

Chapter 4

The Structure of Mercantile Communities in the Roman World. How Open were Roman Trade Networks?

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1. Introduction

Trading systems are never random. The lone merchant, sailing the seas in search of lucrative markets, has little hope to rise above his station. Long distance trade depends on networks that link merchants and shippers to financiers, suppliers and clients. Merchants need to cooperate, negotiate and mediate. They need to put faith in commitments. The shape of trade networks varies depending on cultural norms and values, legal requirements, distribution of resources, but also on the personality, talent, acuity and ingenuity of the merchants themselves.

The Roman world of trade offers examples of different types of networks providing different solutions to similar problems in different contexts. In this paper, I study three particular cases: late Hellenistic Delos, first- and second-century Puteoli, and second- and early third-century Ganuenta by the North Sea. Each is exceptional in its own way, but illustrates the wide range of possible arrangements.

I will focus on non-family based co-operation and collective action in long-distance trading communities. My central question is when and why long-distance traders established professional associations, rather than rely on private networks or informal communities. Formal associations pool private resources and create new ones that are put under the control of the collective body and its representatives. The organizational costs are obvious: members have to pay fees, liturgies are imposed on officers, time is lost on meetings and ceremonies, lucrative partnerships with outsiders are discouraged. In turn, the potential benefits are equally clear. Guilds provide ‘club goods’ such as meeting places, storage facilities, financial support, network opportunities, and an internal justice system. Strong social ties and mutual trust among members are expected and encouraged. Meetings (often compulsory) provide information on market opportunities and on the reliability of potential partners. Misbehaviour is punished through social sanctions, such as public disapproval and shunning, that affect the transgressor’s reputation and inflict psychological punishment. Last but not least, guilds create new assets and resources, such as the status attached to being a guild officer or patron and the influence that goes with it. Public authorities can increase benefits—for instance by granting privileges and immunities, or using guilds as preferential suppliers—or on the contrary oppose the creation of

private associations. Whether benefits outweigh the costs depends on the specific institutional context that merchants face.

My objective is to link up with research in late medieval and early modern economic history. Some of the arguments will be familiar to ancient historians, but they have not yet been cast in the research frame used by economic historians of later periods. By doing so I hope that the structural similarities and differences will become more apparent.

Cooperation is the key to success in business, but is only possible if a minimum of trust is present. Businessmen need to put faith in future promises. Throughout history, household and family have provided the core units for business operations. Family members (in particular siblings) know each other intimately and share common values, social networks and (often) material interests. But family relations are limited in number and carry moral obligations that limit freedom of action. Kinship stimulates trust, but is no guarantee for talent. Brothers can be a burden as well as a blessing.

Slavery and freedmanship enabled Roman businessmen to expand their operations by creating networks modelled on the Roman *familia*. The interests of slaves or freedmen and their masters and patrons coincided insofar as they belonged to a closed group with common interests. But closure also limits opportunities. Especially in the case of long-distance trade, independent freedmen may have preferred local business partners over distant ex-masters. Slavery and freedmanship only work well to maintain trust if they rest on real, rather than nominal, dependence.

Business operations of some scale require cooperation between unrelated agents. The looser the bond between agents, however, the harder it becomes to maintain the trust needed to support cooperation. Trust becomes a question of institutional constraints. These may be informal norms, enforced through social and emotional sanctions (as in the case of *amicitia*¹), or formal norms created and enforced through an external authority. In modern society, laws, police, and justice ensure that parties to a contract have an interest in not breaking it. Social sanctions can have the same effect if there is a consensus on the informal rules (the social norms) governing social interaction and if community members are able and willing to impose sanctions against members who break these rules. Social sanctions range from shunning and slander to exclusion from community events and places (such as temples or churches), and refusal to co-operate with norm transgressors. Having a reputation for unreliability can make it difficult (or excessively more expensive) to find business partners and agents. Reputation

¹ Verboven 2002.

mechanisms, however, depend on the availability of reliable information, and on the presence of shared norms and values. For reputation to be effective in large or dispersed groups—such as long-distance mercantile communities—additional institutions are required.

There are various ways in which long-distance merchants deal with these problems. They can, for instance, respond by congregating in culturally homogeneous groups, centred around group-specific cults, rituals and community events that symbolically distance the group from the wider community and from other merchants. Closed homogeneous communities offer a cheap solution to overcome problems of trust because formal institutions can be kept to a minimum (often ostensibly limited to religious purposes). However, it requires the existence of a distinct identity that segregates a specific mercantile community from other societal groups. It has the disadvantage, moreover, that it supports co-operation only between group members.

Alternatively, merchants may rely solely on rules enforced by public authorities regardless of cultural or social specificities. Co-operation can then be left to private initiatives and fluid social networks that cross cultural and social boundaries. This, however, requires open institutions that are conducive to commercial interests, and public authorities that are able and willing to enforce these institutions. Such open access orders are expensive because they required elaborate formal institutions, but the costs are shouldered by public authorities and tax-payers.

An intermediate strategy is to ‘design’ formal but private order institutions to govern transactions.² Milgrom, North and Weingast analyzed the merchant law code and private judges of the Champagne Fairs as such a system that

works by making the reputation system of enforcement work better. The institutions ... provide people with the information they need to recognize those who have cheated, and it provides incentives for those who have been cheated to provide evidence of their injuries. Then, the reputation system itself provides the incentives for honest behaviour and for payment by those who are found to have violated the code, and it encourages traders to boycott those who have flouted the system.³

The range of private order formal institutions, however, is very wide. Guilds—or more generally professional associations—have received by far most attention. They are formal private order organizations, with explicit membership criteria, agreed internal norms and

² Greif 2008 prefers the terms ‘organic’ and ‘designed’ institutions instead of ‘formal and ‘informal’; ‘formal organizations’ (such as guilds) are central to ‘designed’ institutions (such as guild charters).

³ Milgrom, North and Weingast 1990: 19; for a critique Ogilvie 2011: 264–7.

officers endowed with the authority to enforce rules, to speak on behalf of the group and to exercise authority over its members. They express a collective identity and pool and create collective resources, available only to members as ‘club goods’.

Formal associations usually graft onto distinct social or cultural groups, reinforcing their informal normative system. Without shared informal norms and values to underpin the group’s formal ‘designed’ institutions, a guild faces (prohibitively) high monitoring costs. The same is true, of course, also for state authorities: monitoring costs (police and justice) are high when public institutions lack legitimacy. Because mercantile interests often do not coincide with the (perceived) interests of other social groups and elites—especially in agricultural societies—public authorities may face higher costs when they formulate rules favouring real or perceived mercantile interests rather than real or perceived interests of other groups. Consequently, throughout history, merchants have been faced with public authorities unwilling or unable to formulate and enforce rules that support their interests.

Seen from a commercial perspective, the story of European modernity is that of the gradual creation of public order institutions that facilitated trade by laying down universalist rules regarding contracts, liability and enforcement procedures. This was a slow process, bound up not only with the formation of modern state institutions, but also with specific contingent policies and political agendas of national and local rulers. In most places, the medieval political system that relied on fragmented authority and guild privileges only slowly gave way to modern institutions.

Do we find similar evolutions in the ancient world? The Roman Empire provided a common political and institutional order that transcended local polities, ethnicities and cultures. Roman and Greek intellectuals agreed that their way of life and welfare depended on local, regional and long-distance trade. But the Roman Empire was agrarian to the bone and its elites were predominantly large landowners. How did the imperial apparatus, local elites and polities respond to this reality? How effective were public order institutions to accommodate trade? What co-operative strategies did traders adopt in response?

2. Medieval and Early-Modern Parallels

Before turning to our three case studies to study these questions, however, we will look at the current state of research of mercantile associations in medieval and early-modern Europe. A lot of relevant work has been done in this field, with which most ancient historians are unfamiliar.

The vast majority of medieval merchant guilds were local associations who received privileges from local rulers. They are a common phenomenon in the new towns of the massive

urbanization wave during the eleventh century. From the twelfth century onwards in some towns (but not everywhere) guilds of foreign merchants were established as off-shoots from the merchants' home town guilds. Guilds gained considerable political power in European towns in the 13th century. Merchant and craft guilds often had conflicting interests and which prevailed over the other usually depended on local realities.⁴ In exceptional cases, such as Genua and Venice, a merchant elite so dominated a city that it could dispense with establishing a merchant guild altogether.⁵

The debate on medieval guilds has been very sharp. The traditional view (going back to Adam Smith⁶) held that the legal monopolies established by and for the guilds damaged economic prosperity. Lack of competition caused prices to remain high. Innovations were blocked off, investments to improve efficiency were avoided. This view shifted in the 1990s when scholars began to argue that guilds protected their members from abuse by political elites and competitors.⁷ Although this protection was particularistic by definition Greif, Milgrom and Weingast argued that it increased the overall efficiency of medieval trading systems. The ability and willingness of alien merchant guilds to boycott rulers who reneged on their promises, propped up the credibility of rulers' commitments to protect merchants' interests.⁸ Guilds, furthermore, reduced transaction costs by easing negotiations, stimulating the flow of information, and providing private order contract enforcement where public order enforcement was lacking or ineffective. This again boosted overall economic performance.⁹ Few monopolies in the modern sense existed and guilds were rarely able to enforce them but monopolistic privileges nevertheless provided stimuli for new investments and trade in areas that would otherwise have been avoided.¹⁰ The 'rents' provided to guild members in the form of monopolies and other privileges increased their interest to obey guild rules, which in turn allowed guilds to play their protective role.¹¹

Sheilagh Ogilvie, however, vigorously rejects this 'efficiency' view. She argues that merchant guilds were not established to protect merchants against predatory rulers, but to

⁴ Soly 2008.

⁵ Ogilvie 2011: 24–5; Mauro 1993: 259.

⁶ Smith 1776: 170–1.

⁷ for early guilds as protective organizations see Hickson and Thompson 1991; Mauro 1993; Volckart and Mangels 1999.

⁸ Greif, Milgrom and Weingast 1994; see also Greif 2006: 91–123.

⁹ North and Thomas 1973; Volckart and Mangels 1999: 440–2.

¹⁰ Hickson and Thompson 1991; Richardson 2001; 2004; Stabel 2004 (but note that the discussion has mostly focused on craft guilds).

¹¹ Greif 2006: 104–5.

facilitate collusion between privileged merchants and ruling elites. Guilds relieved rulers from the need to create public institutions that would ensure universal access to markets and contract enforcement institutions. The monitoring and enforcement costs that the guilds thereby incurred were off-set by the high profit margins on monopolistic trade. In turn rulers incurred little or no costs in return for a predictable tax income (often levied by the guilds) and occasionally financial support when necessary. Guilds invested considerable resources in trying to enforce monopolies. Even if these were not effective, they significantly raised transaction costs for outsiders. The most successful trading systems in medieval Europe (such as the Champagne fairs) were those where local rulers refused to grant monopolistic privileges and instead committed themselves to protect the interests of all traders. Economic growth only took off when the power of the guilds was finally broken by the creation of public order institutions that offered protection and contract enforcement regardless of guild membership. Not coincidentally economic growth occurred first in countries such as England and the United Provinces that first side-tracked guilds as agencies of economic control.¹²

Both models, however, pass over the differences in mercantile groups in medieval and early modern Europe. Only a minority of foreign traders established incorporated associations that received formal concessions or privileges from local rulers. Many of these included non-merchants residing in the same place. In most cases foreign merchants and residents formed informal communities, tied together by common origin, traditions, feasts and cults. They often clustered in specific neighbourhoods, sometimes voluntarily (as migrant communities often do), sometimes because they were forced to by local rulers.¹³ Informal communities based on nationality or common religious beliefs provided and structured social capital, promoted solidarity, and punished norm deviance through social sanctions. The members' specific social identity excluded outsiders. When a formal mercantile association was established, it always included social and religious functions and thereby either 'incorporated' a foreigner community or became organically and inextricably entwined with it.

Gelderblom and Grafe conceptualize this diversity as a continuum along the lines suggested by Williamson: 'At one end lies a perfectly atomized market in which anonymous buyers and sellers meet in fleeting encounters of voluntary exchange. At the other end, all risks and decisions are incorporated into one large hierarchically ordered and vertically integrated firm'. Between both ends lie endless permutations characterized by degrees of anonymity,

¹² Ogilvie 2011; Dessi and Ogilvie 2003; for a general critique of the neo-institutionalist 'efficiency' approach Ogilvie 2007.

¹³ See Mauro 1993 for a survey; cf. Ogilvie 2011: 94.

hierarchy, market control, and political involvement. Social networks, nations, consulates and guilds lay along this continuum as institutions governing transactions, differing in the amount of control delegated.¹⁴

Gelderblom and Grafe propose to capture these differences empirically by focusing on five degrees of ‘control delegation’:¹⁵

1. Individual agents: Merchants organize transactions without any interference of fellow traders. Individuals do not delegate any control.
2. Informal constraints: Merchants are organized loosely along social or religious lines but have no formal economic organization. Control is not formally delegated, but social and/or cultural norms constrain decisions.
3. Political representation: Merchants rely on spokesmen to represent them in negotiations with other groups or political authorities. Only control to represent is delegated.
4. Internal discipline: Merchants elect officials to enforce general rules of conduct within the community. Members delegate control to establish general rules and enforce them through sanctions, but these do not include a formal prohibition to trade.
5. Power of exclusion: The group is endowed with a privilege granted by a political body that gives it the right to exclude members/others. Members delegate control to be sanctioned through total exclusion from market entry.

‘Control delegation’ is an ordered variable. Informal constraints may be present without political representation, which in turn can function without internal discipline, which itself can exist without the group being endowed with the power of exclusion. Conversely, however, the monitoring costs for groups in category 5 are so high that they presuppose the presence of internal discipline (category 4), of recognition and help from local authorities, therefore of representation (category 3) and cultural and social cohesion (category 2).

Historians generally agree on the secular trend (with local and regional variations) whereby state institutions eroded the economic functions of guilds. The institutional framework created by early modern states obviated the need for protection against instability and predatory rulers (Greif 2006) and/or the opportunities for collusion between guild elites and political elites to make profits through monopolistic trade (Ogilvie 2001). The onset of modernity heralded the decline of merchant guilds as regulatory or protective agencies.¹⁶

¹⁴ Gelderblom and Grafe 2010: 486–7.

¹⁵ Gelderblom and Grafe 2010: 491, table 1.

¹⁶ It is ironic to find Finley 1999: 138 referring to medieval guilds to downplay the modernity of Roman professional *collegia*.

Interestingly, however, Gelderblom and Grafe found no evolution in the best available institutions before the seventeenth century. Competitive forms of organization (formal/informal, public/private) co-existed, with alternative institutional solutions being chosen to suit different political and market circumstances. According to Gelderblom and Grafe, guilds and rulers provided complementary goods/services, partly because strong guilds pressured public authorities to provide specific public goods, such as warehouses and exchange locations. The provision of ‘club goods’ that were otherwise unavailable or only available at a higher cost, continued to be an incentive to establish or preserve guilds for centuries. Their general decline became obvious only after 1650. Gelderblom and Grafe found little empirical indication that protection against predatory rulers was a major reason why merchants formed strong associations—as predicted by Greif’s game theoretical analysis.¹⁷ They did find evidence that the possibility to extract rents incited some merchant groups to increase control delegation, but not enough to assume that this was the major explanation for the creation and flourishing of guilds.

Guilds are *formal* associations, with clearly defined membership criteria and internal rules that require monitoring. Strong informal communities—based on homogeneous ethnic, religious or cultural groups, ‘with shared cultural beliefs and social norms but without any formal ties’—obviate the need for strong formal associations. Gelderblom and Grafe refer to the English Calvinist cloth dealers in Amsterdam in the later sixteenth century as an example.¹⁸ Close-knit mercantile communities can inflict social sanctions that provide a low cost alternative to guild procedures or public law. Conflicts can be solved through mediation and arbitration, rather than by appealing to public order institutions.

The Calvinist cloth merchants in Amsterdam used local contractual arrangements to serve as a means of last resort in case of dispute. But in homogeneous close-knit communities, business transactions are imaginable without formal contracts. Avner Greif distinguished two models of co-operation respectively based on collectivist values enforced through informal private order institutions, and on individualist values, enforced through formal public order institutions. The archetype of the former, in his view, were the Jewish ‘Maghribi’ traders in tenth-eleventh century Cairo.¹⁹ The Maghribi relied on voluntary ‘coalitions’ between

¹⁷ Greif 2006 ; although it should be noted that the study by Gelderblom and Grafe may start too late in time (1250) to capture the early history of merchant guilds.

¹⁸ Gelderblom and Grafe 2010: 490; cf. Mauro 1993: 266–74 for Jewish and Armenian merchant communities.

¹⁹ So-called because they migrated from Tunisia to Fatimid Cairo in the later 10th century, although they originally had migrated from around Baghdad to Fatimid Tunisia in the 10th century; Greif 2006: 61; Goldberg 2012a.

merchants. Agreements were rarely formalized, but relied on the reputation of the merchants involved and the willingness of the Maghribi community to sanction breach of faith. The archetype of individualist traders, according to Greif, were the Genoan merchants, who cherished individualist values and distrusted each other too much to rely on informal agreements. Instead the Genoan merchants hired dependent agents whose trustworthiness was based on the rational consideration that the future benefits they stood to lose were higher than the profits they could reap from cheating. The merchants' control over the city state of Genoa allowed them to develop efficient public order institutions to enforce contractual obligations. The organizational costs in the Genoan model were much higher than in the Maghribi model, but the Genoan trade networks were more open and flexible than the Maghribi ones.

Greif's interpretation has been sharply criticized.²⁰ Goldberg re-examined the *c.* 1000 documents of the Jewish Maghribi traders in the Cairo Genizah. She concurs with Greif on the importance of social norms governing business relations among the Maghribi, but argues that private order and public order institutions were complementary.²¹ Informal norms and private order enforcement played a major part also in Christian Europe, while the Maghribi traders relied more on legal enforcement procedures than Greif was prepared to admit.

Greif's models, however, may still be useful as ideal types. Rather than mutually exclusive models, we can envisage a continuum between the two poles represented by Greif's models and study the articulation of public and private order institutions.

3. Roman Merchant Communities and Associations

As in medieval and early modern Europe, we should expect diversity among mercantile communities in the Roman world depending on the institutional context in which they operated. Gelderblom and Grafe's classification provides a useful framework to study this diversity. For operational purposes, however, we need to include an additional variable: material and immaterial 'club goods' provided by mercantile associations. Gelderblom and Grafe (2010) stress the importance of these but do not conceptualize them in their model because they assume that the degree of control delegation is itself a proxy for the relative value of club goods. Control delegation has a cost, which merchants are willing to incur only if it is off-set by the relative value of club goods compared to the value of available public goods, such as legal services, and goods available on the market, such as storage and hotel facilities. Hence there is no need to

²⁰ Edwards and Ogilvie 2012; eliciting a sharp response by Greif 2012.

²¹ Goldberg 2012a; 2012b.

conceptualize club goods as a separate variable. This assumption is no doubt correct but poses operational difficulties for ancient economies because available sources more often inform us on the existence of collective property and funds than on the degree of authority exercised by the officers of a merchant association. So, we here turn Gelderblom and Grafe's assumption around: the presence of valuable club goods (such as collective property, funds, privileges and immunities) is a proxy for 'incorporation'.²² In addition legal monopolies held by private persons are exceptional in the Roman world. The highest degree of control delegation, usually merely implied that guilds were able to exclude merchants from state granted privileges and immunities attached to guild membership. So I distinguish the following five levels of control delegation:

1. Absence of control delegation
2. Group specific informal constraints
3. Delegated authority to represent
4. Delegated authority to manage club goods ~ delegated authority to define, interpret and enforce rules on members
5. Delegated authority to exclude from legal privileges and immunities

I will now proceed by analyzing the three cases: Delos, Puteoli and Ganuenta.

4. Three Ports

Delos

Delos had been a religious centre since the Dark Ages. It became a regional hub during its independence (314-166 BC),²³ but it was only after Rome returned it to Athens with the status of a free-port in 166 BC that Delos became a commercial centre for the whole of the eastern Mediterranean. It maintained this status until it was sacked by Mithridates in 88 BC. Pirate raids and general instability in the following decades prevented its recovery, although it was still an active port in the late fifties BC.²⁴

Several foreign resident communities are attested on the island. The list of *ephebes* for 119/118 BC shows resident foreigners from all over the eastern Mediterranean. Only 23 (out of

²² *sensu sociologico*—if not also *sensu iuridico*; whether *collegia* enjoyed *universitas*—the closest Roman law ever came to the modern notion of 'corporate capacity'—is hotly debated. I am convinced they did (against Sirks 1991: 87–9, but as Duff 1938: 129–58; De Robertis 1971: II, 239–59; Aubert 1999), but will not discuss that question here.

²³ Cf. Reger 1994.

²⁴ Cicero, *Att.* 9,9,4 (hard to interpret exactly).

90) *epebes* are Athenians, two are local Delians—together a mere 28% of the total. 22% (20) come from Seleucid Syria,²⁵ 19% from Phoenicia,²⁶ 3% from Phoenician Cyprus,²⁷ 6% are Romans. The large numbers from Syrian and Phoenician cities correspond well with the data from other Delian inscriptions. Tréheux lists 68 residents from Antioch, 35 from Laodicea-ad-Mare, 66 from Berytus / Laodicea-in-Phoenicia, 31 from Tyre, 23 from Sidon, 16 from Ascalon and 12 from Salamis. Other foreign resident communities are clearly under-represented in the *epebes*' list. Egyptians, for instance, are conspicuously absent from the list, but other inscriptions document at least 47 Alexandrians.²⁸ Only 6% of the *epebes* are Roman or (non-Greek) Italian, but this is misleading because freedmen (and slaves) are particularly numerous among the Romans on Delos, and they would by definition not be included.

<FIGURE 15.1 HERE>

Phoenicians undeniably formed a sizeable minority on Delos. Their communities had begun to grow in the late third century BC. During the island's independence their organization remained largely informal, structured around a limited number of powerful families, such as that of Iason from Arados.²⁹ During the first decades of the second century BC collective action by or on behalf of Phoenician communities increased. A mercantile group of Beirutian 'Warehousemen and Shippers' (ἐγδοχεῖς καὶ να[ύκληροι]), who had their organizational base in their home town (ἐν Λα[οδικείαι] / τῆι ἐν Φοινίκῃ) honoured the Seleucid official Heliodoros in 178 BC.³⁰ A sanctuary 'for the Syrian Gods' (Hadad and Atargatis) was established in the first half of the second century BC.³¹

Shortly after 166 BC some of these communities began to establish more formal organizations. The Aradians had formed a *synhodos* by c. 160 BC of which little else is known.³² In or shortly before 153/152 BC³³ foreign merchants from Beirut and Tyre established

²⁵ Sixteen from Antiochia, one from Apamea and one from 'Syria', one from Laodicea-ad-Mare, one from Nikopolis.

²⁶ Six from Tyr, three from Arados, three from Berytos, three from Ptolemais (Akko), two from Sidon; on this Ptolamaïs being ancient Ake, see Kontorini 1979: 40; Cohen 2006: 214–5.

²⁷ Knidos, Salamis, Karpasia.

²⁸ Tréheux 1992; cf. also Le Dinahet 1997.

²⁹ Baslez 2013: 229–30; for a later example see Le Dinahet-Couilloud 1997.

³⁰ *IG XI*, 4 1114.

³¹ Siebert 1968; Baslez 2013: 231.

³² *ID* 1543 = *SEG* 37, 691; Baslez 1987: 276; 1994: 30–1; 2013: 231.

³³ The first inscription (*ID* 1520) probably dates to 153/152 BC, but the associations may have been created shortly earlier.

two highly formal associations. The group that honoured Heliodoros in 178 BC³⁴ created the ‘*Koinon* of Beirutian Poseidoniasts, Merchants, Shippers and Warehousemen’ (τὸ κοινὸν Βηρυτίων Ποσειδωνιαστῶν ἐμπόρων καὶ ναυκλήρων καὶ ἐγδοχέων). Tyrians established the ‘*Koinon* of Tyrian Heraklesiasts, Merchants and Shippers’ (Τὸ κοινὸν τῶν Τυρίων Ἡρακλειστῶν ἐμπόρων καὶ ναυκλήρων). The guild of the Beirutian Poseidoniasts owned a large and splendid compound (1500 m²) with religious spaces, storage facilities, meeting places, and perhaps lodgings for up to 100 people.³⁵ Its internal organization was based on a statute (*nomos*) that provided for elected officers (*archontes*). These included a president or *archithiasitès*) and treasurers (*argurotamiai*), several priests. The statute also provided for a monthly assembly of (council?) members (*thiasitai*) during which reports by the officers were received and discussed, and decrees (*psèphismata*) were proposed, discussed and voted upon. Disputes were settled via internal proceedings before the *archithiasitès*, who could sanction transgressors with fines. The group’s activities were financed from its common treasury and through liturgies, but also through contributions, gifts and loans raised on the group’s behalf by a Roman banker who received elaborate honours in return. The association participated in the Apollonia—the great festival in honour of the Delian Apollo—and celebrated its own festival in honour of Poseidon/Baal-Berit.³⁶

The Tyrian Heraklesiasts established themselves as a formal organization around the same time. They relied on an assembly (*ekklèsiai*) of the wider Tyrian community (*koinon*) and a smaller council (*sunhodos*) of *thiasitai* that met on a regular basis. Elected officers included a president (*archithiasitès*), treasurers (*tamiai*), a secretary (*grammateus*) and a priest (*hiereus*). The group received land in ownership from the Athenian assembly to build a sanctuary for Herakles/Melqart that probably served for meetings of the *sunhodos*.³⁷ Membership fees were paid into the treasury and officers had to perform liturgies.

Although differing in details, both guilds were organized similarly. While catering to larger more diffuse groups of residents and affiliated non-residents, both were closed groups.

³⁴ See in this sense Hatzfeld 1912: 157.

³⁵ The capacity of its banqueting rooms was between 68-96 people; on the ‘House of the Beirutian Posidoniasts’ cf. Bruneau 1978; 1991; Trümper 2002; Hasenohr 2007; Trümper 2011; see Harland 2013: 56 for more references ; see also the contribution by Steuernagel in this volume.

³⁶ Most information comes from the elaborate inscription honouring the Roman banker M. Minatius (*ID* 1520), but numerous other inscriptions (*ID* 1772-1796) found in the ‘House of the Beirutian Posidoniasts’ and elsewhere confirm and add to this. See Tod 1934; Picard 1936a; 1936b.

³⁷ On the distinction between the *koinon* and the *sunhodos* see ll. 7-8: διατελεῖ δὲ διὰ παντὸς κο[ι]/νεῖ τε τεῖ συνόδοι ; how exactly they differed is unclear; the *ekklèsia* (of the entire *koinon*) met in the temple of Apollo (*ID* 1519, l. 1)

Membership was costly but prestigious and offered access to valuable ‘club goods’ in the form of storage and (possibly) hotel facilities, meeting places, representation, protection of common interests and private dispute settlements and enforcement. It is striking to find that both guilds were established during the period of transition, when Athens had already established a *klerouchia* on the Island—whose members described themselves as *katoikountes* (residents)—but had not yet fully integrated it institutionally in the Athenian *polis*.³⁸

Phoenician mercantile resident groups had shown a tendency to establish formal associations before. An association of Kitian merchants asked and received permission from the Athenian assembly in 333/332 BC to own land and build a temple for Aphrodite.³⁹ Residents from Kition’s rival Salamis had a similar association in honour of the Syrian Aphrodite by 281/280 BC.⁴⁰ Sidonians formed a mercantile resident guild in Attica (probably) before 320/319 BC.⁴¹ We will see the same Phoenician tradition re-emerge in imperial Puteoli (cf. *infra*).

Strikingly few other ‘nations’ are known to have established comparable formal associations on Delos. Even the merchants from Antioch, massively present on the island, seem not to have done so. The main non-Phoenician communities that may have developed a somewhat similar organization are the Samaritans and the Jews. The former—‘the Israelites on Delos who contribute towards the temple on Gerizim’—jointly honoured a benefactor in the late third or early second century BC. The name of the group implies that a collective institution existed to collect and ship the temple money. The intervention of the benefactor and the fact that the group was able to finance and erect an honorary inscription indicates that they had a meeting place, where they held deliberative assemblies. In the later second or first half of the first century BC the same group voted a golden crown to another benefactor.⁴² By that time, they may have been closely associated with the Jewish community, which *c.* 150-125 BC had bought a large compound and changed it into a synagogue. The size of the compound (*c.* 870 m²) shows it served various community practices, rather than merely cult activities. There must have been functionaries responsible for the building and communal funds at their disposal.⁴³

³⁸ Roussel 1916.

³⁹ *IG* II², 337; Vélissaropoulos 1980: 101–3; Jones 1999: 40–2; 332 BC was an ominous year for Citium; an earthquake destroyed its port, but it was also freed from Persian overrule through the campaigns of Alexander.

⁴⁰ *IG* II², 1290; on the date see Osborne 2009: 87.

⁴¹ *IG* II², 2946; Ameling 1990; Baslez and Briquel-Chatonnet 1991 (236-7 for the interpretation of the date ‘year 12 of Sidon’).

⁴² *SEG* 32, 809; 810 cf. Bordreuil and Bruneau 1982; Harland 2009: 113–4.

⁴³ Trümper 2004; 2011: 61–2; this is the oldest synagogue attested, but see against this Matassa 2007; the importance of the Jewish community (since at least *c.* 200 BC) is in any case beyond doubt, cf. Baslez

Unfortunately, however, we have no clue on how this/these groups was/were organized and what its/their relation was to the larger Jewish and Samaritan community. Jewish congregations are well attested elsewhere (even though later in time) and they obviously cultivated a very specific identity that segregated them as a group from mainstream Graeco-Roman society. This may have obviated the need for strong formal institutions. The Jewish custom to collect and send gold to the temple in Jerusalem, however, presupposes the existence of communal institutions to co-ordinate and supervise the operation. This must have the case also for the thriving Jewish community on Delos.⁴⁴

We have some information also on the Egyptian community. Around 200 BC Egyptian residents founded a sanctuary for Sarapis, where other Egyptian gods were also worshipped.⁴⁵ The temple had its own priest and personnel, but various other cult associations are attested in connection with it: the ‘Ninth-Day-Worshippers’,⁴⁶ the ‘Tenth-Day-Worshippers’,⁴⁷ the *thiasos* of the Sarapiastai,⁴⁸ the *koina* of the Servants (*therapeutai*) and of the ‘Black-Garb-Wearers’ (*melanèphoroi*)⁴⁹ and an unspecified club of *eranistai*.⁵⁰ We do not know whether or how these groups were related, but they suggest the existence of different clusters inside the same community. The Sarapeion and its priest(s) may have acted on behalf of the community towards public authorities, and they may have exercised moral authority, but there is no indication that it exercised formal authority. Around 160/150 BC, however, an Egyptian *synhodos* voted an honorary decree for two benefactors, who received a bronze statue and golden crowns paid for by the association’s funds (ἐκ τῶν κοινῶν χρημάτων), as well as exemption from liturgies and membership fees. A copy was sent to the fatherland (*patris*) and to a sister association. Unfortunately, the name of the guild is not preserved but two other inscriptions (c. 145-116 BCE) record a ‘Synhodos of Elder(s) of the) Warehousemen at Alexandria’, which might be the same association or perhaps its ‘Mother-association’ in Alexandria. It seems, therefore, that this guild was either a local chapter of a larger organization or linked in other ways to similar guilds

1977: 203–6; Bruneau 1970: 480–93; 1 *Maccabees* 15,15–23; Josephus, *Ant. Jud.* 14,145-8; 213-6; *ID* 1586; 2328-33; 2532; 2616.

⁴⁴ The Roman governor of Asia, Valerius Flaccus, prohibited the Jews from shipping gold to Jerusalem in 62 BC (Cicero, *Flacc.* 67); Augustus and Agrippa expressly allowed this (Josephus, *Ant. Jud.* 16, 160-73), it continued until the destruction of the temple by Titus.

⁴⁵ *IG XI*, 4 1216; 1217; 1247; 1290; 1299.

⁴⁶ *IG XI*, 4 1228; 1229.

⁴⁷ *IG XI*, 4 1227.

⁴⁸ *IG XI*, 4 1226.

⁴⁹ *IG XI*, 4 1226.

⁵⁰ *IG XI*, 4 1223.

in Alexandria and elsewhere. They are clearly different from the Egyptian resident community on Delos as a whole.⁵¹

We are relatively well informed of how the Roman community—the *conventus civium Romanorum*—was organized. It occupied a compound of considerable size, the so-called ‘Agora of the Italians’. In the third quarter of the second century BC, collective action by the Roman residents’ community was socially structured through boards of *magistri*: the *Competaliaistai*, the *Apolloniastai / Magistri Apollini*, the *Hermaistai / Magistri Mercurii* and the *Poseidoniastai / Magistri Neptuni*. The relationship of these to the Roman *conventus* is not clear. The *Competaliaists* are all slaves. Their name links them to the *collegia Competalicii* known also in Italy as neighbourhood associations.⁵² The three other boards, however, composed of freedmen and *ingenui*, were more prestigious. Kornemann, Schulten and Boak interpreted them as the (chosen) representatives of the Roman-Italian community on Delos.⁵³ Hatzfeld, however, rejected this and noted the similarities with the *collegia* and *magistri* in Capua and identified them as semi-professional / semi-religious associations, whose implicit *raison d’être* was to defend commercial interests.⁵⁴ Flambard further underpinned this interpretation. He argued that the *Magistri Mercurii* represented the oldest Roman merchant association on Delos, established *c.* 150 BC. As the community grew two new *collegia* were created *c.* 125 BC: one of shippers, represented by the *Magistri Neptuni* and the ‘Apollo-Worshippers’, represented by the *Magistri Apollini*. The *Competaliaistai* were established only towards the end of the second century BC.⁵⁵

Hasenohr recently reasserted Kornemann’s view. She believes that the *magistri*’s (formal) duty was to preside over cult-activities and more generally to manage the ‘Agora of the Italians’. She points to the absence of a reference to a collective body (such as *collegium*, *synhodos*) in the *magistri* inscriptions, to the often joint inscriptions by the boards and to the fact that family-members are found spread randomly over the *Apolloniastai*, *Hermaistai* and *Poseidoniastai*.⁵⁶ These arguments, however, carry little weight. Joint dedications by *collegia*

⁵¹ *ID* 1521; 1528; 1529; Vélissaropoulos 1980: 112–3; Fraser 1972: 186–7, 320–1.

⁵² Boak 1916; Flambard 1981; 1982; Mavrojannis 1995; Hasenohr 2003; 2008.

⁵³ Kornemann 1891: 50–61; Schulten 1892: 71–82; Boak 1916.

⁵⁴ Hatzfeld 1912: 146–76; cf. p. 162 for the identification as ‘semi-professional’, and p. 180 for the supposition that although primarily religious associations, their *raison d’être* was to defend commercial interests; on the links between Campania and Delos see Steuernagel in this volume.

⁵⁵ Flambard 1982; Hatzfeld 1912: 180–1 did not believe that the difference between *Hermaistai* and *Posidoniastai* was so clear cut. Flambard’s hypothesis presupposes a clear distinction between both merchants and shippers that almost certainly did not exist in the reality. See also Rauh 1993: 33–41.

⁵⁶ Hasenohr 2002; 2003; the agora has been variously identified as a slave market (Cocco 1970; Coarelli 1982; 2005, a recreational centre (Rauh 1993), or a community-religious centre (Hasenohr 2001: 346).

are very common in Greek and Latin epigraphy.⁵⁷ There is no reason why family members could not join different *collegia*. If Flambard is right that the *Hermaistai* and the *Posidoniastai* were functionally distinct but complementary organizations, spreading family members of various *collegia* would make excellent strategic sense. The absence of a term indicating a collective body conforms to the format of the inscriptions set up by the Capuan boards of *magistri* who certainly represented specific *collegia*. A Capuan inscription from 112 BC, for instance, mentions construction or repair works supervised by the ‘Masters of the Merchant Guild’ (*magistreis / conlegi / mercatorum*).⁵⁸ The same guild is mentioned a few years later, in 105 BC, as the *Magistri Mercurio Felici*.⁵⁹ Roman *collegia* are explicitly attested on Delos in 87 BC, when they pooled funds to erect a statue in honour of Sulla.⁶⁰ These may have included the olive oil dealers mentioned in three inscriptions from 100-95 BC as a mixed group of Roman and non-Romans,⁶¹ but they no doubt comprised mainly the *Mercuriales*, *Neptunales*, *Apolloniastai* and *Competaliastai*. We already mentioned that Roman freedmen were particularly numerous on Delos, but there were also a large number of *ingenui* residing on the island—such as the wealthy banker Marcus Minutius who helped to finance the guild house of the Beirutian Poseidoniasts.⁶² If the Roman *conventus* had elected *magistri*, we would expect *ingenui* to have dominated these positions. This is not the case. Broekaert, furthermore, has shown that the *magistri* did not constitute an elite section of the Italian community on Delos. They came from a large and diverse group of families.⁶³

There is no reason, therefore, to doubt Hatzfeld’s and Flambard’s interpretation of the Boards of *Magistri* as representing separate social and religious associations. The Roman/Italian community as such did not have an associative organization. The *collegia* pooled resources, created institutions for collective action and put these under the control of their officers. They clearly structured social life in the Roman community on Delos, were probably

⁵⁷ See for instance CIL 01, 02947 (p 930); Lindos II 300; IMT NoerdITroas 74; IGR IV 790; the phenomenon is very common for the so-called *tria collegia* during the Principat: the *collegia fabrum (tignuariorum)*, *centonariorum*, and *dendrophorum*; see Liu 2009 (*passim*).

⁵⁸ CIL X, 3773; cf. also CIL P, 682: *conlegium seive magistrei Iovei Campagei*. For other Campanian inscriptions mentioning *magistri* see Flambard 1983; see also the *magister* of a Roman *collegium* on record in Ephesus c. 100 BC (*IK* 16, 2074).

⁵⁹ CIL P, 2947; a joint dedication with the *Magistri Castori et Polluci*; note the telling cognomina of some of the freedmen mentioned here: *Aerarius*, *Pera*, *Purpur*

⁶⁰ CIL III, 7235.

⁶¹ *ID* 1712; 1713; 1714; maybe also the Steersmen (*ploizomenoi*), although the inscription set up on their behalf is ambiguous about their collegial status: *ID* 2401.

⁶² See above

⁶³ Broekaert 2015.

instrumental in managing the ‘Agora of the Italians, and presumably provided a framework for mobilizing the community when necessary. There is no indication, however, that they were elected or exercised formal authority over the *conventus* as a whole.

However, while we find various forms of associations representing non-Greek foreign mercantile communities, it is striking to find no comparable associative institutions for Greek residents, merchants or shippers on Delos—not even for the large group of residents from Seleucid Antioch and Syria. As local citizens, Athenians and Delians would have enjoyed protection from their own law courts and public institutions. Apparently the other Greek residents were confident that they could rely on the same arrangements.

Table 15.1:

**AT THE END OF THE SECTION ON DELOS AND BEFORE THE SECTION ON
PUTEOLI**

Puteoli

Puteoli was Rome’s main sea port during the late Republic and early Empire until the opening of Trajan’s enlargement of the Ostian harbour at Portus. It continued to be a major long-distance harbour afterwards.⁶⁴ Its population was very diverse. Like Delos, the town was home to foreigner communities from all over the Mediterranean.⁶⁵ The best documented is that of the Tyrians. Their first collective action is attested in AD 79 when the cult for the God of Sarepta (probably Eshmun) was brought from Tyre to Puteoli. Shortly later, the city council of Puteoli granted land to build a temple for the God.⁶⁶ The community is best known, however, for an inscription set up in AD 174 by the *stationarii* of Tyre. It relates how the community had once thrived, allowing it to rent the most splendid *statio* in the city. Over time the community at Puteoli became smaller and poorer, probably because the enlarged harbour at Portus drew the wealthiest traders to Ostia and to Rome. For a time the *statio* established at Rome paid the rent for the building at Puteoli but around AD 170 this arrangement stopped. The group at Puteoli then sent an embassy to Tyre to request a subsidy of 250 *denarii*. During the debate in the council of Tyre, the alternative was suggested that both *stationes* would be placed under a single administration (ἐπὶ τῇ αὐτῇ αἰρέσει). Unfortunately the inscription breaks off at the end. Sosin

⁶⁴ D’Arms 1974.

⁶⁵ Camodeca 2006; Soricelli 2007.

⁶⁶ *AE* 1901, 151; Sarepta was an old Phoenician city, and still an active trading centre in Roman times, when it was controlled by Tyre, cf. Aliquot 2011: 85; for the cult of Sarepta in Puteoli see Lombardi 2011.

assumes that the group received satisfaction because the elaborate inscription detailing the events was erected in Puteoli presumably on the wall of the Tyrian *statio*. But we cannot exclude that the fusion did take place and the new administration simply wished to publish this.⁶⁷ The relation between the community of Tyrians and those running the *statio* is not entirely clear but it clearly implied delegation to represent since one of the ambassadors who spoke on behalf of the ‘Tyrian residents at Puteoli’ (οἱ ἐν Ποτιόλοις κατοικοῦντες Τύριοι) was a *stationarios*. The letter he brought, moreover, was written ‘by’ the Tyrian residents (*katoikountes*). It also appears that the *stationarii* exercised some authority over the Tyrians at Puteoli since the community pooled funds to pay for the cult of their ‘paternal gods’ and to celebrate imperial holidays. In addition the city of Puteoli charged it with paying for the yearly bull-sacrifice at the city games. The *stationarioi* must have levied and administered these funds in addition to running the *statio*. Interestingly, the *stationarii* at Rome received income from shippers and merchants, while those at Puteoli did not. Why this was so or what for and on what legal grounds, is unknown. The debate in the council of Tyre shows that the metropolis had a considerable moral authority over its *stationes* abroad. Whether it had the authority to impose a fusion of both *stationes* is doubtful since the residents at Rome and Puteoli were clearly not on Tyrian territory. Steuernagel in this volume (see above, following Lombardi and Sion-Jenkins) sees the *stationarii* as commissioners charged by the mother-city to manage the *statio*. The hypothesis is attractive but nothing in the inscription positively supports it. The text merely shows that the *stationarii* act on behalf of the *katoikountes*. Teixidor believed that both *stationes*, at Rome and Puteoli, were under the formal authority of the city of Tyre. Ahmeling rightly (I believe) rejected this. The embassy and the petition it brought show that the mother-city was not, as a rule, involved in running the *statio*. The *katoikountes* were financially responsible for the rent, maintenance and management. The request for financial help was a call for help, which the city of Tyre could ignore or approve. Tyre is said to have ‘provided’ for two (trading) stations, one in Puteoli the other in Rome, but what is meant by this is not clear. It could merely refer to the ‘migration’ of the god of Sarepta, which had to be approved by the city council of Tyre.⁶⁸ The Tyrians living in Puteoli, furthermore, had their own district (*pagus*) with representative institutions (presumably the *stationarii*, although maybe under a different name) that elected patrons. In

⁶⁷ *IG XIV*, 830; Sosin 1999; Aliquot 2011: 88–91, no. 6 (and there for many more references); see also the contributions by Steuernagel and Terpstra in this volume.

⁶⁸ Teixidor 1980: 462–4; Ahmeling 1990: 193–4.

AD 150-200 (around the same time therefore as the embassy to Tyre) one of these, a Tyrian himself, donated a *taberna* with a ‘kitchen for cooking’ (*culina cocinatoria*) to the *pagani*.⁶⁹

The Tyrian community was not the only one in Puteoli that organized itself via formal institutions. Foreign residents from Berytus established a *corpus* in honour of Zeus Baalbek (Jupiter Heliopolitanus). It had statutes (*lex et conventio*) and owned a large terrain of almost 1.8 ha (seven *iugera*) with cisterns and (work)shops, with exclusive access for members.⁷⁰

Is it a coincidence that the two best organized mercantile communities in Puteoli (as far as we know) are the same as we find two to three centuries before on Delos ? The letter of the Tyrian *stationarii* refers to other *stationes* in Puteoli but gives no further details. Other oriental cults and foreigner communities are well attested in Puteoli but no collective institutions. Only the Nabataeans appear as a clearly defined ethnic and cultural group but nothing indicates that they established formal institutions apart from the temple for their national god Dusares, which was built in 50/48 BCE and renovated in 5 CE.⁷¹ Only vague traces suggest the existence of other foreign resident groups. There was a sanctuary for Jupiter Damascenus that may originally have been founded by resident merchants from Damascus but no such community is attested and prominent Puteoleans were among its priests in the second century AD.⁷² A *vicus Tyanianus*, mentioned in a graffito in Herculaneum *may* suggest the existence of a Cappadocian community.⁷³ Another graffito documents a neighbourhood group of *compitani Daphnenses* (probably) from Antioch.⁷⁴ The presence of a Jewish community under Augustus is mentioned by Josephus (*Ant.* 17.12.1; *BJ* 2.7.1). The Acts of the Apostles (*Acts.* 28.13-14) suggest some had converted to Christianity by the fifties AD. Unfortunately the sources don’t detail how the community was organised but there were no doubt common religious institutions. The Jewish practice of sending gold from Italy to Jerusalem via Puteoli is referred to by Cicero (*Vat.* 12). As in the case of the Jews and Samaritans on Delos this presupposes a minimal form of communal organisation and institutions.

In contrast to second-century Ostia, only three texts inform us of collective action by Roman shippers or merchants in Puteoli. The first is an inscription found in the amphitheatre at

⁶⁹ *AE* 2006, 314 = Aliquot 2011: 87–8, no. 5.

⁷⁰ *CIL* X, 1579; 1634, Tran Tam Tinh 1972: 149; Heliopolis (Baalbek) was under the political control of the Augustan *colonia Romana* established at Beirut, until it received independent colonial status from Septimius Severus, cf. Butcher 2003: 115–6.

⁷¹ *CIS* II, 158; *CIL* X, 1556; *AE* 1971, 86; 1994, 422; 423; 2001, 843; 844; Renan 1880; Tran Tam Tinh 1972: 141–3; Terpstra 2015.

⁷² *CIL* X, 1575; 1576; cf. Bonsangue 2001: 207–9.

⁷³ *CIL* IV, 10676; Camodeca 2000; Soricelli 2007: 133.

⁷⁴ *AE* 1932, 71; Steuernagel 2004: 46, no. 170; Soricelli 2007: 133.

Puteoli in honour of a *Divus* (probably Trajan) by a group of *navicularii* working for the *annona*. They might have formed a *collegium* and used one of the rooms in the amphitheatre complex as their *schola*. But the inscription is too damaged to identify the group more specifically and we cannot relate it to a specific room.⁷⁵

In another inscription, from the Augustan era, merchants doing business in Alexandria, Asia and Syria (*mercatores qui Alexandr(ia) Asiai Syriai negotiantur*) honour a local aristocrat, L. Calpurnius L. f. Capitolinus. He probably belonged to a family with business interests in the East and may have financed the merchants honouring him but nothing suggests that the latter had established a formal association.⁷⁶

Thirdly, Claudius Aelianus has a fantastic story about a giant octopus invading a seaside ‘house’ (*oikos*), used by Spanish merchants as a storage place.⁷⁷ Baetican merchants are well attested in Puteoli and the story suggests that the arrangement to use a common ‘house’ as storage place was familiar to Aelianus’s readers. The merchants ran the establishment using slaves, but the no doubt largely fictitious story does not specify whether they formed a specific partnership (*societas*) or a merchant *collegium*, nor does it specify when the event supposedly took place.

Contrary to Ostia, therefore—which is famous for its numerous merchant and shipper *collegia* (see Rohde’s chapter in this volume)—the Roman business community at Puteoli appears to have relied largely on informal social networks. How did this work in practice? The remains of the archives of the C. Sulpicii, three financial middlemen, provide us with a fascinating snapshot of Puteolean business life in the middle of the first century AD.⁷⁸ The tablets mostly contain documents relating to loans or debts and trial proceedings. They mention 273 persons, of whom only nine (3.6%) were not Roman citizens,⁷⁹ 228 are free men (83.6%), twelve are women (4.3%), c. 52% are *liberti/-ae*,⁸⁰ 23 slaves (8.5%). The Sulpicii were mostly

⁷⁵ *AE* 1928, 120; Maiuri 1955: 54 (with an earlier date); Camodeca 1994: 114; Steuernagel 1999: 155; note that the amphitheatre had (at least) seven *scholae* used by *collegia* (Demma 2007: 73; Verboven 2011: 346).

⁷⁶ *CIL* X, 1797 = *AE* 2002, 348; on the interests of the Calpurnii in the East and their possible relationship to the *mercatores* as financiers see Andreau 1980: 914–5 (against Rougé 1966: 279); cf. Jaschke 2010: 119–20 for further references.

⁷⁷ Claudius Aelianus, *Anim.* 13, 6; cf. Jaschke 2010: 119.

⁷⁸ The standard edition (with an excellent introduction) is Camodeca 1999; see also Andreau 1999: 71–9 for an introduction; the *Cahiers du Centre Gustave Glotz* published a thematic dossier on the Sulpicii in 2000.

⁷⁹ One from Tyr (*TPSulp* 4), one from Sidon (*TPSulp* 106) one from Alexandria (*TPSulp* 13; 14), one from Keramos (Caria) (*TPSulp* 78), one woman from Melos (*TPSulp* 60; 61; 62), whose *kurios* came from Athens (*TPSulp* 60; 61; 62) and three whose origins are uncertain (*TPSulp* 49; 80; 106).

⁸⁰ Verboven 2012: 92.

active as financiers or financial middlemen.⁸¹ The creditors range from imperial and senatorial freedmen, over a centurion to local businessmen and peregrine women. The debtors are long-distance merchants. Many clearly lived and worked in Puteoli, but not all and some of those who did had their roots elsewhere.

The tablets give little information on social relationships in them, beyond the obvious master-slave or patron-freedman bonds. The large number of freed persons is typical for Roman commercial circles and reflects the importance of the extended *familia* as the core of Roman private commercial organizations.⁸² The lack of clustering of names is consistent with the absence of formal associations, although it cannot be taken as positive evidence for this.⁸³ But the tablets are very informative about how the Puteolean business community established and managed trust. First of all, the tablets document the existence of a formalized system of information storage and retrieval. Besides financing trade and acting as financial middlemen and brokers, the Sulpicii provided a ‘notarial’ service. The importance of such services as trust supporting institutions in medieval and early modern Europe is well established. The Sulpician tablets show the same mechanism at work in Roman Puteoli.⁸⁴

Secondly, the documents illustrate how Roman law lay at the heart of Roman business culture. They rigorously follow the formalities we find in legal textbooks and show how Roman law served as an instrument to facilitate negotiation and coordination, thereby lowering negotiation and coordination costs. Thus, Roman law provided the dominant institutional framework to govern business transactions.

However, did Roman law also serve as a contract enforcement institution? Procedural law did not entitle a plaintiff to assistance from public authorities either to summon a defendant to court or to enforce a verdict. Terpstra argues that Roman law was not in itself suited to enforce contracts since it relied on the willingness of contracting parties to accept litigation and carry out verdicts. It was an efficient way to handle conflicts only within local communities where social pressure could be used to force the parties to respect the law. Alien resident groups could fit in, but shippers and non-resident foreigners were outsiders and could not be constrained by Roman law. Long-distance trade had to rely on geographically defined *stationes*

⁸¹ There is strong disagreement on whether they were deposit bankers (*argentarii*) or ‘merely’ financial brokers. I have published my views on this elsewhere. The question is tedious and not relevant here; see Verboven 2003; 2008.

⁸² Verboven 2012 and there for further literature.

⁸³ Broekaert 2013 for a discussion.

⁸⁴ Milgrom, North and Weingast 1990: 6; see for instance Hoffman, Postel-Vinay and Rosenthal 1994, on the role of notaries for early modern credit, see also Verboven 2008: 224–9 for similar services offered by deposit bankers and various other categories such as *proxenetae* and *pararii*.

that provided non-resident traders with meeting places and local contacts where information on past behaviour of potential business partners could be exchanged. This supported a reputation based enforcement model. Norm deviance could be punished by exclusion from the *statio* and the services it provided.⁸⁵

Although Terpstra does not mention it, this view characterizes Roman law as an institution resembling Milgrom, North and Weingast's description of the medieval *lex mercatoria* at the Champagne Fairs. This private 'Law Merchant' (*lex mercatoria*) laid down rules of conduct and procedures to record agreements and to provide third party judgement. It thereby supported private order reputation based enforcement, without coercive support from public authorities. Milgrom and his co-authors argue that this system was efficient even though the merchants were not from the county of Champagne and would return home at the end of the Fair, because they had a strong future interest in returning to the next Fair. A merchant who cheated or refused to comply with a verdict would be punished by exclusion. All that was needed was reliable information and impartial judgment by acknowledged experts, that is fellow merchants.⁸⁶ This interpretation of the 'Law Merchant', however, and the role of the private judges, was severely criticized by Ogilvie, who argued that there never existed a universal private merchant law code. *Ius commune* (derived from Roman and Canon law) lay behind the private justice systems attested in most of western Europe. The application of this 'private' law system was efficient only where local rulers were prepared to enforce it. Pure reputation based enforcement systems only worked within closed groups.⁸⁷

Terpstra argues that the business community documented in the Sulpician tablets was a close-knit community and could therefore rely on peer pressure and social sanctions to force contracting parties to accept litigation and to enforce verdicts. This, however, seems doubtful. A significant number of people documented in the archive were probably local, but not all. On the creditors' side imperial and senatorial freedmen and slaves (and no doubt of local notables as well) acted as agents for their masters and patrons, who were investors, not (active) businessmen. The centurion mentioned as creditor (*TPSulp* 12; 26) was clearly not a Puteolean businessman. On the debtors' side we simply do not know for most of the people involved what their origin or home base was. But at least in the case of the *peregrini* we cannot take it for granted that they were members of a single close-knit merchant society.

⁸⁵ Terpstra 2013.

⁸⁶ Milgrom, North and Weingast 1990.

⁸⁷ Ogilvie 2011: 250–68.

Roman public authorities were closely involved in every step of litigation in private affairs. Judges and arbitrators were selected by the litigating parties,⁸⁸ but they operated under the formal authority of judicial magistrates (*praetores*, provincial governors, or locally *duumviri* or *quattuorviri iure dicundo*), who appointed the judges and determined and specified the legal issues that had to be resolved. The magistrate could decree a *missio in possessionem rei servandae causa* against a plaintiff who refused to appear in court, which allowed the plaintiff publicly to sell the defendant's property. Such a *missio in possessionem* was available also to enforce a verdict.⁸⁹ While it is true that these only gave the plaintiff a 'right of seizure', they made it impossible for the defendant to stay in business or to use his property to raise money. Moreover, while a judicial magistrate was not legally obliged to assist a plaintiff who tried to arrest a defendant or enforce a verdict, he certainly had the discretionary power to do so. Why would local or imperial officials in Italy have refused their co-operation? Local magistrates were elected officials. The tablets document the traditional 'formularly procedure', which remained in use in Italy until the third century AD. Since Augustus, however, an alternative *cognitio extraordinaria* had developed in which public authorities did take charge of summons and enforcement of verdict. This procedure was common in the provinces, but only became dominant in Italy in the third century AD. Nevertheless, its development does indicate an acknowledgment on the part of the state of its role in the provision of justice.

Roman law, moreover, was not the only way that the state accommodated merchants. Public and privately owned warehouses offered storage facilities for rent to overseas traders. Several of the Sulpician tablets refer to storage space being rented by merchants. These warehouses rented out storage space at market prices, but the state supervised the exploitation and lease contracts. So, if Claudius' Aelianus story has any historicity, the merchants in question at least were not obliged to use the storage space offered in the 'House of the Spanish Merchants'.

So, although ethnically based guilds played some part in the practices of long-distance trade at Puteoli, open access institutions were readily available and supported individual business strategies based on voluntary social networks that potentially cut through geographic and cultural lines. The contrast with second century Ostia and Portus—where merchant and shipper guilds are abundantly documented—is of course striking. It is likely that the same merchant and shippers who sailed to Portus, sailed also to Puteoli. The absence of guilds in

⁸⁸ See Brokaert 2016.

⁸⁹ Kaser 1996: 427–32.

second-century Puteoli may, therefore, be misleading, but the situation here suggests that the prominence of long-distance trade guilds at Ostia and Portus was due to the particular organization of the new imperial port administration, specifically of the *Annona*—not to inefficiency on the part of public authorities.

Table 15.2: AT THE END OF THE SECTION ON PUTEOLI

Ganuenta

Delos and Puteoli were situated in the Mediterranean core of the Empire. But long-distance trade stretched far beyond. Little is known of the original context of the altars for the goddess Nehalennia that were found on the beach at Domburg and under water in the Eastern Scheldt near the village of Colijnsplaat, approximately 25 km to the east. Clearly the monuments derive from the same merchant group(s). One of the sunken altars shows that the site, situated on the southern shore of the Scheldt estuary in the territory of the Menapii, was named Ganuenta.⁹⁰ Nucleated civilian settlements (*vici*) are rare in the northern part of the *civitas Menapiorum*. While this area had become more densely populated in the second century, it was still characterized by peasant agriculture and extensive cattle-raising. So, Ganuenta may well have been merely a trading post or a small military outpost.

The *civitas* belonged to the province of Gallia Belgica, but the coastline formed a single military zone with that of Germania Inferior, north of the Scheldt estuary. The area saw intensive military action in the AD 170s due to the incursion of the Chauci, and may have continued to be unruly until the Severan emperors. There was a seaside fort at Walcheren-Roompot, a location only a few kilometres from Domburg and Colijnsplaat. The military camps at Aardenburg (45 km from Ganuenta/Colijnsplaat) and Oudenburg (75 km) provided inland support.⁹¹

As a trading post, Ganuenta was important mainly for connecting the Rhine area and the *civitates* of the Tungri (via the Meuse river basin) and the Nervii and Menapii (via the Scheldt river basin) to the North Sea. Goods could here be transferred from river barges to sea-going vessels for transport to Britain and Northern France and vice versa.⁹² Whether it was the only

⁹⁰ Stuart and Bogaers 2001: B 50: *Deae Neha[le]/niae / Gimio Ga/nuent(ae) cons(istens) / v(otum) s(olvit) l(ibens) m(erito)*; Bogaers wrongly assumed that Ganuenta was the capital of the Frisiavones, north of the Scheldt; cf. Bogaers and Gysseling 1971; Stuart and Bogaers 2001; Vos and van Heeringen 1997.

⁹¹ De Clercq 2009: 379–92; tiles with military inscriptions were washed up at De Roompot and a 17th century map refers to a ‘Roman castle;’ cf. De Clercq 2009: 392, Dhaeze 2009: 1234–5.

⁹² Besuijen and Siemons 2012: 140; cf. the relief of a river boat on Stuart and Bogaers 2001, A 8.

such port, cannot be known, but considering the size of the trade network documented at Ganuenta, it must have been an important one.

The Nehalennia altars cannot be dated more closely than 150-250 CE, but the predominance of dedicants with the *tria nomina* (rather than *duo nomina*),⁹³ the variety of *gentilicia*, the presence of significant numbers of non-Romans (see below), and the virtual absence of the name Aurelius⁹⁴ suggests that the majority of the monuments date to the second century. Seven dedicants bear the name Iulius, which implies that their families had enjoyed Roman citizenship since before AD 43.⁹⁵

Two hundred persons are documented on the altars. The names of 133 of them are at least partially preserved. The geographic reach of the Ganuenta merchants is impressive.⁹⁶ Most came from nearby Germania Inferior or Belgica: one from the *municipium Batavorum* (capital Noviomagus (Nijmegen)),⁹⁷ four to-eight from Cologne,⁹⁸ four were Treveri,⁹⁹ up to seventeen may have been Tungri,¹⁰⁰ but there was also one from the Vellocasses (capital Rotomagus (Rouen)),¹⁰¹ one from the Sequani (capital Vesontio (Besançon)),¹⁰² one from Durnomagus (Dormagen),¹⁰³ and one from the Rauraci (capital Augusta Rauricorum (Augst)).¹⁰⁴ Some specify where they did business. Four present themselves as *negotiatores Britannici*.¹⁰⁵ Another identifies himself as a *negotiator Cantianus et Geserecanus*—active on the Channel

⁹³ Peregrines could adopt Roman names of course, but few would take the full *tria nomina* when (by the later second century) the *duo nomina* had become customary; the comparison with Iunian Latins made by Llewelyn 1992: 150–1 is irrelevant since this status would only exist for freedmen of Roman citizens.

⁹⁴ Only one: C. Aurelius Verus (Stuart and Bogaers 2001, A 11 = A 37), but the *praenomen* indicates that he did not assume this name after receiving citizenship via the *Constitutio Antoniniana*; *CIL* XIII, 8164a shows that he was a freedman (*C(ai) l(ibertus)*)

⁹⁵ Stuart and Bogaers 2001, B 8 (T. Iulius Tacitus); A 59 (Sex. Iulius Vitalis); A 52 (C. Iulius Primitivus); A 4 (Q. Iulius Frontinus); A 5 (C. Iulius Aprilis); A 49 (C. Iulius Ianuarius); A 26 (C. Iulius Florentinus); Iulius is the most common name, followed by Tertinius (four persons); there are three Sentii but two of these are named in the same inscription; no other name occurs more than twice.

⁹⁶ See Stuart and Bogaers 2001: 32–3.

⁹⁷ Stuart and Bogaers 2001, B 63 = B 74 = C 6 = C 17.

⁹⁸ Two are certain: Stuart and Bogaers 2001, A 26 and A 49; for the others see *ibid.*: 32-3; one is a citizen from Trier doing business in Cologne (C. Exgingius Agricola A 49).

⁹⁹ Stuart and Bogaers 2001, A 1; B 44; 45.

¹⁰⁰ This figure is uncertain, since it is based solely on the type of stone used for a number of altars coming from quarries near Namur in the *Civitas Tungrorum*; Stuart and Bogaers 2001: 45–8.

¹⁰¹ Stuart and Bogaers 2001, A 6.

¹⁰² Stuart and Bogaers 2001, A 57.

¹⁰³ Stuart and Bogaers 2001, B 30; a soldier *sesquiplicarius* who served in the *Ala Noricorum*, stationed in Durnomagus.

¹⁰⁴ Stuart and Bogaers 2001, A 41.

¹⁰⁵ Stuart and Bogaers 2001, A 3; A 6 (recorded also in Eburacum: *RIB* 3, 3195); A 11 = A 37; B 10.

route from Boulogne-sur-Mer to Dover.¹⁰⁶ Perhaps we should add also L. Solimarius Secundinus, a citizen from Trier, who died at Burdigala (Bordeaux) around the middle of the second century AD and is recorded there as *negotiator Britannicianus*.¹⁰⁷ One merchant from Trier exported salt from Ganuenta to Cologne.¹⁰⁸

The social status of the dedicants varied. One was *decurio* of the Batavi,¹⁰⁹ another was *sevir augustalis* of the Rauraci.¹¹⁰ Five were certainly Roman citizens,¹¹¹ 94 others have Roman type names (either the full *tria nomina* or the *duo nomina*), suggesting that they came from *civitates* with Latin or full Roman status. At least twenty, however, had non-Roman names out of 119 (17%) whose names are preserved well enough to ascertain name-status. Only two mention freedman status¹¹² but presumably there were more freedmen among them. In one case, we may see a promotion from peregrine status to Roman (or Latin) status, viz. for Placidus, son of Viducius, from the Veliocasses, who is mentioned as L. Viducius [Viduci f(ilius) Pla]cidus in Eburacum.¹¹³

Fourteen specify that they were *negotiatores*, four others thank the Goddess for having preserved their trade wares (*ob merces conservatas*).¹¹⁴ One was a barge skipper (*nauta*) from the Sequani, where the powerful guild of *Nautae Ararici*, the barge skippers on the Saône, were active. Presumably he traded along the Saône, Moselle and Rhine route.¹¹⁵ One inscription is dedicated by a ship captain (*actor navis*), who also mentions the ship's owner (*dominus navis*).¹¹⁶ One was an agent (*agens rem adiutor*).¹¹⁷ One is named Mercatorius Amabilis. He set up an altar 'for his ships' (*pro navibus*).¹¹⁸ Nearly all the altars were erected in fulfillment of vows. Seven inscriptions specify this was 'for safekeeping the merchandise'¹¹⁹ and one for

¹⁰⁶ Stuart and Bogaers 2001, A 9.

¹⁰⁷ *CIL* XIII, 634

¹⁰⁸ Stuart and Bogaers 2001, A 1: *civ<i=E>s Trever / negotiator / salarius / c(oloniae) C(laudiae) A(rae) A(grippinensium)*.

¹⁰⁹ Q. Phoebius Hilarus, Stuart and Bogaers 2001, B 37; B 63.

¹¹⁰ [---] Marcellus, Stuart and Bogaers 2001, A 41.

¹¹¹ Stuart and Bogaers 2001, A 5 (a veteran); A 26; A 49 (citizens of Cologne); B 37; 63 (the *decurio* of the Batavi mentioned above); B 30 (a soldier *sesquiplicarius*).

¹¹² *CIL* XIII, 8787; Stuart and Bogaers 2001, B 10.

¹¹³ Stuart and Bogaers 2001, A 6; *RIB* 3, 3195; or are they father and son?

¹¹⁴ Stuart and Bogaers 2001, A 42 (name lost); A 62 (name lost); B 3 (C. Crescentius Florus); B 37; B 63 (Q. Phoebius Hilarus).

¹¹⁵ Stuart and Bogaers 2001, A 57 (Vegisonius Martinus).

¹¹⁶ Stuart and Bogaers 2001, B 38 (Bosiconius Quartus, *actor navis* for Florius Severus).

¹¹⁷ Stuart and Bogaers 2001, A 29 (M. Cupitius Victor).

¹¹⁸ Stuart and Bogaers 2001, B 2; 4.

¹¹⁹ Stuart and Bogaers 2001, A 3; A 9; A 42; A 62; B 10; B 37.

a prosperous venture (*ob meliores actus*).¹²⁰ Other dedicants had a military background. One was a *sesquiplicarius* from the *Ala Noricorum* (stationed at Cologne in the second century).¹²¹ One was a *beneficiarius consularis*,¹²² another was a veteran *beneficiarius consularis*.¹²³ How or whether these military men were related to the merchant community (perhaps as financiers or customers) is not clear.

The Nehalennia altars show a sense of shared identity. Some of them invoke their identity as *negotiatores Britannici*. Von Petrikovits interpreted this as signifying a professional *collegium*.¹²⁴ Nothing in the inscriptions, however, suggests collective action by a formal association. The different background and social status of the traders makes it unlikely that they would have established a single formal association. Each was connected to different domestic trade networks. The absence of clustering may be inferred also from the absence of clustering in *gentilicia*. Of the 84 *gentilicia* attested, only two occur four times or more: Tertinia (5x) and Iulia (7x).

The mercantile community at Ganuenta was no doubt structured in some way but there is no indication that it was organized as a formal voluntary association. The sanctuary and cult for Nehalennia provided opportunities for collective action by the resident merchant community. It may also have represented the interests of merchants and their agents. Neither service, however, appears to have been formalized and the temple certainly did not exercise control over the merchant community.

The Ganuenta trading network differed geographically from the trading zone covered by the shippers and merchants based at or having a foothold in Lyon. The core of the Lugdunum-based network covers the Rhône valley and northern Alps. It extends northwards to the *Civitates* of the Viromandui (Saint-Quentin), the Vangiones (Worms) and the Treveri (Trier), and westwards to the mouths of the Loire (*Portus Namnetum*) and the *Civitas* of the Veneti. The Ganuenta network stretches southwards into the area covered by the Lugdunese network to Vesontio (Besançon) in the *Civitas* of the Sequani and Augusta Rauricorum at the Rhine. Presumably both zones were connected also through the Seine river. But the main connecting node was Trier on the Moselle. It clearly manifests itself as a first order trading centre, whose mercantile elites were well established both in Lugdunum and Ganuenta and elsewhere in the German and Gallic provinces. If we extend the Ganuenta zone to Bordeaux, where the Treveran

¹²⁰ *CIL* XIII, 8782.

¹²¹ Stuart and Bogaers 2001, B 30 (Sumeronius Vitalis).

¹²² Stuart and Bogaers 2001, A 7 (Agilius Secundus).

¹²³ Stuart and Bogaers 2001, A 5 (Iulius Aprilis).

¹²⁴ Petrikovits von 1985: 326.

negotiator Britannicianus, L. Solimarius Secundinus was active, the overlap increases via the Loire shippers, who are attested both in Lyon and in Nantes (Portus Namnetum).¹²⁵

A handful of transporter and merchant collectives are recorded in Germania Inferior, but they are not particularly prominent. In Forum Hadriani (Voorburg), capital of the Cananefates, c. 60 km north of Ganuenta, there was a *collegium peregrinorum*, that no doubt consisted mainly of resident merchants and/or their agents.¹²⁶ A group of ‘Tungrian citizens and barge skippers residing in Factio’ (Vechten, c. 105 km from Ganuenta) dedicated an altar to the Goddess Viradectis but nothing suggests that this group was organized into a formal guild.¹²⁷ The Lyon-based trading zone, on the other hand, is characterized by numerous, formal and prestigious barge skipper and merchant guilds, such as the *Nautae Ararici et Rhodanici* (on Saône and Rhône), the *Nautae Mosallici* (Moselle), the *Nautae Aruranci et Aramici* (on the Aar and Aramus(?)), the *Nautae Atricae et Ovidis* (on the Ardèche and Ouvèze), the *Nautae Druentici* (the Durance), and many more.

This contrast between both zones is too great to be caused (only) by source bias. It shows different institutional set-ups in both regions. The Ganuenta traders did not rely much on private formal associations, while those operating from Lyon and other centres in the river basins of Lugdunese and Narbonese Gaul and the western Alps did. The cause of this very different institutional set-up is unknown, but the massive presence of the Rhine armies—with whom the Ganuenta merchants clearly had close links—and therefore of Roman public authorities may have been (partly) responsible.

5. General Conclusions

The three case studies discussed in this paper show how communities of long-distance traders in the Roman world differed in the degrees of control that individual traders were willing to delegate to collective institutions and offices. Strong formal associations (guilds) existed on Delos and in Puteoli but were not the dominant type of organization in either location. Cultural preferences played a part among Phoenician groups, who created formal institutions as early as the fourth century BC. Phoenicians were among the first to create formal associations at the free port of Delos. Their guilds were still active in the later second century AD at Puteoli. Baslez suggested that foreign merchants on Delos chose to establish more formal and permanent

¹²⁵ *CIL* XIII, 1709; 3105; 3114; although in Lyon only via a patron, who was *allectus arcae Galliarum*; cf. Panciera 2006.

¹²⁶ *CIL* XIII, 8808.

¹²⁷ *CIL* XIII, 8815.

associations to attract more powerful patrons.¹²⁸ But that does not explain why so few national or ethnic groups chose this option or why we do not find similar guild structures among the Ganuenta traders. Except for the ‘Alexandrian warehousemen’ foreign merchant guilds do not appear to have been local branches of home guilds. The dossier of the Tyrian *stationarii* suggests that Phoenician cities actively encouraged their merchants to establish *stationes* abroad and retained some measure of moral authority over them. Most mercantile communities with distinct cultural identities, however, only established religious institutions that structured the community informally. Religious beliefs, ceremonies and events gave these groups social cohesion, which stimulated the exchange of information and made social sanctions possible.

Greek foreign businessmen on Delos, however, put confidence in the public authorities of their host town. In Puteoli, Roman law was the dominant institutional framework for transactions and it appears to have been relatively efficient by pre-industrial standards. The cult for Nehalennia and its temple attracted merchants from very diverse geographical backgrounds. Although the temple and the ceremonies and social events surrounding it no doubt stimulated general feelings of common identities and interests, the variety of backgrounds precludes the existence of a single strong merchant guild of ‘Nehalennia Worshippers’. We have no indication either that specific groups among the Ganuenta traders had formed their own guilds. By and large Roman long-distance trade relied on relatively efficient open access institutions and open markets. Of course, informal communities based on shared cultural identities and geographic origins stimulated relations of trust. Social networks among merchants no doubt favoured links between agents who shared cultural beliefs and national identities, but there was little need to formalize these into hierarchical associations and delegate control to chosen or appointed officers.

This paper, however, has shown glimpses also of another side to this story. Strong and prestigious guilds of long-distance traders did exist. In some towns (like Ostia) or regions (like the great rivers valleys of the Gallic provinces and the cross-Alpine routes) they clearly did dominate trade. The reasons for this must be sought in local, regional and provincial conditions. We cannot generalize the existence or absence of formal guilds on the basis of local or regional cases.

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¹²⁸ Baslez 2013: 235.

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Figures

15.1 Geographical origins of the Ephebes' of 119/118 BC (ID 2598)

Tables

Table 15.1. Mercantile communities on Delos (Source: Author)

Table 15.2. Mercantile communities at Puteoli (Source: Author)