

JESPER CARLSEN

SUBVILICUS: SUBAGENT OR ASSISTANT BAILIFF?

aus: Zeitschrift für Papyrologie und Epigraphik 132 (2000) 312–316

© Dr. Rudolf Habelt GmbH, Bonn

SUBVILICUS: SUBAGENT OR ASSISTANT BAILIFF?*

The nomenclature, hierarchy and duties of Roman managerial slaves and freedmen have been analyzed in several studies in the last decade. These recent analyses of business and estate managers, such as *vilici*, *actores*, *dispensatores* and private *procuratores*, demonstrate the importance of slaves and freedmen employed as agents in most sectors of the Roman economy.¹ But the studies also provide nuances as to the general view of the duties covered by various Latin job titles. Unanswered questions, however, remain and the functions of the so-called *subvilicus* or *subvillicus* are still a puzzle to be solved. The entry to the *Oxford Latin Dictionary* translates the word as “an assistant steward or keeper” with references to two inscriptions: one from Rome and the other from Castel Gandolfo in the Alban Hills southeast of Rome:

CIL VI 9991 = *ILS* 7374 (Rome):

D M/
Hermeroti/
vicario suo/
Lupercus/
Subvillicus/
hortorum Anto/
nianorum/
bene merenti/
fecit

EE VII 1248 (Castel Gandolfo):

D M/
Iuliae Fortu/
natae Aciva/
Caes n servo/
subvil coniu/
cariss fec/
cum q vixit/
an XVII m v

We have, in fact, one further inscription mentioning *subvilici*. A list of slaves and freedmen, who were members of one *collegium* attached to the imperial villa at Antium, contains several job specifications, including at least two *subvilici*:

CIL X 6638:

an. 41 . . . *Primus subvil*
an. 51 . . . *Nymphius Dellian subvil*

* I wish to thank Robin Lorsch Wildfang, who revised my English.

¹ J.-J. Aubert, *Business Managers in Ancient Rome. A Social and Economic Study of Institores 200 B.C. – A.D. 250*, Leiden 1994; J. Carlsen, *Vilici and Roman Estate Managers until AD 284*, Roma 1995; Ch. Schäfer, *Spitzenmanagement in Republik und Kaiserzeit. Die Prokuratoren von Privatpersonen im Imperium Romanum vom 2. Jh. v. Chr. bis zum 3. Jh. n. Chr.*, St. Katharinen 1998.

The title appears in no ancient author or legal writer, and thus the three inscriptions constitute all the fragmentary and elusive evidence for the existence of *subvilici*. There is therefore no basis for the assertion that “se nei privati è molto raro, il *subvillicus* torna spesso nelle organizzazioni imperiali”.² The inscriptions mentioning *subvilici* do not indicate the nature of their work, but some scholars have suggested as a working hypothesis that these slaves perhaps should be identified as subagents. In his thorough study of business managers in the Roman economy in the period from 200 BC until the middle of the third century AD, Jean-Jacques Aubert wrote: “subagents are sometimes attested in the inscriptions as *subvilici*”.³ Roman jurists admit the appointment of subagents in several cases, but a re-evaluation of all the material will shed new light upon the duties of the *subvilici*. First, the subagents in Roman law and production must be examined. Second, the contexts in which the *subvilici* appear demand a closer scrutiny in order to clarify the functions of the slaves. In the end, the evidence will indicate that the attested *subvilici* were most probably not subagents, but simply assistant bailiffs on imperial gardens and estates without proper agricultural production.

Subagency

A shipmaster, *magister navis*, was allowed to appoint a subagent with his master’s knowledge and consent, so too could *institores* delegate their tasks to subagents with their master’s acceptance.⁴ Aubert has suggested that this might often have been the case in the production of clay artefacts, as long as this production was of minor importance in comparison with the agricultural sector. Aubert, however, stresses that the title *vilicus* does not appear on other stamps than *fistulae*, unlike other managers (*institores*).⁵ This is perhaps due to the uncertainties of transmission, since *actores* occasionally appear on brick stamps, and since, in his publication of tiles from the fifth century AD in Museo Civico di Cuneo, Giovanni Mennella has suggested that the abbreviations *SB AC* and *C* should be read *s(u)bac(tore)* and *c(onductore)*.⁶ The conjecture has no equal, but if even if Mennella’s suggestion is correct, it is also clear that *actor* and *vilicus* comprised different managerial functions in the Late Antiquity. We may therefore conclude that these tiles do not indicate the existence of *subvilici* in brick production, and that one should look at other types of *instrumentum domesticum* to find traces of presumed subagents.

Whether the paired slave names found on several amphorae stamps are an indication of appointments of subagents is unclear. They could also be joint *institores* or a slave *offinator* and his *vicarius*, as rightly pointed out by Daniele Manacorda and Jean-Jacques Aubert.⁷ Yet, one of the first to identify the slave names on amphorae stamps with *vilici* was M. H. Callender in his *Roman Amphorae with*

² V. A. Sirago, *L’Italia sotto Traiano*, Louvain 1958, 143; see S. Treggiari, Urban Labour in Rome: *mercennarii* and *tabernarii*, in: P. Garnsey (ed.), *Non-Slave Labour in the Greco-Roman World*, Cambridge 1980, 48–64 (appendix), and S. R. Joshel, *Work, Identity, and Legal Status at Rome. A Study of the Occupational Inscriptions*, Oklahoma 1992, for the many job titles that only occur in a few number of inscriptions.

³ Aubert (n. 1) 252; Carlsen (n. 1) 62, who is not yet decided: “We might have an example of this apprenticeship system in the *subvilici* . . . assuming the term does not refer to sub-agents.”

⁴ Ulp. Dig. 14.1.1.5; A. Kirschenbaum, *Sons, Slaves and Freedmen in Roman Commerce*, Jerusalem 1987, 101–104; Aubert (n. 1) 60–62.

⁵ Aubert (n. 1) 250–252; *idem*, Workshop Managers, in: W. V. Harris (ed.), *The Inscribed Economy. Production and Distribution in the Roman Empire in the Light of instrumentum domesticum*, Ann Arbor 1993, 171–181; see also A. Di Porto, *Impresa agricola ed attività collegate nell’economia della ‘villa’*. Alcune tendenze organizzative, in: *Sodalitas. Scritti in onore di A. Guarino VII*, Napoli 1984, 3235–3277.

⁶ AE 1993, 740–742; AE 1995, 533; G. Mennella, Cristianesimo e latifondi tra *Augusta Bagiennorum* e *Forum Vibi Caburum*, *RAC* 69, 1993, 205–222; *idem*, Laterizi bollati dall’area piemontese: la documentazione su *Pollentia* e *Augusta Bagiennorum*, in: *Epigrafia della produzione e della distribuzione*, Roma 1994, 397–413.

⁷ D. Manacorda, Schiavo ‘manager’ e anfore romane: a proposito dei rapporti tra archeologia e storia del diritto, *Opus* 4, 1985, 141–151; *idem*, Le anfore dell’Italia repubblicana: aspetti economici e sociali, in: *Amphores romaines et histoire économique: dix ans de recherche*, Roma 1989, 443–467; Aubert (n. 1) 251–253.

Index of Stamps (1965). His comments on the amphorae stamps from the *figlinae* of the Laecanii Bassi in Istria deserve full quotation, as it has formed the basis for all further studies of this senatorial family and its economic interests: “Although it was forbidden for members of the Senatorial Order to take part in commerce, nevertheless they often did so indirectly; obviously the opportunities afforded by commerce for great increases in wealth were not altogether ignored. Thus it was obligatory for members of that order to invest money in land, and naturally any surplus of that land would be sold; the normal method appears to have been the appointment of a *vilicus*, usually a trusted freedmen, in whose name the commercial transactions were undertaken. C. Laecanius Bassus, however, openly flaunted his name of these trading vessels; it must be assumed that, in the case of such powerful men, there was not too strict an observance of obligations.”⁸

The influence of Plutarch’s description of Cato the Elder’s financial interests in seaborne commerce is distinct in Callender’s erroneous explanation. The senators were only forbidden by the Lex Claudia of 218 BC to own ships carrying more than 300 amphorae, and more recent studies have made our understanding of the organisation of trade in the Late Republic and Early Empire more sophisticated.⁹ Callender’s terminology is inadequate too; the traders were in many cases *vilici*, but these managers were usually slaves and only in very few cases freedmen.¹⁰ The reason why Callender identifies the *officinator* with the *vilicus* in charge of the estate where the amphorae were produced is not clear and is at best speculative. Yet, his inaccurate terminology recurs in later studies of the Laecanius workshop. In the most recent publication of the more than 400 stamps from Dressel 6B Laecanian amphorae with more than 40 different slave names, Tamás Bezeckzy specifies that he called the managers *vilici* and that they were responsible for the production of olive oil. The author then continues: “Between the Tiberian and the Claudian periods, which is roughly 30–35 years, at least 20–22 *vilici* were employed on the Laecanius estate. Between the early Claudian and the Flavian periods, which is also about 30–35 years, there were 18–20 *vilici*. It seems very unlikely that the *vilici* spent only one or two years at the estate. Thus, it is reasonable to assume that there was more than one *vilicus* (or *subvilicus*) on the property at the same time ... When we compare the number of *vilici* mentioned by the stamps with the number of known amphorae, we will find that the number of the amphorae they stamped is very different. This may be due to the years they were employed.”¹¹ The modern usage of the Latin job titles only confuses the issue and as Aubert has rightly observed: “whether some of the names appearing in stamps are those of *vilici* is a matter of speculation”.¹² One could add *subvilici* too.

Ulpianus, quoting Iulianus, refers to the appointment of subagents in various ways: *Magistrum autem accipimus non solum, quem exercitor praeposuit, sed et eum, quem magister: et hoc consultus Iulianus in ignorante exercitore respondit: ceterum si scit et passus est eum in nave magisterio fungi, ipse eum imposuisse videtur . . . Quid tamen si sic magistrum praeposuit, ne alium ei liceret praepondere?*¹³ From this passage it clearly appears that no exact Latin term for subappointment or for subagents existed. Thus, terminology can not settle the matter of *subinstitores*.

We do have job designations, which bear a faint resemblance to *subvilicus*. This may be demonstrated first and foremost by the *subprocurator domus augustiane* (CIL VI 8640 = ILS 1630), but a handful of other titles bear the prefix *sub* too: *subcornicularius* (CIL VI 3596), *subpaedagogus* (CIL VI

⁸ M. H. Callender, *Roman Amphorae with Index of Stamps*, Oxford 1965, 103–104; also in the Introduction, xxvi.

⁹ Plut. *Cat. Mai.* 21.5–6; J. H. D’Arms, *Commerce and Social Standing in Ancient Rome*, Harvard 1981; Aubert (n. 1) 413–420.

¹⁰ Carlsen (n. 1) 96–101; W. Scheidel, Free-born and Manumitted Bailiffs in the Graeco-Roman World, *CQ* 40, 1990, 591–593.

¹¹ T. Bezeckzy, *The Laecanius Amphora Stamps and the Villas of Brijuni*, Wien 1998, 70; *idem*, Amphorae and Amphora Stamps from the Laecanius Workshop, *JRA* 8, 1995, 41–64. F. Tassaux, Laecanii. Recherches sur une famille sénatoriale d’Istrie, *MEFRA* 94, 1982, 227–269: “d’officinatores ou de *vilici* de Laecanius” (256).

¹² Aubert (n. 5) 178.

¹³ Ulp. Dig. 14.1.1.5; Aubert (n. 1) 60–61 with further references.

8976 = *ILS* 1833), *subpraefectus classis Alexandriae* (*CIL* VI 1643), *subpraefectus vigilibus* (*CIL* VI 1628 = *ILS* 1456), *subpraefectus annonae* (*CIL* V 8659 = *ILS* 1412), *subprocurator ludi magni* (*CIL* II 1085 = *ILS* 1406), *subcustos* and *subpromus* (both in Plaut. *Mil.*). We find the titles in public administration, the army and private households, and, just as the so-called *adiutores*, they denote assistants or deputies of the holders of the nominal positions.¹⁴ They were not subagents; however a brief glance at the villas and the gardens to which the four known *subvilici* were attached may serve to clarify their functions.

The estates

Our knowledge of the *horti Antoniani* in Rome is very scanty, and it has so far not been possible to locate their precise site. We know only that the gardens were near to those of Caesar on the right bank of the Tiber. After the death of Marcus Antonius the *horti Antoniani* seem to have become part of the imperial property, but only very few traces of the staff attached to the gardens remain. In this case, the *horti Antoniani* were not differentiated from other *horti Romani*, and like some of the other gardens they too may have been pleasure park or a garden villa without a proper agricultural production.¹⁵

We are much better informed on the two imperial properties for which the three other *subvilici* are attested. Caligula and Nero were both born in Antium, and all of the Julio-Claudian emperors lived there for shorter or longer periods. This villa was also popular with later emperors such as Domitian, Hadrian and Septimius Severus. Two lengthy lists of members of *collegia* give us a glimpse of the villa's staff in the middle of first century AD. The lists contain more than 60 names, including about 20 different job titles. There is a remarkably large number of craftsmen, gardeners and administrators, illustrating the strong degree of specialisation in the imperial households. The absence of titles of slaves in menial jobs is no surprise as these slaves are always under-represented in the epigraphical material, but it may anyhow give us a hint of the size of the production sector of the imperial villa in Antium.¹⁶ The land set aside for cultivation at the luxury seaside villa with gardens, baths, nymphaea and terraces seems to have been limited and presumably did not produce more fruit, vegetables, eggs and other fresh provisions than were needed by the household.

There are also still substantial remains of Domitian's huge and luxurious villa at Castel Gandolfo in the Alban Hills. It extended from the Alban Lake to the Via Appia with a range of 5,200–5,400 *iugera* or 13–14 km². A small part of the cemetery for the staff attached to the villa was excavated at the end of the 19th century, and Rodolfo Lanciani published seven early second century cippi from this burial place in the *Notizie degli Scavi*.¹⁷ The job titles among these members of *familia Caesaris* include one *vilicus* and one *subvilicus*, but they were certainly only a small proportion of the slaves and freedmen engaged on the improvement and maintenance of the large villa which had several buildings and nymphaea in its extensive park. The epitaphs also commemorate several women and the adornment of one stele indicates the job of a gardener.

¹⁴ H. G. Pflaum, *Les procureurs équestres sous le Haut-Empire romain*, Paris 1950, 196–197.

¹⁵ P. Grimal, *Les jardins romains à la fin de la république et aux deux premières siècles de l'Empire*, 2nd ed. Paris 1969, 117–118; L. Chioffi, *Horti Antoniani*, *LTUR* 3, 1996, 53. In general: *Horti romani*, (eds. M. Cima & E. La Rocca), Roma 1998, and for the staff: O. Hirschfeld, *Die kaiserlichen Verwaltungsbeamten bis auf Diocletian*, 2nd ed. Berlin 1905, 137–139.

¹⁶ *CIL* X 6637–6638; E. Herrmann-Otto, *Ex ancilla natus. Untersuchungen zu den 'hausgeborenen' Sklaven und Sklavinnen im Westen des römischen Kaiserreiches*, Stuttgart 1994, 152–155. See also S. Treggiari, *Jobs in the Household of Livia*, *PBSR* 43, 1975, 48–77. For the villa: V. S. Maria Scrinari & M. L. Morricone Matini, *Mosaici antichi in Italia. Regione Prima. Antium*, Roma 1975; P. Chiarucci, *Anzio archeologica*, Anzio 1989, 65–77.

¹⁷ R. Lanciani, *Castel Gandolfo*, *NSc* 1889, 111–113; *EE* VII 1247–1253. M. Lippert, *Kaiservillen*, Diss. Freiburg 1974, 118–158; L. Crescenzi, *La villa di Domiziano a Castel Gandolfo*, *ArchLaz* 2, 1979, 99–106.

The *fundus Albanus* or *Albanum Caesarum* incorporated several Republican villas, which the imperial family had acquired through purchase, confiscation, gifts or inheritance. Inscriptions near several of these properties include imperial estate managers and administrators such as three *dispensatores*, one *vilicus* and one *tabularius*.¹⁸ The slaves may have been employed on the different villas, which apparently continued as independent managerial units of agricultural production after the construction of *Albanum Domitiani*. This fact may indicate that the villa at Castel Gandolfo seems to have been a proper *villa suburbana* with pleasure gardens and with either no or only a little production section.

One consequence of this analysis of the three imperial properties is that one may wonder why the *vilici* attached to them should appoint subagents. To my knowledge, no traces of the production of clay artefacts have been detected at the gardens or the two *villae*. A *vilicus* supervised all kinds of buildings and was at the head of a group of slaves, whose work he controlled.¹⁹ The above-mentioned estates were among the most impressive imperial villas, and the *vilici* in charge may therefore very well have needed assistants or *subvilici*.

Conclusions

Subagents certainly existed, but the preserved epigraphical evidence does not demonstrate the terminology of their titles, and I wonder if they should be identified as *subvilici*. The analysis of the terminology and the type of villas and gardens, to which the attested *subvilici* were attached, indicate that these were assistant bailiffs. The position of a *subvilicus* could perhaps also be understood as some kind of a training post, one in which after a few years the *subvilicus* was promoted to the position of a *vilicus*. If this theory proves right, the few occurrences of the job title *subvilicus* are no surprise. The former *subvilici* ended in more prestigious positions and, like most other slaves and freedmen, they omitted their previous positions in epitaphs and votive altars. Only when the *subvilici* commemorate a *vicarius*, a wife or are members of a *collegium*, do we catch a glimpse of this category of subordinate managerial slaves.

Odense University

Jesper Carlsen

¹⁸ *CIL* XIV 2259; *CIL* XIV 2261; *CIL* XIV 2426; *CIL* XIV 2431 = *ILS* 1586; M. G. Granino Cecere, Villa Mamurrana, *RAL* s. 9 v. 6 (1995), 361–386. J. Carlsen, Landowners, Tenants and Estate Managers in Roman Italy, in: *Landwirtschaft im Imperium Romanum*, (eds. P. Herz & G. Waldherr), St. Katharinen (forthcoming); more cautiously Ch. Bruun, Imperial procuratores and dispensatores: New discoveries, *Chiron* 29, 1999, 29–42.

¹⁹ Carlsen (n. 1) 54–55.