

## Neapolis. Decree of the phratry of Aristaioi

**Description:** Marble stele written on both sides (one contains the Greek decree of Aristaioi, the other a brief Latin inscription with no relation to the Greek text: cf. *CIL* X.1 2699), in four pieces. The stele was initially broken on three sides and four holes were drilled on it (copies of this stele in this condition were made by Antoine Morillon and Simon Vallambert in the 16th century). Later on (before the 19th century) the inscription was split in four pieces and four more holes added, then it was set in a wooden frame. Overall h: 0.29 m w: 0.242 m d: 0.03 m

**Layout:** Non-stoichedon. Writing direction, left to right. There is a high probability that the inscription was hung on a wall, as the first lines have bigger letters than the latter ones

**Letters:** h: 0.008-0.010 m

**Origin:** Naples, from a place important to the phratry of Aristaioi, maybe the official seat of the phratry

**Dating:** 1st century BC-1st century AD

**Findspot:** Naples, Castor and Pollux temple (i.e. San Paolo church) according to Ligorius and Colonna, but Kaibel doubts this information; owned by Adriano Guglielmo Spadafora (whose house was located near San Giovanni Maggiore church) in the 16th century

**Current location:** Naples, Museo Archeologico Nazionale, inv. no. 2446

**Reference edition:** L. Dubois, *IGDGG* I 29

**Other editions:** ed. pr. Smetius 1588, f. 35 no. 2; Gruter 1603, 125 no. 1; (Martorelli 1756, 623-630; Ignarra 1797, 133-149); *CIG* III.2 5785; Fiorelli 1867, 47; *IG* XIV 759 (Colonna 1898, 264; *SGDI* III.2 5272; Laum 1914, no. 212; E. Schwyzer, *DGE* 792g (ll. 8-14); Guarducci 1938, 128-129 no. XXXVI; Nenci 1952, 396-397; Landi 1979, 233-234 no. 29); E. Miranda, *I.Napoli* I 43; Bresson 2013, 221-222 no. 3

**Photographs:** E. Miranda, *I.Napoli* I, 62

**Translations:** Martorelli 1756, 626-627 (in Latin); Ignarra 1797, 135 (in Latin); Laum 1914, 154-155 (in German); L. Dubois, *IGDGG* I, 89-90 (in French); Bresson 2013, 221-222 (in English)

**Bibliography:** Guarducci 1937, 5-11; Lepore 1952, 300-332; Gschnitzer 1965, 538-540; Lepore 1967, 310; Burkert 1972, 125-133; Càssola 1986, 50-55; Ph.A. Harland, *AGRW online* (<http://www.philipharland.com/greco-roman-associations/?p=22221>)

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Ἀρίστωνος ΤΟΙΙ[. c. 9.] τὸ ὑπὲρ Οὐ]αλειρίας

Μούσης τῆς ἑαυτοῦ γυναικός. μὴ ἐξουσίαν δὲ ἐχέτω-

σαν ὁ φρήταρχος ἢ οἱ χαλκολόγοι ἢ ὁ φροντιστής ἢ οἱ διοι-

κηται ἢ ἄλλος τις τῆς φρητρίας τῆς Ἀρισταίων τὴν θυσίαν

5 ἢ τὸ δεῖπνον ὑπερτίθεσθαι παρὰ τὰς τεταγμένας ἡμέρας

κα[ῖ τ]ὰ χεῖλια καὶ διακόσια δεινάρια δανειζέσθω μὴ [πλ]ῆο[ν]

ἐν[ὶ ὄν]όματι δεινάρια διακόσια πεντήκοντα καὶ τῇ π[όλ]ει.

μὴ ἐξουσίαν ἐχέτω ὁ φρήταρχος ἢ οἱ χαλκολόγοι ἢ ὁ φρον-

τιστής ἢ οἱ διοικηται ἢ ἄλλος τις τῆς φρητρίας τῆς Ἀρισταίων

10 φρήτορα ὑπὲρ τούτων τῶν ὀνομάτων λαμβάνειν, οὐ[δὲ]

πίστει δοθήσεται· ὃν δὲ ἂν ὁ δανειζόμενος διδῶ ἄλλοφρή-  
τορα, ἐν ἀγάρρει εἰσιδόσθω, καὶ ἐὰν δόξη τῇ ἀγάρρει,  
καθὼς καὶ ὑπὲρ φρητάρχου καὶ χαλκολόγου <δε>δογμάτισ-  
ται, τότε ἡ οἰκονομία ὑπὸ τῶν προγεγραμμένων γεινέσθ[ω].

- 15 τοὺς δὲ χαλκοῦς οἱ δεδανισμένοι καταφερέτωσαν τῇ  
ἐβδόμῃ τοῦ Πανθεῶνος μηνὸς ἱσταμένου εἰς ἄγαρρει[ν]  
πληθύνουσιν, καὶ ἐπιψηφίζετω ἡ φρητρία οἷς θέλει δανίζει[ιν]  
καὶ οὕτως τότε ἄλλη οἰκονομία γεινέσθω καθ' ἕκαστον [ἐ-]  
τος. ἔν τε ταῖς ἡμέραις ταύταις ταῖς δυσίν, αἷς θύοντες δ[ει-]  
20 πνοῦσιν, Οὐαλερίᾳ Μούσῃ διδόσθω τὰ κατὰ χρεα. τὸ δὲ γρ[α-]  
π[τὸν τ]ὸ τεθὲν ἢ τὸ προσηλωθὲν ὀφειλέτωσαν ὁ φρήταρχος  
ἢ οἱ χαλκολόγοι ἢ ὁ φροντιστής ἢ οἱ διοικηταὶ μετα[πα]ραδ[ι-]  
δόναι τοῖς αἰεὶ ὑπὸ τῆς φρητρίας καθισταμένοις. ἐὰν δὲ τι πα-  
ρὰ ταῦτα τὰ ὑπεράνω γεγραμμένα ὁ φρήταρχος ἢ οἱ χαλκολ[ό-]  
25 γοι ἢ ὁ φροντιστής ἢ οἱ διοικηταὶ ἢ οἱ δεδανισμένοι ἢ ἄλλος  
τις ποιήσῃ ἀποτεισάτω ἱερὰ τῶν θεῶν τῶν φρητρίων ἀργυ-  
[ρίου δεινάρια δι]ακόσια [. c. 15. κ]αὶ ἡ ἔκπραξις ἐστὶ [ - - - ]  
[ - - - ]

**Apparatus criticus:** I. 1: τοῦ almost everyone : *TOII* Dubois. II. 6-7: μὴ [πλ]ῆο[ν] | ἐ[π'] ὀνόματι Kaibel, almost everyone agrees : μη[δέπ]ο[τε] | εἰ [μὴ ἐπ'] ὀνόματι Ignarra, Franz agree : μὴ [πλ]ῆο[ν ἐφ'] | ἐ[ν] ὀνόματι Mommsen in Kaibel; Bechtel, Guarducci and Landi agree : μὴ [πλ]ῆο[ν] | ἐ[ν] ὀνόματι Dubois. I. 10: οὐ[τέ] Ignarra, οὐ[δέ] almost everyone. I. 12: τῇ ἀγάρρει [οὕτως] Franz. II. 13-14: δογμάτισ/ται on the stone : ΔΕδογμάτισ/ται Kaibel, almost everyone agrees : δογματί[ζε] /ται Ignarra, Franz agrees. I. 16: εἰς ἄγαρριν Scaliger in Gruter, Franz and Bechtel agree : εἰς ἀγάρρεα Ignarra : εἰς ἄγαρρει[ν] Kaibel; Laum, Landi, Miranda and Dubois agree. I. 17: ΟΙΣ on the stone, Vallambert corrected it. I. 20: ΚΑΤΑΧΕΡΑ on the stone, Ignarra corrected it. II. 20-21: τὸ δὲ γρ[α] / π[τὸν τ]ὸ τεθὲν almost everyone : τὸδε γρ[α] / π[τὸν πρ]οτεθὲν Ignarra : τὸ δὲ γρ[α] / π[τὸν ἢ πρ]οτεθὲν Franz. I. 21: ΠΡΟΣΗΛΩΟΕΝ on the stone, Vallambert corrected it. I. 27: [δαινάρια δι]ακόσια [ - - - κ]αὶ ἡ ἔκπραξις almost everyone : [δαινάρια δι]ακόσια [πεντήκοντα κ]αὶ ἡ ἔκπραξις Ignarra : [δαινάρια δι]ακόσια [πεντήκοντα, ὦν κ]αὶ ἡ ἔκπραξις Franz.

### Translation:

[ - - - ] Ariston's [ - - - ] for Valeria Musa, his wife.

Not the phretarchos, nor the chalkologoi, nor the phrontistes, nor the dioiketai nor any other member of the phratry of Aristatoi are allowed to defer the sacrifice or the banquet to different days than the established ones; more than 250 denarii of the 1,200 denarii must not be lent to a single person, even to the polis.

Not the phretarchos, nor the chalkologoi, nor the phrontistes, nor the dioiketai nor any other member of the phratry of Aristatoi are allowed to take a member of the phratry (as guarantor) in favour of these people, and lending money on trust is forbidden.

Any person from another phratry, whom the person who has borrowed money has chosen (as guarantor), must be put forward in the assembly, and, if the assembly agrees, just as decreed about the phretarchos or the chalkologoi, then the transaction has to be done by the abovementioned officials.

Any person who has borrowed money must pay it back on the 7th of Pantheon before the whole assembly; the phratry must vote to whom it wants to lend money and then a transaction will take place in this manner every year.

During the same two days when the banquet is taking place after the sacrifice, the amount owing must be given to Valeria Musa.

The phretarchos or the chalkologoi or the phrontistes or the dioiketai must hand the written document down, kept (in the archive) or affixed, to the officials elected by the phratry each time.

If the phretarchos or the chalkologoi or the phrontistes or the dioiketai or any person who has borrowed money or any other person acts against the abovementioned rules, he must pay a sacred fine of [200(?)] [denarii] to the divinities of the phratry, [ - - - ] and the exaction is [ - - - ]

**Commentary:**

The text is a decree of the phratry of the Aristaioi concerning the administration of money left by will to the phratry by a dead member, Ariston. It was already mutilated on the upper side in the 16th century. According to Dubois (*IGDGG* I, 82-83) ca. 15 lines of the whole decree have been lost; the first part of the inscription should have included: the date, a mention of the role of beneficiary and administrator of the legacy of Ariston held by the phratry of Aristaioi, and the information that the interest gathered from loans could finance the sacrifice and the banquet and support Valeria Musa.

The man has left 1,200 denarii, of which 250 denarii at most can be lent to a single person or to the city. A member of the phratry of the Aristaioi must not be chosen as guarantor, instead, it is necessary to turn to an allophretor (hapax, it means "from another phratry"); he must be put forward in the assembly (*ἀγαρρις* is another hapax; cf. the verb *ἀγείρω*), which has the power to decide what to do. The loan must be paid back by the 7th of Pantheon before the whole assembly. Then the assembly (probably on the same occasion) will vote to determine to whom money will be lent next year.

There is also mention of a religious festival lasting two days, during which a banquet and a sacrifice will take place; not the phretarchos nor the chalkologoi nor the phrontistes nor the dioiketai are allowed to defer this festival. During the festival, the amount owing (*κατάχρεος* means normally "involved in debt" and it is often used for a person; the term has here the meaning of 'that which is owing, debts': cf. *LSJ* s.v.) must be given to Valeria Musa, Ariston's widow.

The last section, partially preserved, is about the punishment anyone acting against the decree in some respect would incur. This person would be obliged to pay a sacred fine to the divinities of the phratry; the collection of the fine is mentioned, but the text stops here.

There must have been a testamentary foundation before this decree. The iter was as follows: the donation and rules regulating the aim of foundation were announced by an epaggelia; these instructions had to be subsequently confirmed through a decree sanctioned by a Body which the founder had chosen as depositary of donation (i.e. the decree under consideration here).

From this inscription it can be seen that a phratry could work as a small bank whenever necessary, although its financial importance was probably limited, if the amount of loan allowed and the rigidity of the procedure are considered (cf. Lepore 1952, 310).

The bequest is modest according to Dubois (*IGDGG* I, 84) in relation to what is attested for the Roman world in this period (1,200 denarii are equivalent to 4,800 sesterces); maybe the interest rate was high so that every year the phratry would have gathered the funds needed to organise the festival and to sustain Valeria Musa. The rate of interest established for this kind of financial operation is unknown, as it is rarely mentioned and it changes according to the circumstances. It is noteworthy that no more than 250 denarii are lent. This could be a protection measure: even in case the money did not return to the phratry, both festival and sustenance could be guaranteed in the immediate future. The same loan is allowed both to the private citizens (*ὄνομα* here is a technical term: it means 'a person whose name is present in a financial operation') and to the city: the polis can borrow the same amount of money as a single person because it has to bring some guarantors too, who would be chosen from among the citizens. So, if the city defaulted, the guarantors would have to pay down a large amount of money with interest (on protection measures for a loan cf. Migeotte, *Emprunt*, 389-392). With all these preventive measures, the loans would not impoverish the citizens.

The phratry tries to protect itself by taking some precautions. For instance, the guarantor has to be a member of another phratry, so that, if the person who borrows money cannot pay it back, the guarantor can refund the phratry. Nor can money be lent on trust: in case of default the phratry would lose the capital received from Ariston.

With regard to the day fixed by the phratry for the discharge of the debt, Guarducci (1938, 115) has proposed that the 7th day of Pantheon had a religious meaning: in particular, she observes that number 7 is often associated with Apollon (cf. Roscher 1901, 360 ff.). The month of Pantheon has an Euboic origin: it is attested in central Chalcidice (Olynthos: cf. Robinson 1938, 52 ff.).

This decree presents us with four types of officials within the phratry, always mentioned in hierarchical order: the first is the phretarchos, chief of the phratry, elected by the assembly, probably every year (cf. *I.Napoli* I 12: *φρηταρχήσαντες*!); this office had an honorific function as well. The chalkologoi were administrators of the phratry money; they are also mentioned in Naples for the phratry of Artemisioi by the verb *κεχαλκολογηκότων* (cf. *I.Napoli* I 44, II, I. 1). The phrontistes may have had a similar role to the curator collegii in Roman corporations; in any case this official is elsewhere attested for Neapolitan phratries (cf. *I.Napoli* I 2; *I.Napoli* I 44, II, I. 6, where he has the office to ratify the decrees of the phratry); finally, the dioiketai were administrators, yet their function is not specified further; cf. *IG* IX 1 694, I. 44, about a donation of Corcyra, 2nd century BC. All these officials had to hand the document down (*τὸ γραπτόν* is rarely attested in the inscriptions with this meaning) to the ones appointed by the phratry for the following year. According to Dubois (*IGDGG* I, 88), the document mentioned here contained the names of borrowers and the amount of loans; small loans were

recorded on manageable support and kept in the archive; the lending of great sums of money was instead affixed.

The names of the divinities of the phratry are not specified in this decree: they were probably mentioned above, in those first lines now lost, together with the description of the festival, which was maybe dedicated to them. However, given that the name of the phratry derives from Aristaïos, one of the divinities of the phratry may have been the eponymous divinity, whose worship is attested at Pithecusae in the 2nd-1st century BC by a votive inscription (found in Lacco Ameno; cf. Buchner 1949-1950, 1-12; for the worship of Aristaïos cf. Valenza Mele 1977, 495-497).

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