

Regulations on Absence and Obligatory Participation in Ancient Associations

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Introduction

One of the most often repeated facts about ancient associations seems to be that they were imitating the state. Even a cursory reading of scholarly literature reveals a number of concise definitions. Associations were ‘cités en miniature’, ‘mirror-images of the city on an organizational level’, they ‘posed as little republic[s]’ – the list could be continued.¹ And the main insight is of course correct. The designations for officials, the delineation of sacred space, the formulae of honorific decrees, voting procedures – all these elements were regularly taken over by associations from the model provided by their respective cities.

But there are practical limits to the self-fashioning as a little republic. They become obvious when the very people who have built and sustained the association through their attendance at meetings and their payment of membership fees decide to stay home this month, to eat sacrificial meat somewhere else or to simply spend more time with other people. Real republics did not have to fear that citizenship and its benefits would lose their appeal. They could feel a need to encourage active participation, as is particularly evident when cities like Athens (in the late fifth century BC) or Iasos (in the late fourth century BC) introduced financial remuneration for participation in civic assemblies.² But such measures were dictated by political ideology; they were not essential for a city’s survival. Associations, in contrast, could run out of members and hence cease to exist.³ Far from offering financial rewards for participation, they therefore resorted to much stricter policies. In a number of cases from all over the

¹ Quotations from Arnaoutoglou 1998b: 75; Baslez 2006: 157; Gabrielsen 2007: 189. I thank the editors and the anonymous reviewers for their helpful suggestions and Kimberley Czajkowski for correcting my English.

² On Athens, see Podes 1993; on Iasos, Gauthier 1990.

³ On financial regulations by associations see Giannakopoulos in Chapter 2.

ancient world, we have epigraphical evidence for fines on non-participation in the activities of an association. My aim is to present and compare the relevant regulations, to study their implications and to look for parallel phenomena outside of associations, in order to show how this specific set of rules contributed to the relationship between associations and society.

Regulations on Absence

The following discussion focusses on the regulations themselves. Preference is given to Greek regulations, but evidence from other regions is also collected. This may enable us to understand how the same set of regulations could serve different purposes in varying circumstances.

The Greek World

Around 330 BC, the *orgeones* of Bendis issued a set of rules concerning the maintenance of their sanctuary in the Piraeus.⁴ Members were supposed to meet on the second day of each month to discuss their affairs. In the month Thargelion, each member had to give to the *ἱεροποιοί*, ‘sacrificers’, two drachmas for the sacrifice, before the sixteenth day – that is to say, three days before the Bendideia. ‘Whoever is in Athens and in good health but does not contribute, owes two drachmas, sacred to the goddess’ (ll. 19–20). We should expect a penalising aspect; the two drachmas would then have to be an additional charge added to the normal contribution. It may also be argued that members who did not pay could not participate in the festival but were later expected to contribute, the penalising aspect being that they had to finance an activity they had not been a part of. Either way, the penalty would be modest compared with other regulations: if someone sacrifices beside the altar, he or she owes 50 drachmas. Possible exculpations for absence are given implicitly: if someone is not currently in Athens or hindered by illness, no additional charge applies.

The fragmentary inscription does not seem to have contained similar regulations for the regular assemblies. It specifically connects obligatory participation only with the religious festival, not with the necessities of internal decision-making. Given that the Bendideia were a civic festival where the association would probably be expected to play a part, this focus

⁴ *IG II² 1361 = GRA I 4*. See also Arnaoutoglou in Chapter 6.

seems significant.⁵ While necessarily phrased as an obligation of individual members to the association, our earliest regulation on attendance may in fact be read as reflecting the association's obligation to the city. The fact that both readings would have been possible at the same time illuminates a general point about such inscriptions. None of the extant 'laws' of associations regulates everything that could possibly be regulated; the rules they include were selected out of a range of possible options, presumably with a view to the communicative dimensions of stone inscriptions. By choosing this particular regulation, the *orgeones* not only bound their members to an obligation they had accepted upon entering the association. They also made clear to the interested public (namely, the visitors of the sanctuary) that they did indeed intend to be a reliable institution of Athenian civic cult. Seen from this angle, legitimation and obligation are two sides of the same coin.

There are two additional inscriptions from Athens, both from much later periods, that use very similar terminology. The first is a decision by 'the *Heroistai* of Diotimos, Zenon (?) and Pammenes' dated to 57/6 BC.⁶ The text is heavily mutilated. According to the accepted reconstruction, the decision explicitly concerned the income of the association:

5 ἔδοξεν τῶ[ι κοι]-
 [νῶι τῶν Ἡρ]οῖστῶν, προνοηθῆναι τῆς [προσ]-
 [όδου ὄπω]ς οἱ ἀποδημοῦντες τῶν Ἡ[ροῖσ]-
 [τῶν καθ' ὄν]δηποτεοῦν τρόπον διδῶ[σι εἰς]
 [τὴν θυσίαν?] δραχμάς τρεῖς, οἱ δὲ ἐπιδη[μοῦν]-
 10 [τες καί] μὴ παραγινόμενοι ἐπάναγκ[ε]ς
 [ἀποδιδῶ]σι τὴν φορὰν τὰς ἕξ δραχμ[ὰς ἐ]-
 [ὰν καὶ μὴ? λάβ]ωσιν τὰ μέρη· ἐὰν δὲ μὴ διδ[ῶσι]
 [τὴν φορὰν, ἔ]δοξεν μὴ μετέχειν αὐτο[ύς]
 [τοῦ ἐράν]ου ἐὰν μὴ τιμι συμβῆι διὰ πέ[ν]-
 15 [θος ἢ διὰ ἀ]σθένειαν ἀπολειφθῆναι.

The association of *Heroistai* has decided to provide for the income, so that those of the *Heroistai* who are away in one way or other contribute three drachmas to the sacrifice (?), but those who are home and do not come are obliged to pay the fee, the six drachmas, even if they do not (?) receive the portions (of the sacrifice). But if they do not pay the fee, it has been decided

⁵ On the Bendideia, see Parker 1996a: 173–5. *IG* II² 1283 (240/39 BC) refers to a civic law (τῆς πόλεως νόμος) that obligated the Thracians to participate in a procession to the Piraeus, where they would then be hosted by the *orgeones*.

⁶ *IG* II² 1339 = *GRA* I 46.

that they do not have a part in the club, except if someone stayed away because of grief or illness.

Several parts of this reconstruction are insecure.⁷ In particular, the type of meeting and the consequences for those who do not pay are open to question. While *θυσία* in line 9 is plausibly restored in light of the *μέρη* mentioned in line 12, the procedure regarding the portions is not entirely clear. A less rigid rule could also be envisaged if the *μή* (which causes this line's restoration to be longer than the others) drops out: people might not be present, but still receive *ἀποφόρητα*, 'portions delivered home', for their payment. The definite article before *φόρα* seems to suggest that 6 drachmas was the normal fee for the sacrifice.⁸ People who are away pay half the sum; whether or not they received leftovers or *ἀποφόρητα* is not stated (practicalities might stand in the way). The only actual penalty then seems to be the rule on exclusion (*μὴ μετέχειν*) from the association (or possibly 'the sanctuary'),⁹ and it is this rule that is mitigated by the possible exculpations. Its connection to the sacrifice is not quite clear, as 'the fee' could have been paid earlier; the regulation may be of a more general nature: those who do not pay (an act that demands physical presence) are out unless they had good reasons not to show up in person.

In spite of these insecurities, it is clear that the regulations are concerned neither with equality at the banquets nor with assistance for members who are ill or in grief.¹⁰ The situation is similar to the procedure established for

⁷ The number of letters missing at both margins is unclear. Pittakes 1842: 520 calculated at 0–3 letters missing at the left margin and up to 8 missing at the right, which results in a very different restoration that does not always give a suitable sense. Cf. also Keil 1855: 37–41 for a different restoration based on similar premises.

⁸ Kloppenborg and Ascough in *GRA I* (p. 219) assume that these were 'penalties on those who did not attend'.

⁹ The term *eranos* is a rather arbitrary supplement both here and in l. 17: τοῖς τε[λ]οῦσιν ἔραν]ον. It seems to be based on the term ἀρχεραμιστής, 'head of the *eranos*', in l. 4, but this designation for leadership can be found in many *thiasoi vel sim.*; it is not at all tied to *eranos* as a group designation (cf. Arnaoutoglou 1994). Compare *SEG* 43:59 (Rhamnous, ca. 410 BC), ll. 4–5: [τὰ δνόματα τῶν] μετεχόντων τῆς συν[όδου] 'the names of those who participate in the *synodos*', but the leader is called ἀρχεραμιστής and the members ἐραμισταί. We may therefore opt for θίασος, σύνοδος, κοινόν or perhaps ἱερόν, 'shrine', if the association owned a sanctuary (cf. *IG II²* 1361, l. 22: μετεῖναι αὐτῶι τοῦ ἱεροῦ; *LKyme* 37, ll. 13–14: παρ' [ἐκ]άστου τῶν μετεχόντων] | τῶν [ἱερῶ]ν).

¹⁰ The first interpretation is offered by Baslez 2006: 162, the second by Ismard 2010: 356. Baslez 2006: 163 n. 45 also thinks that οἱ ἐπιδημοῦντες, 'those staying in town', and οἱ παραγινόμενοι, 'those present', are two distinct categories of potential participants, namely, people living in Athens and people living abroad but passing through. She points to ethnic merchant-associations on Delos, where compatriots passing through could be allowed to participate in the meetings without having to pay a membership fee, and postulates a similar situation for our *Heroistai*. But although some members of the family of Zenon and Pammenes did have administrative positions on Delos, the context of the *Heroistai*-association seems to be purely local. The plain sense of the text is a

the *orgeones* almost 300 years earlier. Money is collected for a specific event; handing over the money is only possible in person; rules are therefore made to regulate the membership status of those who could not make the payment because they were away, ill or in grief. The *orgeones* had the same rule for being away and being ill (no payment necessary); the *Heroistai* made those who were away pay half the sum (presumably in advance). Those who were ill or in grief might also have had to pay later; the regulation only protects them from being expelled.

Both *orgeones* and *Heroistai* seem to have introduced these rules in an attempt to (re)organise their general financial situation. In both cases, practicalities may be partly responsible for the focus on a particular sacrifice – presumably the most expensive (and hence most vulnerable) activity of both associations. However, we have argued for an additional communicative dimension in the case of the *orgeones*, and the same considerations may well apply to the *Heroistai* (about whom we do not have any further information). Again, one aspect of the regulation may be a claim to reliability. No civic cult was involved, but the display of reliability might well be directed at the founder(s) of the association, who might have stipulated that members carry out Heroic sacrifice for a deceased.¹¹ Recourse to an established language of obligation and exculpation would have enhanced the donors' trust in the association and encouraged future investment.

The remaining text from Athens is the famous rule of the *Iobacchoi* probably issued in AD 164/5.¹² Their long inscription contains two regulations on absence. The first one concerns active participation (ἕκαστος ἢ λέγων ἢ ποιῶν ἢ φιλοτειμούμενος, 'each saying or doing or acting eagerly') in the monthly meetings and the collection of the contribution (φόρα) for wine. If someone 'does not fulfil' (μὴ πληροῖ) these obligations,

he shall be excluded from the *stibas* and those who are recorded in the decree shall have the power (to do so), with the exception of a journey, grief, illness or if someone who should be admitted to the *stibas* is forced (to remain absent) by very urgent reasons, with the priests acting as judges. (ll. 48–53)

regulation for the irregular case that ἐπιδημοῦντες are not παραγινώμενοι – that they are in Athens, but do not come.

¹¹ For such constellations and their impact on the formulation of inscriptions, see the discussion of an example from Lydia by Jones 2008.

¹² *IG II² 1368 = GRA I 51*. On the date, see Ameling 1985.

This regulation is more developed than the ones we have seen, as it not only defines terms of active participation as opposed to mere physical presence, but allows for possible cases of urgency that may be defined on a case-by-case basis. It is nevertheless noteworthy that the possible exculpations remain the same ones we have already encountered. The motivation behind the regulation seems to be financial, as μή πληροῖ most likely refers to the financial contribution. However, the problem of a member who does not pay is dealt with later in the same inscription: 'None of the *Iobacchoi* who have not paid for the (meeting on the) ninth day and the yearly festival shall be allowed to come to the *stibas* until judgement has been made over him [*sic*] by the priests, whether he shall pay or come' (ll. 67–72). It is tempting to see this apparent redundancy as an indication that μή πληροῖ refers more broadly to physical and active presence in the meetings, but a different formulation might then be expected. The second regulation is rather a specification with regard to procedure in the cases of absence mentioned above.

Stibas can refer to a building, an association or a meeting. In this case, it certainly needs to be distinguished from the administrative meetings (*agorai*) that could be convened for the purpose of internal jurisdiction. For these, another regulation on absence was in place: 'If one of the *Iobacchoi*, knowing that an obligatory assembly is convened for this purpose, does not join the meeting, he shall pay to the treasury 50 light drachmas' (ll. 96–9). Failure to pay results in exclusion from the *Bakcheion* until the payment is made. No exceptions are named in this case. The penalty is not severe, but certainly considerable: 50 light drachmas were probably equivalent to a little more than 8 denarii; other offences, like insulting or hitting other members, were already available for 4. So there seems to be a distinction between regulations for the *stibas* and regulations for an *agora*, where the internal administration of the association was taking place. One could be excluded from the first (without a financial penalty), but not from the second, where non-participation was subject to a comparatively high monetary fine. Similarly, excuses could be made regarding the *stibas*, but not regarding the *agora*. So what was the *stibas*? The similarity to the regulations set up by the *Heroistai* needs to be considered. There, the regulation mitigated by possible exculpations excluded the respective persons from either the association or the sanctuary. *Stibas* could mean both things, but for both, the *Iobacchoi* use the term Βακχεῖον. The terminological ambiguity hardly permits definite answers, but it seems to be a better option to take *stibas* as a designation for festive meetings, which would have been

more attractive than the assemblies that actually kept the association intact as an organisation.¹³

It would seem that despite the similarity in terminology, the *Iobacchoi*'s rules on obligatory participation follow a different pattern from those we have seen so far. There is nothing to suggest that the *Iobacchoi* were involved in the civic cult of Dionysus in any way. Assuming that they were not and that the *stibas* was a festival specific to the association, there does not seem to be an external communicative dimension to this inscription.¹⁴ Not paying the membership fee in time simply resulted in exclusion from what would have been seen as the fun part of associational life – you do not get what you do not pay for. In contrast, non-participation in the administrative meetings endangered the association's internal processes and therefore led to an actual penalty. In this case, the concern is indeed with the functionality of associative democracy. While one might attempt to somehow connect this difference in focus with the changed legal environment of the Roman imperial period, it seems more likely that associations had always been concerned with safeguarding their internal procedures – it was just not an aspect that was usually selected for inclusion in stone inscriptions, which were at least in part designed to present a specific image of the association to outsiders. The exceptionally detailed regulations of the *Iobacchoi*, apparently written up for internal use only, thus make visible an aspect of associative life that was unlikely to be represented in other epigraphical contexts.

Outside of Athens, Greece offers only one further example. In Locrian Physcus, the νόμος, 'law', of the *thiasos* of Amandos has survived in an inscription dated to the mid-second century AD.¹⁵ The members of this Dionysiac association were called maenads and cowherds; their regular contribution was '14 obols and not less' (ll. 5–6). After a regulation against attacking or abusing other members, the texts include a two-stage regulation on absence. 'One who does not come to the meeting (σύνοδος) although he is at home (ἐπιδημοῦντα)' has to pay 4 drachmas, like someone who attacks another member (ll. 13–15). But 'one who does not come to the mountain has to pay five drachmas to the treasury' (ll. 16–17), with no possible excuse mentioned. Some of the terminology is known from the Athenian examples. As in the (roughly contemporary) case of the *Iobacchoi*, a clear distinction is made between the regular

¹³ For this meaning of *stibas*, cf. also Jaccottet 2011: 417–18.

¹⁴ The inscription was found in the *Iobacchoi*'s own building, on which see Schäfer 2002.

¹⁵ IG IX.1².3 670 = GRA I 61.

meetings and a religious event, in this case the procession to the mountain (ὄρειβασία). The penalty is considerable in both cases, but higher in the latter: non-participation in the festival leads to a fine that is more than twice as high as the membership fee. The regulations ensure not only regular financial contributions, but also active participation in the religious activities of the group. The bidirectional understanding of such regulations established above might well elucidate this case as well, but to put it into context, we would need to know more (or rather: anything at all) about Amandos and the environment in which this association operated.

There are hardly any νόμος-inscriptions from the rest of the Greek world. The one regulation on absence from Asia Minor is a special case. In an inscription from the mid-second century BC found in the theatre of Iasos, the Dionysiac artists of Ionia and the Hellespont decided to honour the city of Iasos by sending eight representatives of the association in order to organise choruses and participate in contests.

If someone of those chosen by the multitude does not come to Iasos or does not participate in the contests, he shall pay to the association of Dionysiac artists 1,000 Antiochene drachmas, sacred and unalienable for the god, except the one who was hindered by illness or bad weather. To him, exemption from the penalty shall be given if he presents his defence in front of the multitude, bringing clear evidence, and is acquitted by a vote according to the law.¹⁶

The Dionysiac artists, the *technitai* (τεχνῖται), were a special case of private association, not easily comparable to the local groups discussed so far. Members who did not come to Iasos threatened the diplomatic credibility of a κοινόν that acted like an independent state in many ways. The obvious parallel would not be local associations, but delegates in inter-state diplomatic affairs.¹⁷ The text is nevertheless interesting for the unusual details it provides on the administrative side of exemptions (a trial and a vote). It also demonstrates again the plausibility of understanding such regulations and their epigraphic publication at least in part as directed at the outside world. The *technitai* clearly wanted to show how seriously they took their obligation towards the Iasians and offered them insights not only into the obligations they put on their members, but also into the internal procedures that ensured compliance.

¹⁶ *I.Iasos* 152, ll. 19–25. ¹⁷ On these, see below.

The East and Rome

Much closer parallels to the Athenian texts discussed above can be found in the regulations of Egyptian associations, particularly in the Demotic statutes of the Ptolemaic period. The nature of these groups is still debated, because the regulations seem to have been contractual agreements valid for only one year, after which most members apparently left the association, to be replaced by others.¹⁸ While the type of group is therefore still open to question, a number of regulations are strikingly similar to those of Greek private associations, including the ones on absence. In a papyrus from Qus dated to 223 BC, it is stated that if someone from the ‘association of the temple of Horus’ does not come to the assembly although it is proven that he could have come, he has to pay half a *kite* (the normal membership fee being 1 *kite*).¹⁹ No financial interest seems to be at stake, because the collection of the fees is regulated separately – if someone does not bring his contribution, he has to pay 2 *kite*. Similarly, in some statutes of the second century BC, the context seems to be mere sociability: whoever does not come to drink beer with the others has to pay 50 *deben*, unless he has a good excuse.²⁰ In several almost identical regulations, both failure to deliver the necessary contributions and non-participation in the main cultic events are fined with 25 *deben* (and a curse by the gods), exemptions being made – as in the first example from Qus – for those who are ill, in prison or in a legal dispute with the royal treasury.²¹ The same exemptions are valid for those who do not escort a deceased member (or a member whose close relatives have died) to the necropolis, although the fine is lower (5 *deben*).²²

¹⁸ Seidl 1962: 152–5 thought that these were priestly liturgies to be fulfilled by the male adults of a village; this remains a plausible view. Cf. Lüddeckens 1968: 198–201. Against this, Monson 2005 points to some associations with lesser (but still considerable) fluctuation and to the internal magistracies that do not mirror the temple hierarchies; these are valid points, but the problem of membership fluctuation (as well as the unusual competencies of leaders to interfere with the members’ private dealings) still needs to be explained.

¹⁹ *P.Lille dem.* 29, l. 6 = de Cenival 1972: 3–10.

²⁰ *P.Vogl. dem.* 77 A, l. 27 = Bresciani 1994: ‘Quello di noi che si rifiuterà di riunirsi in seduta con noialtri, eccetto che (abbia la giustificazione) di dover fare una cosa (irrinunciabile), e (si rifiuterà) di bere birra con noi, la sua ammenda sarà 50 deben e sarà perseguibile legalmente per fargli assolvere il suo obbligo’. Cf. *P.Cair.* II 30606, l. 24 = de Cenival 1972: 45–51. The associations seem to be identical; cf. Muhs 2001: 7; Monson 2005: 184.

²¹ E.g. *P.Hamburg* 1, l. 9–11 (150 BC) = de Cenival 1972: 59–61; cf. *P.Lille dem.* 29, l. 8 (reconstructed from *P.Hamburg* 1); *P.Cair.* II 31179, ll. 10, 12–13 (147 BC) = de Cenival 1972: 63–8; *P.Cair.* II 30605 (145 BC), ll. 9–10, 12 = de Cenival 1972: 73–8.

²² E.g. *P.Cair.* II 30606, l. 14; 31179, ll. 14–15; 30605, l. 13; cf. *P.Lille dem.* 29, ll. 18–19 (half a *kite*).

In all these regulations, the fine for not attending a meeting is not very high compared to others. It is much more expensive to insult a superior or to wrongly accuse someone of being a leper. Special regulations concern the absence from a procession in honour of the gods (in the statute from Qus, the price is 1 *kite* and being cursed by the god), from internal juridical proceedings or from funerals carried out by members of the association for their relatives. This is a set of rather different circumstances. The first one clearly relates to religion and the stated main purpose of the group, which may have entailed an obligation not only to the gods but to village society as a whole. This would connect these rules to what we have seen in Hellenistic Athens. However, the other two sets of circumstances (legal proceedings and funerals) pertain to social relations within the group, an aspect emphasised even further by the omnipresent obligation to keep internal quarrels internal. As non-monumental forms of documentation, the papyri may better reflect such concerns, which are – as noted above – only occasionally visible in inscriptions.

The parallels between the Egyptian papyri and Greek associational laws are obvious, and Greek influence has often been postulated.²³ However, the Demotic laws follow a consistent pattern, the earliest fragmentary example of which dates to 387 BC. It may already have contained a regulation on absence from funerals and a possible exemption in case someone had not received the invitation.²⁴ The question of influence (and its direction) is a complicated one.²⁵ We may be on safer grounds in the case of three well-known Greek documents from early Roman Tebtynis.²⁶ They contain the internal laws of professional associations; some elements are known from the Demotic tradition of associations, others only have Greek parallels. The first unknown association states that ‘if anyone receives notice of a meeting and does not attend, let him be fined one drachma in the village, but in the city four drachmas’. Four drachmas is also the penalty for not attending the funeral of a member.²⁷

²³ E.g. Boak 1937b: 220: ‘... that the freedom of voluntary association and the contractual basis of such association was introduced into Egypt under Greek influence’. Against this view, see already Seidl 1962: 152–3; but cf. Muhs 2001: 5: ‘a single common tradition, probably deriving from Greece’.

²⁴ *P. Bibl. Nationale* E 241 A, l. 7 = de Cenival 1988 (p. 44 on the regulation on absence).

²⁵ Less so for some of the Greek regulations from Egypt, like *P. Lond.* VII 2193 (69–58 BC). This papyrus also contains a clause on obligatory participation in meetings (ll. 11–12), but no fines and no exemptions. On the question of Greek and Egyptian traditions, see now Paganini 2017.

²⁶ See also Langellotti in Chapter 8.

²⁷ *P. Mich.* V 243, ll. 4, 11–12 (AD 14–37); APIS translation.

The local salt-merchants may not have formed a durable association, but a partnership for one year. But they also had clear ideas about obligatory participation: 'It is a condition that they shall drink regularly on the 25th of each month each one a *chous* of beer [—] in the village one drachma, outside four drachmas, and in the metropolis eight drachmas.'²⁸ On first sight, these rules appear to further refine the distinction, well known from Greece, between absence of ἀποδημοῦντες, 'those away from town', and ἐπιδημοῦντες, 'those in town', but from a third example it emerges that in Tebtynis, it was not the members, but the meetings that could be in different places.²⁹ The rather high fine for not attending a meeting in the metropolis was a way to deal with two contradictory interests: the likely importance of such meetings for economic and possibly legal purposes and the unwillingness of members to travel the 14 miles from Tebtynis to the city in order to attend them.

These three documents have recently been used to show how professional associations could bring together potential partners in business and foster solidarity against outsiders, be they other merchants or representatives of the state. Since these advantages depended on direct interaction, such associations had to insist on physical presence during the meetings.³⁰ It is evidently plausible to assume that private networks based on trust (and not, like cities, on kinship relations) had to devise mechanisms for constantly renewing that trust.³¹ Still, the economic context cannot be the whole story. Rules on obligatory participation can be found already in the Demotic documents and in Greek associations that do not seem to have been professional networks. The problem is thus a more general one, relevant to all forms of private or semi-public organisation.

Apart from Egypt, two possible regulations on absence are known from the Near East, and Greek influence has been claimed for both. The 'rule of the community' from Qumran reveals the organisation of the *yahad*, a movement with several cells active in Judea in the late Hellenistic and early

²⁸ *P.Mich.* V 245, ll. 34–7 (AD 47); APIS translation. There is not enough space to insert anything like the detailed introduction from *P.Mich.* V 243 ('if anyone receives notice . . .'). As the text of ll. 35–6 now runs, it is unintelligible: ἐάν τε πλερετιν, ἐάν τε λι, [.], στάσεος. We might supply something like [ἀπο]στάσε[ω]ς in the sense of 'distance' (from village, metropolis, etc.), but the remaining text still does not make adequate sense. For the categorisation of the group as a partnership and not an association, see Gabrielsen 2016b: 92–5.

²⁹ *P.Mich.* V 244, ll. 7–9, 16–17 (AD 43). ³⁰ Broekaert 2011: 247.

³¹ On associations as trust networks, see Monson 2006; Gabrielsen 2016b. If the salt-merchants are seen as a consortium rather than an association, the purpose of their meetings may primarily have been to regularly 'check the progress of their work against the terms of their agreement', as Gabrielsen 2016b: 93 points out.

Roman periods. One of the rules on internal discipline has been understood as a regulation against absence during voting procedures:

... and the same punishment applies to the man who goes away at a session of the Many, aimlessly and wantonly up to three times at a session, he shall be fined for ten days, but if they should hold a vote and he goes away, then he shall be fined for thirty days.³²

Fines could not be paid in money, because when entering the *yahad*, members had to give up their private possessions; offenders were rather excluded from the common meal for a certain period. In general, the *yahad* could be more demanding of its members than Greek associations, because membership implied a break with mainstream society and joining a new 'people'. A Greek organisational model has nevertheless been postulated not least for the regulation on absence, but, as the meaning of the text is not entirely clear, it is of limited value in this debate.³³

A close similarity to Greek forms of associations has also been postulated for the Palmyrene *marzēḫa*. Relevant for our purposes are the regulations of a group that calls itself 'the priests of Belastor and Baalshamin'.³⁴ According to its first editor, one partially preserved line of the fragmentary inscription contains a regulation on absence, introduced by 'someone who goes abroad'.³⁵ This supposedly shows that the group was a *thiasos* built according to a Greek model (incorporating a regulation on 'those away from town'), but nothing in the text clearly speaks in favour of identifying the group with anything other than a priestly college. More importantly, the interpretation of the fragmentary line has not been accepted in more recent editions.

Finally, two Latin texts deserve to be highlighted. The earliest statute of a *collegium* comes from the time of Augustus and concerns a *collegium aquae*, possibly an association of fullers.³⁶ The nature and status of the

³² 1QS 7.10–12: *wkn lʾš hnpṯr bmošb hrbyṃ | ʾr lwʾ b ʾš wḥnm ʾd šlwš pʾmym ʾl mošb ʾhd wnʾnš ʾrt ymym wʾm yzqpw | wnpṯr wnʾnš šlwšym ywm*. The translation is by Weinfeld 1986: 29, who also compares this regulation to those of other associations. However, the translation of *yzqpw* with 'hold a vote' is questionable (*zqp* means 'to erect' or perhaps 'to rise').

³³ On the general comparison between other associations and the *yahad*, cf. Gillihan 2012 and, for a similar approach with a different result, Eckhardt 2017b.

³⁴ *PAT* 0991; Teixidor 1981.

³⁵ Teixidor reads l. 19 as *umn mn dy ʾzl* and translates 'et autre que celui qui est en voyage', taking the last letters to derive from *mēzal*. McLaughlin 2001: 51–3 and Kaizer 2002: 168–9 refuse to give an interpretation of this very fragmentary line.

³⁶ *CIL* VI 10298. The inscription has long been lost and the text relies on a copy preserved in the collection made by Francesco Barberini in the seventeenth century; cf. Rudorff 1850: 203–6. On the identification with fullers, cf. Mommsen 1850: 346–7. A more recent discussion of the group's status is offered by Moschetta 2005, who compares its *lex* with municipal laws.

group are not quite clear. The frequent use of the future imperative mirrors public laws and has been taken as evidence for a more public than private nature of the group, but the tendency to build 'little republics' by copying formulae makes such conclusions rather difficult. The first part of the heavily reconstructed inscription deals with an oath to be taken by magistrates and with assemblies. 'If someone announces that it is necessary for him to go more than 120 miles away for the state or for some controversy, the judgement about this matter shall lie with the magistrates. If he announces it after the time, he shall pay a fine of 50 asses' (ll. 8–9).³⁷ The person in view here is probably a member who should be present at the assembly, but it could also be a magistrate who is expected to swear the oath on a certain occasion. The sum is not extraordinarily high, given that 500 asses have to be paid for some other offenses, but it is also not the lowest sum mentioned (which is 1 as). According to a possible but by no means certain reconstruction, the text gives further details on procedure: if someone has ordered a *nuntius*, 'messenger', to excuse him in time, but the *nuntius* fails to do so, he shall pay the fine himself (l. 11).³⁸ This would again point to detailed and thoughtful regulations on absence in this *collegium*, but as the reconstructions are unsupported by parallels, they need to be treated with such caution that no argument can be based on them.

The second text, of a much later date, comes from Simitthus in Africa Proconsularis.³⁹ The group in question was originally thought to be a *collegium funeraticium*, but is actually a municipal *curia*.⁴⁰ Still, many regulations are similar to those of private associations, including regulations on absence. After several rules concerning officials, the *magister* and the *quaestor*, it is said that 'if he does not come to the assembly although he is present, he will have to give a *congius* (of wine)' (ll. B 6–7). The payment is not high compared to the honorary sums to be paid by future office holders, which could amount to two or three amphorae (16 and 24 *congii*, respectively). It therefore seems unlikely that it refers to the *magister* or the *quaestor*, as earlier commentators have assumed. The inscription also

³⁷ Ll. 8–9: [si quis nuntiabit necesse sibi esse i]re peregre longius p(assuum) CXX rei p(ublicae) e<t> (l)itis causa magistrorum | [de ea re iudicium esto. si post tempus nuntiabit ei multa] esto a(ssium) L. The *res publica* might also be the *collegium* itself.

³⁸ Ll. 11–12: [nuntius quem quis ita se excusare iusserit tempore ius]to si non denuntiarit ipsius multam sufferto | [aut q(uantae) p(ecunia) quis ita multatus erit t(antae) p(ecunia) ei in nuntium ex hac] lege actio esto.

³⁹ *CIL VIII* 14683 (AD 185).

⁴⁰ Cf. Schmidt 1890. The ensuing debate about the supposed 'degeneration' of *curiae* into clubs need not concern us here.

contains rules for attending funerals. 'If one of the relatives has died within the distance of 6 miles', absence at the funeral is fined with 2 denarii, 5 for dead parents (Il. C 6–9). Surprisingly, the text goes on with a regulation against not attending the funeral of one's own parents, a rather unusual interdependence of the membership role and private life. There is no regulation for the funerals of members; perhaps in these cases, participation was a self-evident necessity.

Special Cases: Endowments and Benefactors

The practical reasons for implementing regulations on absence in the groups discussed so far could be twofold: ensuring the economic survival of the association when physical presence was equivalent to paying the membership fee or (more common) ensuring participation in administrative, social and cultic operations, thus safeguarding the functioning of the group as a tight social network. The situation was obviously different in the case of endowments. When the association had to offer something for free, there was no need for penalties that might ensure participation. Rules were rather needed that could limit the number of people demanding their share of the cake. While the case of the *Heroistai* has reminded us of the interest a donor might have in an association's regulations on absence, at least some associations based on endowments did not punish absence, perhaps because it was actually advantageous to those who were present. In most cases, the necessity of being present for receiving one's share would go without saying,⁴¹ but occasionally, such associations – or the respective donors – did formulate normative statements on obligatory participation.

A few examples may suffice to illustrate this general rule. The Roman *collegium* of Asclepius and Hygieia had received a building and 50,000 sesterces from Salvia Marcellina; from that sum, *sportulae*, 'handouts', as well as bread and wine were to be distributed among the members, whose number was limited to sixty.⁴² Only those present at the meetings were entitled to these distributions, with two notable exceptions that are by now familiar: 'The *sportulae* of bread and wine of those who do not come to the banquet on the above-mentioned days shall be sold and (the money) shall

⁴¹ It could be mentioned as a matter of course; cf. *CIL* VI 33885 (Rome, time of Hadrian): distributions among those *qui ad tetrastylum epulati fuerint*, 'who will have come to feast by the tetrastyle' (Il. 11, 13, etc.).

⁴² *CIL* VI 10234 (Rome, AD 153). Cf. Liu 2008 on endowments of *collegia*.

be distributed among the participants, except the *sportulae* of those who are overseas or hindered by severe illness.⁴³ In this case, the exceptions are relevant not for avoiding punishment, but for receiving one's share. In other cases, the policy seems to have been less lenient. In Amorion in Phrygia, an interesting but also difficult text from the first century AD records some regulations of a group called φυλῆς Διὸς μύσται, 'mystai of Zeus's tribe'.⁴⁴ The *mystai* care for the tomb of the deceased Kyrilla during the Mithrakana festival and have received a vineyard from her father as an endowment. The group seems to have come into existence for this purpose.⁴⁵ A regulation on obligatory participation was incorporated into its foundation document that has unfortunately been preserved only fragmentarily; it presumably went along the line of 'whoever does not come shall have no part in the interest generated from the vineyard' (ll. B 17–21).

Benefaction and endowments also influenced regulations on absence in another way, for special rules were occasionally in place for donors who could not be expected to show up. In Egyptian Psenamosis, a *synodos* of fellow farmers honoured their benefactor Paris in a rather detailed inscription.⁴⁶ Paris, who had given some land to the association for building a gymnasium, receives various honours, including the title 'priest for life'. He is nevertheless exempted from the – implicit – obligation to be present during meals: 'And he shall receive double shares (of food). But if he is not present, it shall be sent to him, and during the feast, he shall be crowned with a special crown by the association.'⁴⁷ A similar situation may be envisaged in the case of a loyalist association from the environment of Pergamum.⁴⁸ During the meetings, the association honoured with crowns members of the Attalid dynasty as well as local governors who were certainly not present. In such cases, the association clearly could not make any demands; no ordinary member could expect such special treatment.

⁴³ Ll. 16–17: ... *ea condicione qua in conventu placuit univervis ut diebus s(upra) s(criptis) ii qui ad epulandum non convenissent sportulae et pane et vinu | eorum venirent et praesentibus divideretur excepto eorum qui trans mare erunt vel qui perpetua valetudine detinetur.*

⁴⁴ Ramsay 1889: 17–23 no 1; Laum 1914 no 175–6. The status of the group (association or actual φυλή?) is discussed by Kunnert 2012: 26–28; Eckhardt 2016: 163.

⁴⁵ Ll. A 13–14: τ[ο]ῖς συνεστῶ[σιν] ἀπὸ ἄρτι [μ]ύσταις.

⁴⁶ *I.Prose* 40 = *I.Delta* 1 446 (first century BC). On this text, see Paganini in press a.

⁴⁷ L. 41–2: ... καὶ λαμβάνειν διπλᾶ μέρος ἔαν δὲ μὴ παρῆι, πέμπεσθαι αὐτῶι, στεφανοῦσθαι δὲ καὶ κατὰ πόσιν διαφέροντι στεφάνωι ὑπὸ τοῦ κοινοῦ.

⁴⁸ *SEG* 52:1197 (between 168 and 164 BC); cf. Müller and Wörle 2002.

Contextualising Obligatory Participation

It has become clear from this overview that associations and groups all over the ancient world tended towards regulating obligatory participation. While the meaning, function and communicative dimension of such regulations varied according to circumstances, their practicalities appear almost standardised. This is especially true for the rather fixed set of exemption clauses. These in particular raise the question of how the regulations of associations relate to the general normative universe of ancient cities. Where were people obliged to be present under threat of punishment and what were accepted excuses? Due to the availability of comparative evidence, discussion in this section will be focussed on the Greek world.

Numerous situations can of course be envisaged where the physical presence of individuals was legally demanded. A person summoned to court was obviously obliged to attend, although in fourth-century Athens one could delay proceedings by swearing an oath, accepted excuses being illness, absence due to civil service and, according to one scholion, death in the family.⁴⁹ In the context of inter-state diplomacy, the persons chosen by the respective cities to serve as delegates or judges could be obliged to be present under threat of punishment; the only recorded excuse was illness, again to be proven by an oath.⁵⁰ These regulations contain the grounds for exemption by now familiar to us, but the context – temporary duties incumbent on individuals – is very different from associations.

When it comes to participation in collective action, the most obvious societal sphere to be taken into consideration would be the civic assemblies. While the evidence sometimes adduced for compulsory voting in ancient Athens is weak, Aristotle has a comment on some unspecified constitutions that require people to register for participation in assemblies or courts and impose heavy fines on them when they do not come.⁵¹ Aristotle regards this as oligarchic manipulations of a formally democratic system, designed to scare off the poor. This would be a possible context for

⁴⁹ Lipsius 1905: 901–2; Schol. vet. Dem. 21,84 (281a).

⁵⁰ *IG* IV².1 68, l. 94 (Epidauros, 302 BC); *IG* V.2 357, l. 53–4 = Thür/Taeuber 1994, no 17 (treaty between Sikyon and Stymphalos, 303–300 BC). I thank Kaja Harter for making me aware of these regulations.

⁵¹ Arist. *Pol.* 1297a.16–28. The history of compulsory voting is traced back to Classical Athens by Malkopoulou 2015: 49–54. But the chasing of citizens to the Pnyx, carried out by Scythian slaves with a red-dyed rope (*Ar. Ach.* 22) can hardly be taken as evidence for formally regulated obligatory participation.

association inscriptions; we might even say that the oligarchs envisaged by Aristotle run their cities like private associations, imposing similar rules. However, as neither the reality behind Aristotle's schematic discussion nor the formal rules of obligation and exemption are known in any detail, we turn to a more promising field for comparisons: civic religion.

It has often been claimed that participation in Greek civic cults was obligatory, but on closer look this claim has turned out to be difficult to prove.⁵² In the Greek world, an important exception concerns young men (νέοι) or boys (παῖδες), who were regularly obligated to participate in festivals.⁵³ A couple of examples may illustrate the relevant regulations. In Coresia on Ceos, a civic festival in the early third century BC included a torch-race and other gymnastic shows to be performed by the young men.⁵⁴ 'But he among the youth who is not present although he could shall be liable to pay as a penalty up to one drachma' (ll. 25–26). Young men were also addressed when the city of Delphi instituted a relay torch-race as part of the Eumeneia-festival and decided that the ten λαμπαδισταί, 'torch-race runners', should be chosen by the leaders of the φυλαί, 'tribes'; if they did not nominate runners, they had to pay 10 staters to the city.⁵⁵ 'If, after the leaders have written down those in the (right) age, someone does not want to obey although he could, he is liable to pay the leader and the other λαμπαδισταί 10 staters privately (that is to say, from his own resources?) during the festival' (ll. 16–18).⁵⁶ If he claimed to be either unable to run or older than the records indicated, he had to prove this through an oath (ἐξομοσάσθω), as in the cases of interstate diplomacy mentioned above. In the late second century BC, the city of Aigiale on Amorgos received an endowment by a certain Kritolaos in order to commemorate his deceased son, including an ἄγων, 'contest', with a torch-race.⁵⁷ 'In order that the torch-race may take place with boys (παῖδες) and men (ἄνδρες), the gymnasiarch shall take care of it, ordering it as seems good to him, and forcing all the youth to run, as far as they have the designated age' (ll. 84–6). Young men could thus be forced (ἐπανα[γ]κάζων), while no such language is used with regard to adults.

⁵² Most of the relevant data is discussed by Krauter 2004. ⁵³ Cf. Ziebarth 1914: 41–4.

⁵⁴ *IG* XII.5 647. ⁵⁵ *CID* 167 (160/59 BC).

⁵⁶ Ll. 16–18: εἰ δέ τ[ι]ς, τῶν ἀγεμόνων καταγραφάντων τοὺς ἐν ἀλικίαι, μὴ | θέλοι πειθαρχεῖν δυνατὸς ὢν, πράκτιμος[ς] ἔστω τῷ ἀγεμόνι καὶ τοῖς ἄλλοις λαμπαδισταῖς ἀ[ρ]γυρίου δέκα στατήρων ἴδια καὶ ἐν ταῖς ἱερ[ο]μηνίαις. *CID* translates ἴδια as 'sur ses biens personnels'; contrast Jones 1987: 82: 'Not to the state, but "privately" to the ἀγεμών and the other *lampadistai*'.

⁵⁷ *IG* XII.7 515.

Since the νέοι were often organised in corporate bodies along the same lines as associations, it was probably not very difficult to get hold of them.⁵⁸ Children were a different matter, because their participation depended on the agreement of their fathers. In a fragmentary regulation from Eretria for a procession in honour of Asclepius (late fourth or early third century BC), a list of boys and girls is created.⁵⁹ Two lines end with ‘if he/she is not present’ and ‘if he/she does not send’ (ll. 11–16). According to Wilhelm’s restoration, the text also included a rule on exemption due to πένθος οἰκειῶν, ‘mourning in the family’.⁶⁰ We have already seen πένθος οἰκειῶν as grounds for exemption in the inscriptions of the *Heroistai* and the *Iobacchoi* from Athens, and it has an exact parallel in a later text from Stratonicea (that Wilhelm referred to): in the second century AD, it was decided that thirty boys of high birth were to be chosen, whose daily task was to sing a hymn to Zeus and Hecate.⁶¹ Exceptions were made ‘if some of them are not healthy or are held back due to mourning in the family’.⁶² Otherwise, the fathers were obliged to provide the chosen hymn-singers and were punished for not doing so. The distinction obviously relates to legal maturity; we can compare the ephēbarchic law of Amphipolis, where parents or guardians have to pay the fine for the non-attendance of ephēbes during lessons.⁶³

Some other constellations seem less pertinent and may be mentioned here only briefly. Cities could obligate their citizens, or at least the owners of houses and workshops, to build inscribed altars in front of their houses during a procession, as can be learned from the regulations concerning the Eiseiria festival of Magnesia on the Meander.⁶⁴ The inscription contains a reference to potential consequences of non-conformity: ‘if someone does not do so, it shall not be good for him (μὴ ἄμεινον αὐτῶι εἶναι)’. This is not necessarily evidence for the city’s inability to enforce ‘real’ penalties, but it is also less concrete than the rules of associations. In Cos, certain groups in society could be obligated to sacrifice on festivals as a corollary

⁵⁸ On the organisation of νέοι, cf. the different perspectives offered by Dreyer 2004; van Bremen 2013.

⁵⁹ *IG* XII.9 194. ⁶⁰ L. 28: – – πέν]θο[υς] οἰκε[ίου] – – (without context).

⁶¹ *I.Stratonikeia* 1101.

⁶² Ll. 13–14: . . . ἐ]άν τινες αὐτῶν μὴ ᾧσι ὑγιεῖς ἢ πένθι | οἰκειῶν κατέχωνται . . .

⁶³ Text in Lazaridou 2015; this regulation ll. 11–14.

⁶⁴ *LSAM* 33, ll. 86–9. In a similar manner, the city of Teos could obligate each of its συμμορίαί, the civic subdivisions, to ‘build on its own place next to the altar of the συμμορίαί one altar of King Antiochos (III) and his sister Queen Laodice and to perform the sacrifice on it’: *SEG* 41:1003 II = Ma 2005: no 18.

effect to the Coan custom to sell the civic priesthoods.⁶⁵ Among these groups are newly married couples, as well as professional groups.⁶⁶ This is obligatory participation phrased in purely monetary terms; it may well have done without physical presence. Finally, we should not underestimate the potential of cults to demand participation without enforceable regulations. The confession inscription by Gaius Antonius Apellas from Blaundos, who 'was punished by the god often and for a long time, because he did not want to come and take part in the mystery, although he had been summoned', is a case in point.⁶⁷ It is impossible to know whether there was a law made by humans that demanded participation or if Apellas just deduced a divine law from the empirical evidence (that he had been punished by the god).

From the comparative evidence gathered so far, the information on absence regulations in Greek associations can be fleshed out a bit further. It is interesting to note that absence due to mourning is epigraphically allowed for in just two cases: association members and children. This might be a mere coincidence, especially if the regulation on mourning were to be connected not with social obligations at home, but with impurity. However, it does suggest that the associations' demands would be perceived as unusual. It is also interesting to note that in the case of appointed judges and delegates, illness had to be proven by taking an oath. This offers a window into one of the practical problems left untouched by the rules and regulations of associations: How were other members to judge whether or not someone had actually been ill? The Egyptian associations vaguely refer to 'proof' against a person, and the Greek sources offer little more than the unusual case of the Dionysiac *technitai*, who demand clear evidence of some sort. We may perhaps surmise that following procedures established in official contexts, association members who claimed to have been ill had to take an oath.

However, the most important insight is that the evidence for obligatory participation of adults in civic cults is very meagre indeed. This makes the rules of associations especially interesting, but it also raises the question of how realistic it was that someone who did not come actually saw themselves obliged to pay a fine. The question as such is not limited to regulations on absence: while we have much evidence for associations threatening to exact fines for this or that violation of the law, how exactly

⁶⁵ Cf. on the evidence Wiemer 2003: 293–300.

⁶⁶ Maillot 2013: 215–20 argues against their organisation as voluntary associations.

⁶⁷ Petzl 1994: 126 no 108 (first/second century AD).

this worked in practice almost always eludes us.⁶⁸ The normal mechanisms of internal jurisdiction do not seem very helpful in this case, as they demand physical presence. We therefore have to briefly consider other possibilities, especially cooperation with the state.

In Ptolemaic Egypt, the laws of associations could become the subject of legal disputes before the royal authorities – if the ταφικόν, ‘burial indemnity’, for a deceased had not been paid or, in one case, if the common economic agreements were not adhered to.⁶⁹ But these were exceptional cases that associations would try to avoid, for instance by demanding that members resort to internal jurisdiction and giving wide-ranging competences to their leaders. If someone did not pay the membership fee, the financial administrator could come to his house and take surety for it, resistance leading to another fine; in another case from the Roman period, the president was allowed to seize a disobedient member on the street and ‘hand him over’, presumably to state authorities (because contracts had been violated).⁷⁰ These cases seem to show that, at least in the conditions that determined associative life in Egypt, membership roles could extend beyond the narrow confines of a monthly assembly, and we can imagine that these associations had their ways to ensure participation as well.

There is no similar evidence for associations outside Egypt. The lack of papyri goes some way towards an explanation, but it is also possible that the relationship to the state was somewhat different in Greece. Cooperation with state authorities may occasionally have been possible,⁷¹ but the attested cases concern either public associations or the financial interests of the city. Thus, the σύνοδος of the priests of Asclepius in Mantinea involved the civic official ἐπιγνώμας into their affairs, who was responsible for monitoring the proper implementation of a particular decree, but this was not a private group.⁷² Private associations might also offer incentives for state authorities to safeguard the upholding of regulations, but the occasions where this could happen were basically limited to problems of grave care.⁷³ The Dionysiac *technitai* are, again, a special case.

⁶⁸ Three ostraca from Maresha published by Ecker and Eckhardt 2018 are the first pieces of evidence for the actual exaction of fines by an association, but they do not say what the offence was.

⁶⁹ *P.Enteux.* 21 and 20; *P.Ryl.* II 65; cf. Gibbs 2011: 295 n. 16.

⁷⁰ *P.Cair.* II 30605, ll. 7–8; 30606, ll. 7–8; 31179, ll. 8–9; *P.Hamburg* I, ll. 6–7 etc.; *P.Mich.* V 245, ll. 41–2. On taking surety, cf. San Nicolò 1927: 291–2.

⁷¹ San Nicolò 1927: 293–4 argues that the contractual nature of Greek associations enabled them to get support from state authorities, but no case is known from Greece.

⁷² *JG V.2* 269 (first century AD). But cf. Zoubaki in Chapter 7.

⁷³ A good example is *IG VII* 2725 (Akraiphia; second century AD; cf. Roesch 1982: 136–8). A woman called Pythis had founded an association of *Heroastai* commemorating her children. Fines were due

In one of the letters by Hadrian found at Alexandria Troas, they receive imperial backup for claims against unwilling members: ‘Those who contribute according to the laws of the *σύνοδος*, even if they stop working or become Roman citizens, shall remain obliged to these laws.’⁷⁴ This was a powerful tool, but one that no normal association could hope to acquire. For them, a more likely fate was the one suffered by the *collegium Iovis Cerneni* in Alburnus Maior that published its dissolution in AD 167 because the number of members had declined from fifty-four to seventeen, one *magister* had disappeared and ‘for such a long time no one has wanted to come together on the days that have been stipulated in the statute or to pay the burial indemnities or the dues’.⁷⁵

Conclusion

In English scholarly literature, the groups that this volume is interested in are often labelled ‘voluntary associations’. The term has been criticised for being anachronistic and not very precise, given that social pressures of various kinds are likely to have determined membership in associations in a number of individual cases.⁷⁶ However, with this caveat in mind, it is certainly legitimate to use the term ‘voluntary’ in order to distinguish these groups from civic subdivisions or age classes. What this chapter has highlighted, however, is the fact that associations in their rules and regulations did not present participation in their activities as voluntary at all. They rather demanded participation and tried to find – or pretended to have – ways to punish those who did not fulfil this basic obligation of membership.

These regulations on obligatory participation do not find many parallels outside the world of associations. True, at least in Greece, both the rules on exemption and the likely procedure in cases of legitimate absence are known from other contexts, and it seems possible to argue that they were in fact one of the elements associations took over from the state in their attempt to build a ‘little republic’. However, while magisterial titles or

if someone opened the grave chamber or damaged the inscription; in both cases, 2,000 denarii were to be given to the *σύνοδος* and 2,500 to the city, without a formal lawsuit. This is how one could raise the likelihood of cooperation between associations and the state.

⁷⁴ *SEG* 56:1359, ll. 51–2 (AD 134): οἱ κατὰ τοὺς τῆς συνόδου νόμους συνβάλλοντες, κα[ι] ἂν παύσωνται ἀσκοῦντες κἀν Ῥωμαῖοι γένωνται | ἐκείνοις τοῖς νόμοις ἐνεχέσθωσαν, καθ’ οὓς συμβεβλήκασιν.

⁷⁵ *CIL* III p. 924, ll. 15–17 = *IDRTabCerD* I.

⁷⁶ Harland 2009: 28. The same objections have been raised with regard to modern associations; cf. Amis and Stern 1974: 91–2.

voting procedures could easily be transferred from one context to another, regulations on absence were different. By entering an association, or at least one that had drafted regulations of this kind, people submitted themselves to a rigid social order that they did not know from normal experience outside of their membership role. They had to accept obligatory presence as a general demand that was not tied to specific offices or one-time events. If we want to draw the analogy to civic cult, the members of associations accepted being treated like the young men who could be obligated to participate in torch-races or like the children who had to sing hymns to Zeus and Hecate in Stratonicea. They entered a world of well-ordered parallel societies.

For associations, such rules fulfilled several functions, all of which highlight the limits of imitating city structures. At least in some associations, one aspect was certainly economic survival. Ensuring the physical presence of members was the only way to ensure a steady income. However, we have also seen cases where the financial aspects are treated separately from non-participation in social activities. Soft factors must therefore be integrated into the explanation. If associations are seen as trust-networks, regular face-to-face interaction may well have been deemed a necessity for establishing and maintaining that trust. The main religious events were particularly important in this regard because of the shared emotional experience they offered, which may be another reason why non-participation in these events is sometimes subject to a higher fine. We have also noted repeatedly that inscriptions can communicate an image of a group to outsiders. In the competition for new members and benefactors, it was helpful to convey the impression that the group was capable of collective action and devoted to its cause. Donors could rest assured that the regular announcement of their merits would take place in front of a proper crowd. The rules of exemption may be accorded a double role here: on the one hand, their practical ambiguity (what counts as an illness?) left some room for testing out the boundaries of trust. On the other hand, as they were taken over from civic contexts and were perhaps familiar to outsiders from highly obligatory and very hierarchical events such as civic processions and the torch-races of young men, they could reinforce the impression of seriousness and reliability.

For most purposes, the cities themselves did not need to establish similar rules. Here, what associations wanted to achieve through regulations on absence and obligatory participation (economic survival, trust, respect) could normally be taken for granted. It is thus no surprise to find regulations on absence much more clearly spelled out in private

associations, even though they appear in so many other ways as 'little republics'. We have seen that absence was basically regulated along the same lines in many associations, even beyond the Greek world. The physical presence of members was in many ways vital for the existence of associations, more important perhaps than refraining from personal insults. And yet the fines were often not very high compared to others. This rather lenient punishment, combined with the rules on exemption, can perhaps be interpreted as a way to offer those who had been absent for whatever reason a way back into the association. For all the rigid statements in these regulations can barely obscure the fact that most associations had very little leverage if a member decided to test the boundaries and stay home. Like all newly emerging little republics, private associations were always in danger of becoming failed states.