from Athens [57/6 BC, *heroistai*]; *SEG* xxxvii 103 from Attica [52/1 BC, *archeranistes*]; *AJA* 64 (1960) 269 from Athens [50 BC, *eranistai*]; *IG* v (2) 266 from Mantinea [46-44 BC, *synodos hierieion*]; *SEG* xliii 59 from Rhamnous [41/40 BC, *eranistai*]; *IG* ii² 1343 from Athens [37/6 BC, *Soteriastai*]; and *IG* v (1) 211 from Sparta [30-20 BC, *Tainarioi*].

¹³ See WALTZING J.P., *Étude historique sur les corporations professionnelles chez les Romains depuis les origines jusqu'à la chute de l'Empire d'Occident*, 4 vols, Louvain, 1895-1900, i 123 and SAN NICOLÒ M., *op. cit.*, ii 10. It is noteworthy that, according to Suetonius, Augustus encouraged the revival of associations connected with the celebration of *compitalia* (Suetonius, *Augustus* 31); FLAMBARD J.-M., *Collegia compitalicia: phénomène associatif, cadres territoriaux et cadres civiques dans le monde romain à l'époque républicaine*, *Ktema* 6 (1981), p. 143-166. See also CROOK, *CAH*², 10. 143 and COTTER W., *op. cit.*, p. 79: “It is fair to say, even with such little evidence as this, that scrutiny of voluntary associations extended well beyond Rome's gates during Augustus' administration”. This view relies heavily on *CIL* vi 2193 (*ILS* 4966; *FIRA* iii 38) of the 1st century AD: *Dis Manibus. Collegio symphonicorum qui sacris publicis praestu sunt, quibus senatus c(oire) c(onvocari) c(ogi) permisit e lege Iulia ex auctoritate Aug(usti) ludorum causa*. See also AUBERT J.-J., *La gestion des collegia: aspects juridiques, économiques et sociaux*, *Cahiers Glotz* 10 (1999), p. 53.

¹⁴ See LIGT L., *op. cit.*, p. 245-252.

groups of *Temenitai* remained active (*SEG* xxx 1339, 1340 και 1342 (22/21 BC)). In addition, at Teos a *thiasos Dionysiastou*, in Sardis in Lydia a group of *mystai* of Apollon Pleurenos (*SEG* xlvi 1520) and in Cilicia an *etairia Sambatiston* are recorded (*LSAM* 80; *JHS* 12 (1891) 236 no 17).¹⁵

During the reign of Tiberius (AD 14-37) the case for a ban on associations relies almost exclusively on a decree dissolving *synodoi* issued by the governor of Egypt, Flaccus (AD 32-37).¹⁶ Cotter (1996: 79-80) regards the view that only Egypt raised suspicions in the mind of the Roman administration as too restrictive. However, *synodoi* are attested in Alexandria in inscriptions of the years AD 20/21 (Kayser, *RIGLA* 46), AD 24 (*SB* 8791, 8838), AD 25 (Kayser, *RIGLA* 61), AD 27/8 (Bernand, *IGAP* 46), AD 31 (*SB* 8841) and AD 39/40 (*SB* 978). Perhaps, then, Flaccus' ban was purely local, with a limited period of application, and resulted, therefore, only in a temporary pause in the activity of associations. It seems unlikely that it was issued in implementation of a general ban.¹⁷ In the same period in Asia Minor there is an honorary decree of *pro poleos Demetriastai* (*IEph* 4337, AD 19-23) from Ephesos and the

¹⁵ At the same period in the eastern half of the empire the following associations are attested: *IG v* (1) 374 from Sparta [18-12 BC, *Aggripiastai*]; *IBeroia* 22 from Beroia in Macedonia [7 BC, *thiasotai*]; *ICallatis* 44 from Kallatis in Scythia Minor [AD 12-15, *thiasos*] and *ILindos* II 391-392 & 394 from Rhodes [AD 10, several cult groups].

¹⁶ Philo, *Flaccus* 4: τὰς τε ἑταιρείας καὶ συνόδους, αἱ ὅτι ἐπὶ προφάσει θυσῶν εἰσιτῶντο τοῖς πράγμασιν ἐμπαροινούσαι διέλυε τοῖς ἀφηνιάζουσιν ἐμβριθῶς καὶ εὐτόνως προσφερόμενος (the sodalities and clubs, which were constantly holding feasts under pretext of sacrifice in which drunkenness vented itself in political intrigue, he dissolved and dealt sternly and vigorously with the refractory) and 136. See SMALLWOOD E.M., *The Jews under Roman rule from Pompey to Diocletian. A study in political relations*, Leiden (Studies in Judaism in late Antiquity 20), 1981, p. 234-43; SLY D.L., *Philo's Alexandria*, London, 1996; SELAND T., *Philo and the clubs and associations of Alexandria* in KLOPPENBORG J.S. & WILSON S.G. (eds), *Voluntary associations in the Greco-Roman world*, London, 1996, p. 110-27; BURASELIS K., *Zu Caracallas Strafmassnahmen in Alexandrien (215/6). Die Frage der Leinenweberin PGiss 40 II und der syssitia in Cass.Dio 77 (78) 23. 3*, *ZPE* 108 (1995), p. 166-88 and FAVUZZI A., *Ancora su Caracalla e i syssitia degli Alessandrini*, *ZPE* 121 (1998), 251-256.

¹⁷ LIGHTL., *op. cit.*, p. 248 n.50. From the rest of Egypt there is *SB* 8812 of the year AD 32 and *SB* 8813 & *P. Mich.* 243 (both from Koptos) dated in the reign of Tiberius.

dedication to Hygeia by the *neotera phratra* of Asklepios from the region of Ayazviran in Lydia (*TAM v* (1) 451, AD 28/9).¹⁸

Claudius (AD 41-54) reimposed the restrictions and bans that had been mitigated during the reign of Caligula (AD 37-41), while Nero (AD 54-68) dissolved the associations in the area of Pompeii following riots in the hippodrome (Tacitus, *Annales* 14.17).¹⁹ But the available epigraphical evidence from the Eastern provinces provides a different picture. It is during Nero's reign that the *halieis* and the *opsariopolai* built their customs-house and dedicated it to the emperor, his mother and his wife and to the people of Rome and Ephesos (*IEph* 20, AD 54-59).²⁰ *TAM v* (1) 762 from Lydia with a reference to *phratores* also belongs to the first half of the first century AD. In the middle of the same century we encounter an association of dyers in Thyateira (*TAM v* (2) 972). The following inscriptions are also dated to the first century AD: i) *IMM* 215 (Magnesia on the Maeander) referring to *thiasoi* (probably for a public cult); ii) *Iznik* 197 (Bithynian Nicaea) referring to a *techne*; iii) *IPrusa a.O.* 24 (Prusa on Olympos) referring to a *koinon* consisting of *hetairoi* and *syntheis philoi*, iv) *ISmyrna* 721 (Smyrna) referring to an association (*synergasia*) of bakers and goldsmiths; v) *ILeiden* 4 (northern Troad) referring to a *phratra*, and finally vi) *IGR* iv 1348 (Mostena, Lydia) mentioning a cult group of *Kaisariastai*.²¹

¹⁸ More associations appear in this period from the remaining parts of the eastern provinces, decree of *thiasaitai* dated in the reign of Tiberius, *ICallatis* 46, a *synodos Asklepiaston* from Epidauros *IG* iv (1)² 679 dated sometime between AD 25-50 and *eranoi* in Rhodes *ILindos* II 420a dated in AD 23.

¹⁹ Dio Cassius 60.6: τὰς τε ἑταιρείας ἐπαναχθείσας ὑπὸ τοῦ Γαίου διέλυσε. (He also disbanded the clubs which had been reintroduced by Gaius); BARRETT A.A., *Caligula. The corruption of power*, London, 1989, p. 230; LIGHT L., *op. cit.* p. 248) speaks of the Claudian ban as a temporary measure lifted as soon the disorders subsided; see the fragmentary decree of P.F. Persicus on Artemisio (*IEph* 17, AD 44), which may include a reference to a *systema*. For the ban in Nero's reign see DE ROBERTIS F., *op. cit.*, p. 369-370 and COTTER W., *op. cit.*, p. 81. For the groups participating at the election campaign for local magistrates in Pompeii see AUSBÜTTEL F.M., *op. cit.*, p. 94-96.

²⁰ See HORSLEY G.H.R., *New documents illustrating early Christianity* 5, Toronto, 1989, p. 95-114.

²¹ To which add: in Claudius' reign, *NSill* 680 *thiasitai* from Cos (after AD 45) and *SEG* xlvi 744 *syntheis* from Edessa in Macedonia (AD 51); in Nero's reign, *IG* ii²

In the reign of Vespasian (AD 69-79) there is a reference to a doctors' association from Pergamos,²² while in Bithynian Nikomedeia in AD 70/71 there is a reference to an *oikos nauklerikos* (TAM iv (1) 22).

During Domitian's reign (AD 81-96) we encounter a dedication to the emperor and his wife by a *koinon* in Thyssanus, Rhodian Peraea (Syll³ 819 and Fraser & Bean, *Rhodian Peraea*, 84-85 (d)), the funerary monument of Tryphon, son of Horos including a list of members of a *symbiosis* from Lydia (Buresch, *Aus Lydien* no 31, modern Borlu, AD 96) and two honorary decrees of the *mystai* of Dionysos Kallon from the neighbouring Byzantion (IByz 30-31 = SEG xviii 279-80). In Lydia, three more religious associations are attested: a) a *symbiosis* publishing a list of its members in Odenai (TAM v (i) 187, AD 95/6), b) an *hieros doumos* and its *phratra* participating in funerary honours for a certain Apollonios (TAM v (1) 470a, modern Ayazviran, AD 96/7), and c) the description of the deceased Androneikos, son of Papias as *phrator*, i.e. member of a *phratra* (IManisa 244, AD 96/7).²³

The policy of Trajan (AD 98-117) in regard to associations is well documented in both epigraphical and literary evidence. The correspondence of Pliny the Younger provides us with two very characteristic cases. While Trajan orders Pliny not to authorize a guild of firemen in Bithynian Nikomedeia, associations are attested in the following instances: a) in Bithynia, a *geitosyne Totaiaenon* honoured Demosthenes, son of Loukios (Iznik 1202, AD 102-114), b) in neighbouring Byzantion, the *mystai* of Dionysos Kallon honoured their benefactors Diodoros, son of Kointos and Stallia Preima (IByz 35 = SEG xviii 281, AD 102-116), c) in Pergamos, the *Hymnodoi* of the Emperor (IGR iv 353, AD 98-117), and, d) in Phrygia, Menophanes, son of Teimolaos dedicated an altar to Zeus

1345 from Athens [AD 53/4, *eranistai*] and from Thessalonike IG x (2) (1) 70 [AD 66/67, *synklitai*].

²² See OLIVER J.H., *Greek constitutions of early Roman emperors from Inscriptions and Papyri*, no. 38, Philadelphia (Memoirs of the American Philosophical Society 178), 1989, with BE 1938, no 332. In lines 13-15 it is stipulated «ἐξὸν δὲ αὐτοῖς / [ἔστω καὶ συνόδου]ς ἐν τοῖς τεμένεσι καὶ ἱεροῖς καὶ / [ναοῖς συνάγειν ὅ]που ἂν αἰρῶνται ὡς ἀσύλους». The first editor interpreted the clause as authorization for the setting up of an association. Oliver rightly pointed out that the term *synodos* denotes the assembly and not the association.

²³ To which add a *doumos* from Thessaloniki, SEG xlii 625 (AD 90/91).

Vennios and the *vennos* (*SEG* xl 1229, AD 102-117). Also two inscriptions from Pergamon (*IvPergamon* 487 & 488) mentioning *boukoloï* and an honorary inscription for T. Flavios from Sardis issued by the *mystai* and *therapeutai* of Zeus (*SEG* xlvi 1529) are dated to the end of the 1st or the beginning of the 2nd century AD. Consequently, Cotter's conclusion that "The evidence that survives from the provinces of Bithynia, Pontus and Egypt suggests that Trajan's prohibition of voluntary societies was a policy he enacted throughout the empire" (p. 84), seems a groundless and unacceptable generalization.²⁴

During Hadrian's reign (AD 117-138) at least four inscriptions show the vigour and strength of associative life in Asia Minor. In particular, there is an honorary inscription (*IGR* iv 790, AD 128) from Apameia in Phrygia, in which the *techneitai* of the Tanners' Square honour Ti. Kl. Peison Mithridatianos; a dedication of an altar from Ephesos (*IEph* 275, AD 119-129) by a group of *mystai*; an honorary inscription (*Ilznik* 1206, AD 131/2) from the chora of Bithynian Nicaea, for a certain Okktaios, son of Okktaios issued by a local *vennos*; and finally a dedication to the emperor by a *syn-technia* of linen-weavers (*IAnaz* 3 = *IGR* iii 896, AD 136) from Anazarbos in Cilicia.²⁵

The above enumeration demonstrates the unimpeded function of religious and professional associations in Asia Minor during the first two centuries of the Christian era. Roman imperial intervention seems to have left intact the workings and the role and place of associations in the *polis* hierarchy. Most, if not all of the imposed bans had a local, temporary character. What the enumeration does not make clear, however, is the implementation of the Roman legislation in this province.

²⁴ To which add a cult association in Tanais in the North Pontos area, *CIRB* 1259 (AD 104).

²⁵ To which add, an *hieros doumos* from Serdica in Thrace, *IGBulg* 1925 (2nd/3rd century AD) and the *linyphoi* of Salamis in Cyprus (*ISalamis* 13, AD 129).

Provincial administration and *vita associativa*

It is important to remember that any Roman administrative intervention could have taken the form either of authorization, or of prohibition. Authorization always refers to a particular association, while a prohibition can have limited scope or wider effect. Pliny's correspondence with Trajan provides some evidence for each of these. However, these pieces of evidence should not be considered *a priori* as supporting the case for a blanket ban, but rather as indicating an *ad hoc* imperial intervention. Pliny the Younger was sent as *legatus* by Trajan to Bithynia from AD 109 to 111. His task was the economic revival of the province.²⁶ He had to report scrupulously all developments to the emperor, and his practice does not necessarily reflect that of other governors.

In letter 33²⁷ Pliny presents as his own idea the establishment of a guild with fire-fighting duties in Nikomedeia. Such associations

²⁶ SHERWIN-WHITE A.N., *The letters of Pliny*, Oxford, 1966, p. 81: "Pliny combines the role of *curator* for all the cities of Bithynia-Pontus with the duty of overhauling the public life of the area as its regular governor, under the authority of the *Princeps* instead of the Senate" and "In addition to his special tasks Pliny is found in the letters carrying out the ordinary duties of a Roman governor in civil and criminal jurisdiction and in the maintenance of order" (p. 82). See also BENNETT J., *Trajan optimus princeps. A life and times*, Bloomington, 1997. For Trajan's motives in appointing Pliny, see SHERWIN-WHITE A.N., *op. cit.*, p. 527: "The determining factor in the dispatch of Pliny was Trajan's dislike of the waste of money by the cities". For the date see also ALFÖLDY G., *Die Inschriften des Jüngeren Plinius und seine Mission in der Provinz Pontus et Bithynia*, *Acta Antiqua ASH* 39 (1999), p. 21-44.

²⁷ Pl. *Epist.* 10. 33: ... *tu domine, dispice an instituendum putes collegium fabrorum dumtaxat hominum CL. Ego attendam, ne quis nisi faber recipiatur neve iure concesso in aliud utatur; nec erit difficile custodire tam paucos* («...Will you, Sir, consider whether you think a company of firemen might be formed limited to 150 members? I will see that no one shall be admitted who is not genuinely a fireman, and that the privileges granted shall not be abused; it will not be difficult to keep such small numbers under observation») and the answer of Trajan, Pl. *Epist.* 10. 34: ... *Sed meminerimus provinciam istam et praecipue eam civitatem eius modi factionibus vexatam. Quodcumque nomen ex quacumque causa dederimus iis, qui in idem contracti fuerint, hetaeriae eaeque brevi fient* («But we must remember that it is societies like these which have been responsible for the political disturbances in your province, particularly in its towns. If people assemble for a common purpose, whatever name we give them and for whatever reason, they soon turn into a political club»). The interpretation of COTTER W., *op. cit.*, p. 82 "The first (*Epistulae* 10.33, 34) addresses the petition for a fire-

had a public character and the Roman administration had a direct interest in these. Pliny claimed that he could guarantee the loyalty and the small number of its members. However, these assurances did not suffice to calm Trajan. In my opinion, the imperial distrust is not based on an existing general ban²⁸ but on the recent, violent past of the *provincia* Bithynia-Pontus. A few years earlier there were riots and two Roman governors were prosecuted before the emperor for corruption (Bassus (AD 102/3) and Varenus (AD 106/7)).²⁹

The prejudice of Trajan towards the province is revealed by the approval, which he hesitatingly granted for the setting up of an *eranos* in Amisos of Pontus.³⁰ Two factors had a decisive influence on Trajan's decision: the relationship of Rome with Amisos and the purpose pursued by the association.³¹ One may wonder whether in

man's guild by the people of Nicaea" is probably wrong. Trajan in his answer (10. 34) mentions clearly: *Tibi quidem secundum exempla complurium in mentem venit posse collegium fabrorum apud Nicomedenses constitui.*

²⁸ COTTER W., *op. cit.*, p. 82; but see also LIGT L., *op. cit.*, p. 245 who claims that there was a temporary general ban on associations. However, Lig's argument cannot stand in its entirety; the ban did not apply to other provinces, as the inscriptions from Byzantium demonstrate. The appearance of a *geitosyne* (see above) in the epigraphic record seems to undermine the very idea of a ban.

²⁹ See SHERWIN-WHITE A.N., *op. cit.*, p. 609 and NÖRR D., *Imperium und Polis in der hoher Prinzipatszeit*, 2nd edition, München (Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 50), 1969, p. 19-22.

³⁰ See DE ROBERTIS F., *op. cit.*, p. 370-71. Despite the negative attitude of Trajan, Aur. Victor mentions that he consented to the setting up of a *collegium pistorum* in Rome: "*Adhuc Romae a Domitiano coepta forum atque alia multa plusquam magnifice coluit ornavitque, et annonae perpetuae mire consultum reperto firmatoque pistorum collegio*" (*Liber de Caesar*. 13. 5, ed. Pichlmayr).

³¹ Pl. Epist. 10. 92: *Amisenorum civitas libera et foederata beneficio indulgentiae tuae legibus suis utitur. In hac datum mihi libellum ad Ῥᾶνοῦν pertinentem his litteris subieci, ut tu, domine, dispiceres quid et quatenus aut permittendum aut prohibendum putares.* («The free and confederate city of Amisos enjoys with your permission the privilege of administering its own laws. I am sending with this letter a petition handed to me there, which deals with the subject of benefit societies, so that you, Sir, may decide whether and to what extent these clubs are to be permitted or forbidden») and Trajan's answer, Pl. Epist. 10. 93: *Amisenos, quorum libellum epistulae tuae iunxeras, si legibus istorum, quibus de officio foederis utuntur, concessum est eranum habere, possumus quo minus habeant non impedire, eo facilius si tali collatione non ad turbas et ad illicitos coetus, sed ad sustinendam tenuiorum inopiam utuntur. In ceteris civitatibus, quae nostro iure obstrictae sunt, res huius modi prohibenda est.* («If the citizens of Amisos, whose petition you send with your letter, are allowed by their own laws, granted them by

Pliny's letter 92 the people who approached Pliny knew that they had to ask for his authorization or whether they asked in the hope of obtaining his support to their initiative. Oliver (1954) has argued convincingly that there is a question of support and not of authorization, since Amisos was a *civitas foederata*.³²

While Trajan's intervention aimed at a preventive control of legality of the associations, the few available pieces of epigraphical evidence speak of acts of repression. Our sole testimony for a Roman intervention in associative life concerns the bakers of Ephesos.³³ While the text of the inscription *IEph* 215, dated in the late 2nd century AD, has been studied in relation to strikes in antiquity, an interpretation of the imposed sanction is rare.³⁴ The bakers were

formal treaty, to form a benefit society, there is no reason why we should interfere: especially if the contributions are not used for riotous and unlawful assemblies, but to relieve cases of hardship among the poor. In all other cities which are subject to our own law these institutions must be forbidden»).

³² OLIVER J.H., *The Roman governor's permission for a decree of the polis, Hesperia* 23 (1954), p. 167: "The free cities (*civitates liberae*) were not bound to consult the governor as frequently as the other cities, but though they did not ask his permission for their enactments, they may have been just as eager as any other *polis* to enlist supporting action from the Roman governor". But see also NÖRR D., *op. cit.*, p. 36 fn.140.

³³ Other associations in Ephesos of late 2nd century-beginning 3rd century AD: *IEph* 444 *askomisthoi*; 454 *trapezeitai*, *kannabarioi*, *eripolai*, *astiopolai*, *lentiuphantai*, *synergasia askaniton*; 728 *oi epi to geuma pragmateuomenoi*; 2076 *synergasia hierou geumatōs*; 2078 *synergasia balaneon prebaton*; 2079 *synergasia purenadon*; 2080 *synergasia plethous taurinadon*; 2081 *taureinadai*; 3063 *heimatiopolai oi en te agora pragmateuomenoi*; *SEG* xxxv 1110 *synergasia oinerō hierō geumati*. Other attestations of bakers in Asia Minor: *IDidyma* 522 (*artokopoi Milesioi*, 3rd c. AD), *IManisa* 431 (Sardis, *mnema artopoion*, 4th c. AD), *TAM* v (2) 966 (Thyateira, *artokopoi*, late 2nd c. AD).

³⁴ See BUCKLER W.H., *Labour disputes in the province of Asia*, in BUCKLER W.H. & CALDER W.M. (eds), *Anatolian Studies presented to Sir W. M. Ramsay*, London, 1923, p. 27-50; SCHNORR v. CAROLSFELD L., *op. cit.* p. 242 argues that the prohibition concerns the workings of associations and their meetings. He is followed by DE ROBERTIS F., *op. cit.*, p. 389; MACMULLEN R., *A note on Roman strikes, CJ* 58 (1962-3), p. 269-71; MERKELBACH R., *Ephesische Parerga (18). Der Backerstreik, ZPE* 30 (1978), p. 165. See however, FINLEY M.I., *The ancient economy*, 2nd edition, London, 1985, p. 226 n 57: "This isolated, incomplete and far from lucid text [*IEph* 215] gives no clue to the reasons for the bakers' "seditiousness", no basis for assuming collective economic grievances or demands of a guild character". STE. CROIX G.E.M. de, *The class struggle in the ancient Greek world from the archaic age to the Arab conquest*, London, 1981, p. 273 follows the traditional interpretation that the bakers organized union-gatherings. MACLEAN ROGERS G., *The sacred identity of Ephesos. Foundation*

accused of causing disturbances «[ὅ]στε συμ/βαί]ναι ἐνίοτε τὸν δῆμον ἰς ταραχὴν καὶ θορύβους ἐνπίπτειν διὰ τὴν σ[ύλ]λογον καὶ ἀθρασίαν τῶν ἀρτοκόπων ἐπὶ τῇ ἀγορᾷ». The accusation concerned the troubles and disturbances caused by the bakers in the market place with their gatherings and lack of respect to the *polis* authorities in regard to their demands. The Roman governor, while abstaining from punishing the leaders, (ἐπεὶ δὲ τὸ τῇ πόλει συμφέ[ρον χρή]/ τῆς τούτων τιμωρίας μᾶλλον προτιμᾶν) imposes the following prohibition «ὅθεν ἀπαγορεύω μήτε συνέρχασθαι τοὺς ἀρτοκόπους κατ' ἐταιρίαν μήτε προεσθηκότας θρασύνεσθαι» and continues (l. 9) «ὡς ἂν ἀλῶ τι[ς ἀύ]/τῶν τὸ ἀπὸ τοῦδε ἢ συνιῶν παρὰ τὰ διηγορευμένα ἢ θορύβου τινὸς [καὶ στά]/σεως ἐξάρχων». First of all, it is noteworthy the balance of the expressions; on the one hand, *sylogos* and *synerchesthai kat' etaireian* and on the other hand, *athrasian* and *thrasunesthai*. The Roman governor uses the politically charged term *ἐταιρία* (as Trajan did) and not any other similar term, such as, *techné*, *systema*, *synergasia*, *synodos*, current in this period in Asia Minor. The use of the term *hetaireia* reveals the fear of factionalism and social unrest by the Roman administration. More important, however, is the status of the bakers. Were they organized as an association or regarded as a professional category? The inscription is not clear at this point. This terminological vagueness appears quite often in the world of ancient associations. Professional categories were not always distinguished from professional associations.³⁵ The point of view which regards the sanction of the Roman governor as a ban on an association does not take into account either the reasoning or the expression *kat' etaireian*. If the bakers of Ephesos were indeed organized into a group, then the governor would not have to ban their gatherings as if they were *hetaireia*, but he would simply have

myths of a Roman city, London, 1991, p. 71-72 speaks of strikes, but also of a ban on gatherings. ENGELMANN H., *Archäologie und Epigraphik in Ephesos*, in FRIESINGER H. & KRINZINGER F. (eds), *100. Jahre Österreichische Forschungen in Ephesos* (Akten des Symposions, Wien 1995), Wien (Denkschriften 260), 1999, p. 160 envisages the roots of the strike to lie in the low price of bread in comparison to the price of flour.

³⁵ See CRACCO-RUGGINI L., *La vita associativa...*, *op. cit.*, p. 469) and VELISSAROPOULOS J., *Les naoclères grecs. Recherches sur les institutions maritimes en Grèce et dans l'Orient hellénisé*, Génève-Paris (Hautes Études du monde gréco-romain 9), 1980, p. 100.

the association dissolved. In modern legal terms, I have the impression that we have to do with a provisional ban on gatherings and not with an overall ban on associations. To what extent the former has an impact on the latter is matter for another discussion. The situation can be compared with the one described during Paul's visit to Ephesos, when a certain Demetrios, a silversmith, and the *technitai* "assembled" against Paul and his fellow travellers.³⁶ The *polis* magistrates tried to pacify the enraged *technitai* arguing that otherwise the Romans would intervene to stop the unrest.³⁷ The case

³⁶ Acts 19. 23-32: 'Εγένετο δὲ κατὰ τὸν καιρὸν ἐκείνον τάραχος οὐκ ὀλίγος περὶ τῆς ὁδοῦ. Δημήτριος γάρ τις ὀνόματι, ἀργυροκόπος, ποιῶν ναοὺς ἀργυροῦς Ἀρτέμιδος παρείχεται τοῖς τεχνίταις ἐργασίαν οὐκ ὀλίγην, οὓς συναθροίσας καὶ τοὺς περὶ τὰ τοιαῦτα ἐργάτας εἶπεν ... (23-25), ... καὶ ἐπλήσθη ἡ πόλις τῆς συγχύσεως, ὥρμησάν τε ὁμοθυμαδὸν εἰς τὸ θέατρον συναρπάσαντες Γάϊον καὶ Ἀρίσταρχον Μακεδόνας συνεκδήμους Παύλου (29)... ἄλλοι μὲν οὖν ἄλλο τι ἐκράζον ἦν γὰρ ἡ ἐκκλησία συνεκχυμένη, καὶ οἱ πλείους οὐκ ᾔδεισαν τίνος ἕνεκεν συνεληλύθεισαν (32). («Now about that time the Christian movement gave rise to a serious disturbance. There was a man named Demetrius, a silversmith who made silver-shrines of Diana and provided a great deal of employment for the craftsmen. He called a meeting of these men and the workers in allied trades and addressed them ... The whole city was in confusion; they seized Paul's travelling companions, the Macedonians Gaius and Aristarchus ... Meanwhile some were shouting one thing, some another; for the assembly was in confusion and most of them did not know what they had all come for.»)

³⁷ Acts 19. 35-41: Καταστείλας δὲ ὁ γραμματεὺς τὸν ὄχλον φησὶν (35) ... ἀναντιρρήτων οὖν ὄντων τούτων δέον ἐστὶν μᾶς κατεσταλμένους ὑπάρχειν καὶ μηδὲν προπετὲς πράσσειν (36) ... εἰ μὲν οὖν Δημήτριος καὶ οἱ σὺν αὐτῷ τεχνίται ἐχουσι πρὸς τινα λόγον, ἀγοραῖοι ἀγονταὶ καὶ ἀνθύπατοί εἰσιν, ἐγκαλείτωσαν ἀλλήλοις· εἰ δὲ τι περὶ ἐτέρων ἐπιζητεῖτε, ἐν τῇ ἐννόμῳ ἐκκλησίᾳ ἐπιλυθήσεται ... (38-39) and especially 40: καὶ γὰρ κινδυνεύομεν ἐγκαλεῖσθαι περὶ τῆς σήμερον, μηδενὸς αἰτίου ὑπάρχοντος, περὶ οὗ δυνησόμεθα ἀποδοῦναι λόγον τῆς συστροφῆς ταύτης. («The town clerk, however, quieted the crowd... Since these facts are beyond dispute, your proper course is to keep quiet and do nothing rash ... If therefore Demetrius and his craftsmen have a case against anyone, assizes are held and there are such people as proconsuls; let the parties bring their charges and counter charges. If, on the other hand, you have some further question to raise, it will be dealt with in the statutory assembly ... We certainly run the risk of being charged with riot for this day's work. There is no justification for it, and if the issue is raised we shall be unable to give any explanation of this uproar.») (Translation from *The New English Bible*, Oxford & Cambridge 1970). See SHERWIN-WHITE A.N., *Roman society and Roman Law in the New Testament. The Sarum Lectures 1960-1961*, Oxford, 1963 and ECK W., *Provincial administration and finance*, in BOWMAN A.K., GARNSEY P. & RATHBONE D. (eds), *Cambridge Ancient History*, 11, The High Empire, A.D. 70-192, Cambridge, 2000, p. 273-75.

of the bakers, although approximately 150 years later, seems to be the realization of that fear. The motive for the intervention of the Roman governor is to restore the peace and not to suppress associations. The latter might have been inexpedient. The restrictions imposed on the activities of bakers do not reflect a wider policy of proscription; it has a practical aim. If the bakers had really decreased the supply or stopped provisioning the *polis*, then the danger of famine would have been greater, and wider social unrest would have been on the cards, something that Roman authorities did not wish to happen.³⁸ That is perhaps the reason behind the decision of the governor not to punish the leaders of the unrest. It seems to me that the common thread between the riots at Paul's visit and the unrest reported in *IEph* 215 is that they are caused by groups with embryonic, if not non-existent, internal organisation. And that is why they were considered more threatening to the peace of the provinces by the Roman administration.

From the above we can confidently conclude that in Asia Minor, and perhaps in other regions, there was no general ban on associations. San Nicolò already in 1915 reached the same conclusion for Egypt.³⁹ The implementation of any repressive policy in the eastern provinces of the empire was inconsistent. But the Roman policy with regard to associations was not monolithic. The case of Amisos mentioned above gives some evidence of diversification. In *poleis* which enjoyed autonomy, there was little room for imposing such a ban.

If, therefore, the Roman administration intervened irregularly and only to repress outbursts of civil unrest, other means to check the resurgence of disturbances must have been envisaged. I believe that this was achieved through the internalization of social norms and values and the enforcement of rules for proper conduct by the associations themselves.

Associations and particularly professional associations, as Nijf (2000) has shown, accepted the dominant set of social values and

³⁸ See GARNSEY P., *Famine and food supply in the Graeco-Roman world. Responses to risk and crisis*, Cambridge, 1988, p. 259 and LIGHT L., *op. cit.* p. 252.

³⁹ See SAN NICOLÒ M., *op. cit.*, ii 11-14, CARCOPINO J., *Le Gnomon de l'Idiologue et son importance historique*, *REA* 24 (1922), p. 212, DE ROBERTIS F., *op. cit.*, p. 396, CRACCO-RUGGINI L., *La vita associativa...*, *op. cit.*, p. 471 and LIGHT L., *op. cit.*

the existing social hierarchy. Their practice and patterns of bestowing honours testify that they subscribed to the socio-political order. Resorting to or instigating disturbances would irreparably damage their image and undermine their position in the world of the *polis*.

Associations were used to exercise disciplinary power over their misbehaving members. This is revealed by the rules for appropriate behaviour of members, which appear in inscriptions of the 2nd century AD in mainland Greece and even earlier in Egypt⁴⁰ (not attested (yet) in Asia Minor). These sanctions may be of Roman inspiration. Such measures appear in three inscriptions from Athens, all dated in the 2nd century AD: *IG ii*² 1368.72-102: «μάχης δὲ ἕάν τις ἄρξῃται ἢ εὐρεθῇ τις ἀκοσμῶν ἢ ἐπ' ἀλλοτριῶν κλισίαν ἐρχόμενος ἢ ὑβρίζων ἢ λοιδορῶν τινά» (before AD 178), *IG ii*² 1369: «εἰ δὲ τις μάχας ἢ θορύβου κεινῶν φαίνοιτο ἐκβαλλέσθω τοῦ ἐράνου» (second half of 2nd century AD); *SEG xxxi* 122.5-9: «ἕάν τις ἐν τῇ συνόδῳ μάχην ποιήσῃ, τῇ ἐχομένῃ ἡμέρᾳ ἀποτινέτω παραχρηῖμα...» (AD 121/22) and in an inscription from Physkos of Lokris (*IG ix* (1)² 670.7-13: «μενάδα μαινάδι μὴ ἐπεγερθῆνε μηδὲ λοιδορῆσε ὁσαύτως μήτε βουκόλον ἐπεγερθῆναι μήτε λοιδορῆσαι, ἕάν δέ τις, δώσει τῷ κοινῷ καθ' ἕν ῥῆμα προστίμου δδ» (2nd century AD). A similar provision appears in an inscription from Lanuvium of AD 136 (*CIL xiv* 2112 II, 23 (*ILS* 7212, *FIRA iii* 35): *Item placuit, si quis quid queri aut referre volet, in conventu referat, ut quieti et hilares diebus sollemnibus epulemur*) of the *collegium salutare Dianae et Antinoi*.⁴¹ Such provisions aim at reducing the threat of social unrest due to the activity of associations, without any immediate cost to the Roman administration.

⁴⁰ See *P. Lond.* 2710 (middle of 1st century BC) and BOAK A.E.R., *The organization of guilds in Greco-Roman Egypt*, *TAPhA* 68 (1937) p. 217.

⁴¹ See PATTERSON J.R., *Patronage, collegia and burial in Imperial Rome*, in BASSETT ST. (ed), *Death in Towns. Urban responses to the Dying and the Dead, 100-1600*, Leicester, 1992, p. 20-21. Similar provisions appear in documents of religious guilds in late medieval England, for which see MCREE B.M., *Religious guilds and regulation of behaviour in late medieval towns*, in ROSENTHAL J. & RICHMOND C. (eds), *People, Politics, and Community in the later Middle Ages*, Gloucester, 1987, p. 108-22.

What comes clearly out of these inscriptions is not the fear of associations but the fear of the Roman emperors and governors for social unrest which could take an anti-Roman character. In such a case, it was not associations but mainly professional categories with little organization which were the principal locus of such attitudes and initiatives. If the painful experience of the late Roman Republic justifies the increase of bans, its echo and the preservation of the empire's cohesion kept Roman magistrates on stand-by.⁴²

⁴² See also MACMULLEN R., *Enemies of the Roman Order. Treason, Unrest, and Alienation in the Empire*, Cambridge Mass., 1967, p. 175 and RANDAZZO S., *op. cit.*, p 51-52. RANDAZZO (p. 78) rejects the theory of a SC issued in the period from Iulius Caesar down to Severus. Any restrictions were applied on the basis of imperial pronouncements.