

## NEW FRAGMENTS OF SACRED GERUSIA 24

(I. G., II<sup>2</sup>, 1108)

IN *The Sacred Gerusia* (*Hesperia* Supplement VI, 1941), pp. 2 and 120 Oliver pointed out that a previously unpublished stone in the Epigraphical Museum (EM 2763) was engraved by the same workman using the same arrangement as I.G., II<sup>2</sup>, 1108 (plus new fragments from the Agora Excavations). Though only one-tenth of the width of EM 2763 was preserved, Oliver had inferred that the original width was that of I.G., II<sup>2</sup>, 1108. Now B. D. Meritt, *Hesperia* XXX, 1961, pp. 231-236, No. 31, has published a new fragment of I.G., II<sup>2</sup>, 1108. It actually joins EM 2763, so that the main inscription with letters of Marcus Aurelius and Commodus to or about the Gerusia of the Athenians, i. e. *Sacred Gerusia* 24 and 25, becomes more important than ever.

Oliver has suggested, both in *The Sacred Gerusia* and in his article "Gerusiae and Augustales," *Historia*, VII, 1958, pp. 476-477, that the Gerusia was established at Athens to help in the financing of festivals (Panathenaea and the imperial cult). In *Historia*, VII, p. 476, moreover, he pointed to the problem created by the death or alienation of Herodes Atticus, the last high priest of the Augusti for many a year. The new fragment reveals that in the first letter of the whole series Marcus Aurelius refers to his birthday, τὰ γενέ]θλια τὰ ἐμά, and this, I think, would support the view that the Gerusia undertook to finance the imperial cult. Once again estates are mentioned. But the really important contribution is the mention of "the four-hundred," which looks like the number of members, and the phrase οἱ ἐκκλησιάζον]τες κατὰ τὰ νο[μιζόμενα, which should be restored in the first letter (line 6) on the basis of the phrase ἐκ] τῶν ἐκκλησιαζόν]των κατὰ τὰ νομ[ιζόμενα in the second letter (line 18), which discusses replacements. I say that the second letter deals with replacements first of all because line 22 contains a Greek rendering of the usual Latin phrase *in locum demortui*, though the epistle may also deal at first with the choice of the original four-hundred.

If my interpretation of the new fragment is correct the basic qualifications for membership in the Gerusia are age (unknown, but perhaps 50), wealth (unknown), and status as Athenian citizens eligible to participate in the *ekklesia*. That is, they do not have to be citizens eligible to participate in the Council of the Five Hundred. They do not have to be *curiales*, though of course they may be. At Sidyma the first enrollment of the Gerusia founded between A.D. 185 and 192 comprised 51 *bouleutai* and 50 *demotai*. In Meritt's line 23 ἐκ τῶν ἀστῶν εἰσάγ[ειν] δεήσει ἀεί means presumably that the Gerusia will normally be recruited out of native free-born Athenians,

but in line 24 the word δημ]οποιήτων suggests that under certain circumstances others may be naturalized and accepted. This reminds us that among the 50 *demotai* of Sidyma recorded on *T.A.M.* II 176 there were one bastard and several ex-slaves. At Athens too certain social inferiors of apparent moral worth might be given the chance to serve the gods and the community with their wealth and so acquire a certain distinction, but they would have to be given Athenian citizenship first. Would it not be possible to restore χρῆ] γὰρ μετέχειν τῆς Ἀθ[ήν]ησιω [πολιτεί]as in line 25 where Meritt offers [γερουσί]as? <sup>1</sup>

On p. 236 Meritt publishes another inscription (No. 32) which too he says "belongs to an imperial letter." I do not think so. It contains a series of testamentary dispositions, each introduced by the phrase κεφάλαιον κωδικί[λλ-. This fragment seems to me to belong to a publication of a will which concerns the city of Athens by providing for distributions at certain celebrations. *Inscript. Cret.*, IV, 300 and Arangio-Ruiz, *Negotia*, 50, 53 and 54 offer illuminating parallels.<sup>2</sup>

Meritt's inscription No. 110 on p. 273 honors a man discussed within a wide frame by Oliver, *The Athenian Expounders*, Baltimore, 1950, pp. 78-81. His name was Sospis. Line 8 reads rather τῆδ' ἐπεὶ Ἑλλάδ[-.

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<sup>1</sup> For the phrase μετέχειν τῆς ἐν Μιλήτῳ πολιτείας and for the comparable case of sales of citizenship see L. Robert, *Hellenica*, I, 1940, pp. 37-42.

<sup>2</sup> For codicils designed to protect the cult of the dead (i. e. the testator himself), or the cult of remembrance, against possible neglect by the heirs in the second and third centuries see further E. F. Bruck, "Foundations for the Deceased in Roman Law, Religion and Political Thought," *Scritti in onore di Contardo Ferrini pubblicati in occasione della sua beatificazione*, IV, Milan, 1949, pp. 1-42.