# Beyond Slavery and Freedom in Ancient Mesopotamia

Vitali Bartash (University of Bonn) and Andrew Pottorf (University of Cambridge)

Accepted version dated to 21 April 2025

**Abstract**

This special issue aims to move beyond the traditional binary of slavery and freedom in the study of ancient Mesopotamian societies. Legal texts have long shaped our understanding of social status in this region, but a broader approach incorporating diverse textual genres and diachronic comparison reveals a far more nuanced social landscape. The articles collected here argue that ethnic, legal, political, religious, and socioeconomic factors continually shaped groups with ambiguous statuses who were neither clearly citizens nor enslaved individuals. Rather than locating a fixed "third" legal category of "serfs," the contributors emphasize distinctions such as citizens versus noncitizens, or emancipated versus dependent household members—both free and enslaved. The volume refines the binary legal model, reaffirming that ancient Mesopotamia recognized only two legal statuses—free and unfree—but complicates how these were lived and perceived. Six key insights emerge, including the legal and social diversity within both categories, the importance of household structures, and the precarious positions of groups like *muškēnū* ("those who prostrate themselves"), **UN-il$_2$** ("menials"), temple dependents, war captives, freed slaves, and detained persons. Collectively, these studies challenge static interpretations and reveal the dynamic and context-dependent nature of social identity in ancient Mesopotamia.

**Keywords**: slavery, freedom, serfdom, citizens, household, social structure, ancient Mesopotamia

The aim of the present collection of articles is to move beyond static notions of slavery and freedom in the study of ancient Mesopotamian societies.[1] These notions have traditionally been derived from legal sources. However, a broader examination incorporating written sources from other genres and adopting a diachronic perspective through the comparison of data across various periods reveals that this black-and-white picture of freemen versus slaves fails to capture the actual social complexity of these ancient societies.

The central argument of this special issue is that ethnic and political processes, along with legal, religious, and socioeconomic practices, continually generated social groups with ambiguous statuses in ancient Mesopotamia. On the one hand, these groups were distinct from citizens, whom we understand as the archetypal freemen. On the other hand, they do not conform to the traditional image of privately owned slaves.

For example, the Sumerian laws of king Ur-Namma from ca. 2100 BC recognize only two social groups: "native children" (**dumu-gir$_{15}$**)—that is, "free citizens"—and their male and female enslaved "servants" (**arad$_2$** and **geme$_2$**)—that is, their slaves (Wilcke 2014: 523; Molina 2025: 308-309). Neither the laws of Ur-Namma nor Ur III legal records (save for one case), appear to mention the *muškēnū*, the "third social layer" of the Old Babylonian legal sources (Wilcke 2014: 523), despite their robust presence in Ur III administrative archives (Bartash and Pottorf in this special issue), effectively rendering them legally indistinct.

Equally absent in the Laws of Ur-Namma are **UN-il$_2$** ("menials"), whom labor rosters, for example, copiously separate from working troops of citizens (**dumu-gir$_{15}$**, **eren$_2$**; Koslova 2008; Pottorf 2022: 86-90). Steinkeller (2013: 365; 2015: 9, 12, 24-26; 2017: 547-48; 2018: 141) compares **UN-il$_2$** to migrant indentured laborers in Asia during the colonial period. He argues that the Ur III "semi-free" **UN-il$_2$** constituted a third social stratum alongside citizens and slaves, noting that citizens far outnumbered **UN-il$_2$** and especially slaves. The majority of these "menials" were impoverished locals, widows, orphans and foundlings, elderly individuals without support, and people donated to temples as gifts. Steinkeller argues that, as natives, "menials" could not be sold and possessed "certain legal and social rights" that distinguished them from slaves. While legally free, "menials" were fully economically dependent and permanently attached as workers to palaces, temples, and large private estates. They worked year round, predominantly as unskilled laborers, in exchange for barley or

[1] This special issue goes back to the workshop "Beyond Slavery and Freedom in the Ancient Near East" organized by Vitali Bartash during the 68th Rencontre Assyriologique Internationale at Leiden University and held on 17.07.2023.

usually small land allotments, among other commodities. Their female counterparts, typically referred to by a generic term for female workers and slaves (**geme$_2$**), mainly toiled in grain processing and weaving but also participated in agricultural labor and transportation tasks.

Manuel Molina (2025: 307-308) cites a case in which an Ur III document refers to **UN-il$_2$** as a distinct social group and offers a simple yet compelling explanation for their absence in the Laws of Ur-Namma. According to him, these laws addressed the rights and obligations of free householders (**dumu-gir$_{15}$**) and their slaves within the framework of public law. In contrast, **UN-il$_2$** are never mentioned because they were dependents of institutional households, such as palaces and temples, and thus fell outside the jurisdiction of public law. As dependents of these centralized institutions, **UN-il$_2$**, along with free householders, their families, and even officials when acting in their roles as institutional dependents, were subject not to public judicial procedures but to the internal rules and disciplinary systems of these institutions themselves. As a result, if they failed to fulfill their duties, they could be imprisoned, beaten, fined, or forced into labor by the authorities of these institutional households (Molina 2025: 310).

A similar social group, who may have been **UN-il$_2$**'s predecessors (Pottorf 2022: 102-104, 270-71), appears in the temple Emunus archive from Early Dynastic Girsu. Several hundred workers, including "maids, female servants/slaves" and their children (**geme$_2$ dumu**), "blind" water drawers (**igi-nu-du$_8$**), and porters (**il$_2$**), are referred to as "the people of the month" (**lu$_2$ iti-da**) because of their monthly barley allotments. Unlike regular citizens, they had no right to land allotments and instead worked full time for the temple of the goddess Baba (also referred to as Bau), which was managed by the ruler's wife and her officials. Aware of the challenge in defining their status, Rosemary Prentice (2010: 91) cautiously refers to them as "dependents" of "state organizations."

Previous scholarship has long recognized this social "gray zone." For example, Kristin Kleber (2011: 108) argues that "in almost every society of the ancient world, one finds distinct categories of the servile population who live as institutional dependents but are not slaves." Piotr Steinkeller (2015: 9) expresses a similar view: "In addition to the slaves and the free, all ancient societies always included groups of people whose status fell somewhere between these two categories. While not legally slaves, such individuals lacked the social rights and the economic means of the free, being fully dependent for their livelihood either on various institutions or private individuals." Scholars regularly describe these individuals and groups as "serfs," "servile," and "semifree" due to the lack of a general native term to denote people who do not fit into the citizen-slave dichotomy (Culbertson 2024: 255; Kleber 2018: 442).

For the Old Babylonian period, one can cite an example of about 200 women with children and rarely husbands recorded as "household servants" (*aštapīrū*) of the temple of the goddess Annunītum in the city of Sippar-Amnānum. Seth Richardson (2019: 332) describes them as "outsiders on the inside," noting their exclusion from traditional membership structures. Another example would be the "fallen" persons (*miqtū*) of the Laws of Lipit-Ištar §§15-16 from ca. 1930 BC Isin (Richardson 2021: 61 n. 88; 2023: 27; Roth 1997: 29)

John Brinkman (1980: 17-21) and Jonathan Tenney (2011; 2017) refer to several thousand landless workers managed by the central authorities in Middle Babylonian Nippur as "servile laborers." Brinkman (1980: 21) acknowledges that "any present attempt to classify this group into a precise pigeonhole as 'chattel slave' or 'semi-free' is likely to prove counterproductive, since our terminology may be far from corresponding to the ancient reality." Additionally, he (1980: 21) laments that this social group poses "a sociologist's or legal historian's nightmare." As a way out, Tenney (2017: 716) introduces a broad concept of "servile systems" that defined Babylonian societies. These included, besides slavery and serfdom, dependency, forced labor of prisoners and captives, as well as deportees, wards of the state, dedicatees, and even the obligatory duties (corvée) of free citizens. He (2017: 716) argues that "servile people were legally, socially, and experientially distinct from the rest of the population."

Taking a Neo-Babylonian example, Michael Jursa (2010: 27, 57) describes the temple dedicatees, called *širkū* ("gifted, donated"), as "(temple) serfs," while Kleber (2011: 101) refers to them as "institutional dependents" with "limited freedom, in comparison with free citizens." Asher Ragen (2006) and Kleber (2011) demonstrate that they were considered citizens from a legal standpoint (*mār*(*at*) *banê*, "good, noble child"). Nevertheless, in practice, their actual social status and even naming practices were distinct from those of both citizens and slaves. Temple authorities controlled many essential aspects of their lives, such as marriage, mobility, and work, and the offspring of *širkū* inherited their status as "neither free nor slave" (Kleber 2011).

Upper Mesopotamian societies had similar social "gray zones." For example, Late Bronze Age Mitanni society consisted of at least four legally free social groups: a military aristocracy exempt from communal labor, commoners obliged to perform it, the "poor, tenants" who lost their right to property in land, and the "saved" or "released" dependents of state, temple, and private households who were redeemed from debt slavery and other forms of bondage. These dependents stood under the patronage of the households that provided them with work and protection (von Dassow 2011: 216).

All these groups—the Mitanni's "saved," "people of the month" and "menials" in Sumer, the Old Babylonian "household dependents," the Middle Babylonian "servile workers," Neo-Babylonian "gifted" people, and so on—fall between what modern scholars traditionally imagine as free citizens and slaves. In this situation, "the magnetism of the traditional tripartite division of labour into slave-serf-free appears to be irresistible" (Finley 1980: 70).

We believe one can resist this temptation in most cases after clarifying who was considered free and unfree in ancient Mesopotamia. Unfreedom in its pure form is traditionally associated with slavery. The absence of a book-length synthetic treatment of Mesopotamian slavery underscores both the richness and the complexity of the topic, signaling an important opportunity for further research. Defining the nature and characteristics of slavery in Mesopotamia from a diachronic perspective remains an ongoing endeavor, as scholars continue to grapple with shifting legal, social, and economic frameworks across different periods and regions (Culbertson 2024; Richardson 2023).

Many cuneiform scholars traditionally adhere to the traditional definition of slavery as ownership of humans (Snell 2011). This model views the three pillars of slavery postulated by Orlando Patterson (1982: 13)—the domination over, the alienation of, and the dishonor of an enslaved individual—as consequences of a slave being the *property of his master* (Lewis 2017). While still useful, this model does not account for the fact that a Babylonian paterfamilias could pledge for debt, sale, gift or donate to a deity anyone within his household regardless of their status (Richardson 2021: 64; articles by Bartash and Wunsch in this special issue).

Also, cuneiform scholars often differentiate between (a) debt slavery or servitude, which was, at least theoretically, a temporary condition, and (b) chattel slavery, which typically involved captured or purchased foreigners (Steinkeller 2015: 7; Richardson 2023: 23). It has been argued that the majority of slaves were natives who lost their freedom as a result of being sold for debt, enslaved due to criminal punishment, or born into slavery (Molina 2025: 309). We need to add that all five historically documented mechanisms of enslavement—(1) capture of foreigners as a result of war and kidnapping, (2) purchase of foreigners through organized slave trade, (3) debt slavery or servitude, (4) penal slavery, and (5) house-born slavery (Fynn-Paul 2009: 8)—are attested in ancient Mesopotamia, and that their prevalence likely varied over time and by region.

One of the many problems scholars encounter is the metaphorical use of terminology for slaves, such as Sumerian **arad$_2$** and **geme$_2$** and Akkadian *wardum* and *amtum*, to describe nonkinship relationships of subordination and dependency (Molina 2011; Verderame 2018:

19-21), making it difficult to determine who was truly enslaved. Only one type of slaves, the house-born variety, were sometimes designated with special words (Sumerian **ama-tu**, Old Babylonian Akkadian *wilid bītim*).

The question of freedom in Mesopotamia is equally complex. Laura Culbertson (2011: 10), among other cuneiform scholars, argues that the freedom-versus-slavery dichotomy is untenable. She follows Moses Finley, an authority on ancient slavery, in arguing that the concept of freedom had neither meaning nor existence for most of human history. Finley believes that ancient Near Eastern societies had slaves. Yet, instead of a category of "free" individuals, there was a spectrum of statuses with varying degrees of political and socioeconomic liberties. Finley links the emergence of the concept of freedom to the reforms of the early sixth-century BC Athenian statesman Solon, who abolished the serflike *hektēmoroi*, prohibited debt slavery and the use of personal freedom as collateral for loans, and allowed all citizens to appeal to a public court and participate in judicial processes. The concept of freedom as the idea of a citizen who was, at least theoretically, not subject to enslavement spread across the globe with the expansion of Western civilization (see Lenski 2018 for references and critique).

Samuel Noah Kramer (1963: 79) believes that the Sumerian concept of "the return to the mother" (**ama-ar-gi$_4$**) was the earliest known equivalent of personal freedom, but modern scholarship is critical on this point. This Sumerian word as well as its Akkadian and Hurrian counterparts, *andurārum* and *kirenzi*, had a broader semantic field of returning someone or something to its original state. They referred not only to the release of individuals from enslavement and captivity but also to the general restitution of debts and amnesty for criminals (Charpin 1987: 38-40; von Dassow 2013). Moreover, these concepts describe a process rather than a state.

Recent scholarship criticizes Finley's model of ancient Near Eastern societies as lacking the concept of freedom and, as a result, the status of freemen. Based on the work of the cuneiform scholar Eva von Dassow, among others, Kostas Vlassopoulos (2021: 122), an expert on ancient Greek slavery, argues that "freedom was a basic category of law in all societies of the ancient Near East. Not only was there no such thing as a spectrum of statuses in the Near East, but these societies also relied on a single fundamental distinction between free and slave. Furthermore, Near Eastern societies were clearly familiar with the concept of the citizen as a member of a political community."

Noel Lenski (2018: 42-43) goes beyond the political definition of a free citizen. He argues that freedom need not be tied to individual political rights or membership in the

politically dominant group. Instead, "freedom for a slave means adherence to the socially dominant group, be that politically, religiously, ethnically, or tribally defined. 'Freedom' for the ex-slave means access to the rights and privileges of the society within which s/he lives—liberation from the disadvantages of servitude, not necessarily enfranchisement in the state. Slavery, and its corollary 'freedom,' can therefore arise and thrive independently of participatory governance, as long as the boundaries and structures of community are impenetrable enough to exclude systematically a class of outsiders who live precariously within it."

Lenski's definition of an archetypal freeman as a member of the dominant social group fits perfectly into Mesopotamian societies, which consisted largely of free native citizens called "native" and "good, noble children" in Sumerian (**dumu-gir$_{15}$**) and Akkadian (*mār*(*at*) *banê*; Wilcke 2014: 522). Similarly, von Dassow (2011) defines freedom as the rights and duties of a citizen. These duties are commonly, though somewhat misleadingly, referred to by the French term corvée, which normally describes the forced labor of landless serfs for their landholding lords in medieval Western Europe. The Mesopotamian case was different. Free male citizens were required to work for a certain number of days each year for the community and to join the army in case of war. The Sumerian word **dupsik** ("basket for carrying dirt") illustrates well how this duty played a crucial role in creating what Mesopotamia is famous for: monumental architecture and irrigation (Steinkeller 2013). That is why these duties can also be referred to as "conscription" or "statute labor" (Tenney 2017: 721).

In return, a citizen man, a paterfamilias, had the right to possess a land allotment, participate in local civic institutions such as the popular assembly, and hold posts in legal and socioeconomic organizations like courts and temples. Whereas von Dassow (2011) defines this archetypal freeman-citizen as a subject of the state, we primarily associate citizenship with membership in a local urban or rural community. This is why sources describe individuals as "a child (citizen) of Nippur" or "Babylon" or even of a small rural settlement.

As for the often-misused concept of serfdom, historian Alice Rio (2017: 14), who traces the evolution of slavery into serfdom using the example of early medieval Europe, argues that "while both slavery and serfdom are designed to place a certain category of people at a fundamental disadvantage in terms of rights, slavery primarily concentrates on denying rights altogether, whereas serfdom is, instead, fundamentally geared towards charging for access to them." In medieval France and England, slavery gave way to serfdom, making the two systems incompatible—there could be either slavery or serfdom, but not both.

Moreover, Vlassopoulos (2021: 45-46) considers the entire debate on the distinction between slavery and serfdom in ancient societies a methodological error: "It is quite remarkable that so much in modern scholarly work has depended on what is clearly a lopsided comparison between a legal and a socio-economic concept." In his view, slavery is first and foremost a legal relationship in which one human is the property of another. In contrast, the traditional concept of serfdom describes the socioeconomic condition of native dependent peasants. Following Rio's model, he argues that scholars should not place social groups that deviate from the traditional image of slaves, such as helots, into the artificial category of serfs. Such "servile groups," in his view, were slaves.

We join Vlassopoulos and Lenski in asserting that ancient Mesopotamia had only two legal categories, free and unfree, and that the free were members of the dominant social group. Yet, the Mesopotamian cases analyzed in this special issue expand and refine this model with six major points:

1. The free population was broader than just citizens and included much smaller groups.
2. Dividing the population into the categories of "free" and "slave" must be done with the utmost care.
3. The legal dichotomy of free versus slave was not the only factor defining an individual's status and actual freedom of action—one's role in a household and emancipation were additional fundamental factors to consider.
4. Manumitted slaves had fewer rights than regular citizens, despite being de jure citizens too.
5. There were considerable differences among unfree statuses just like among the legally free ones.
6. Detention effectively "paused" individuals' actual freedom (freedom of movement and social action) without altering their formal legal status.

The first point is that the free population was broader than just citizens and included much-smaller groups, such as the third-millennium *muškēnū* and Ur III "menials." These people were clearly legally free, yet, lacking citizenship rights—they had fewer economic and political opportunities than citizens.

In "*Muškēnum* in Third-Millennium BC Mesopotamia," Vitali Bartash and Andrew Pottorf revisit the origins and social status of "those who prostrate themselves" (*muškēnū*, **MAŠ.GAG.EN**, etc.), challenging the long-held view that they were commoners or ordinary citizens. Third-millennium BC sources reveal that *muškēnū* were settled outsiders, largely of Semitic origin, and distinct from citizens of the communities in which they resided. Their

vulnerable status as noncitizens necessitated the protection of rulers or other influential patrons.

This phenomenon originated in the Semitic-speaking regions of central Mesopotamia. Early Dynastic lexical sources from the north depict *muškēnū* as marginal figures, grouped alongside male slaves, menial laborers, nomads/robbers, and sex workers. The Akkadian conquest of Sumer in the twenty-third century BC introduced this social category to Sumer, where a small number of *muškēnū* resided in imperial centers and moved between cities on errands.

References to *muškēnū* become more frequent during the Ur III period, revealing a key detail—they lived mostly in royal settlements and on the kingdom's periphery rather than in ancient Sumerian communities. This pattern may reflect a deliberate policy by the nascent territorial state to cultivate a loyal population distinct from the native citizens of ancient Sumerian communities, which had strong traditions of local autonomy. Male *muškēnū* were typically conscripted full time in low-income jobs in animal husbandry and cultivation, in contrast to male citizens (**dumu-gir$_{15}$**), who benefited from part-time conscription and additional income opportunities from hiring themselves out and self-employment. Although references to *muškēnū* women are scarce (a feminine form of the term is unattested), some may have been compelled into penal labor or sex work, paralleling the experiences of impoverished citizen women.

During the Old Babylonian period (2002-1595 BC), the term *muškēnum* in southern Babylonia continued to denote state-protected freemen-outsiders distinct from regular citizens. However, a significant shift occurred as Babylonian states began to use this category to conceptualize the entire free population, including citizens, as subjects of the king and the state. This diachronic historical study illuminates the intricate interplay of migration, patronage, politics, and social stratification in southern Mesopotamia over the longue durée.

In "**UN-il$_2$** ('Menials') as a Serflike Social Stratum during the Ur III Period," Andrew Pottorf examines the legally free but socioeconomically serflike **UN-il$_2$**. By applying Max Weber's model of social statuses (*Stände*), also known as orders, Pottorf identifies **UN-il$_2$** as the third major social group in Ur III society, alongside citizens and slaves. To better understand **UN-il$_2$**, particularly their socioeconomic statuses, Pottorf compares their terminology, origins, family lives, housing, legal rights, and economic conditions with citizens and slaves.

He tentatively interprets the term **UN-il$_2$** as a **dub-sar** formation meaning literally "people supporter(s)" (**un-il$_2$**), reflecting their year-round conscription as a service to the people,

though the term also means "menial" based on its association with the Akkadian term *kinattum*. Although legally free, **UN-il$_2$** were conscripted full time, which restricted their economic autonomy and social mobility. Typically, male **UN-il$_2$** had three and female **UN-il$_2$** five to six work-free days a month. Pottorf demonstrates that **UN-il$_2$** rarely accessed better-paid administrative or managerial roles, while most engaged in poorly compensated resource extraction. They worked for salaries in kind or received land allotments. However, their land allotments and yearly barley income were often two to three times less than those of citizens. While a few **UN-il$_2$** achieved modest financial independence, the majority remained impoverished, highlighting their marginalization within the economic and social structures of Ur III society.

Despite their hardships, male **UN-il$_2$** shared certain rights with citizens, such as temporary exemptions from labor to care for parents—a privilege probably denied to slaves. **UN-il$_2$** could maintain families, at least in some circumstances, and their status was likely hereditary. Pottorf suggests that the predecessors of the Ur III **UN-il$_2$** were mainly impoverished locals of similar status in earlier periods, such as the Early Dynastic "people of the month."

The second point we raise here is that dividing the population into the categories of "free" and "slave" must be done with the utmost care. For example, the Neo-Babylonian dedicatees (*širkū*) were de jure citizens but were de facto strongly dependent on and controlled by temple authorities. As a result, they shared many traits with slaves without actually being enslaved (Kleber 2011).

The status of individuals donated to temples in earlier periods is even more difficult to define. Vitali Bartash explores this practice in 2600-2000 BC Sumer in "Humans as Donations and the Question of Temple Slavery in Early Mesopotamia." He critiques the interpretation of dedicatees, and temple dependents in general, as "temple slaves." While these temple dependents were conceptualized as "servants" of deities—analogous to how chattels of private households were described—their status was unique, which is why some Ur III sources separate them from both citizens and slaves. Temple officials could neither sell nor release dedicatees, as they were bound to a divine master. The status of the Ur III and Old Babylonian dedicatees resembles in many respects that of the Neo-Babylonian dedicatees (*širkū*), who were legally citizens yet tightly controlled by temple authorities. The Neo-Babylonian *širkū* mark the final point in the long process of the formation of a broad social group of individuals in Babylonia who were permanently bound to temples. In essence, the consecrated persons in Sumer and Babylonia can hardly be described as "free" despite the fact that they, at least in the Neo-Babylonian period were citizens. Rather, they were unemancipated, *unalienable*

*temple* dependents (for emancipation, see the article by Wunsch in this special issue). Slaves, in contrast, were unemancipated *alienable* dependents in *private* households.

Bartash demonstrates that donors and dedicatees in Sumer were rarely closely related because the dedicatees were formerly foreign captives, slaves, and local precariat: incomplete families and forsaken individuals like orphans temporarily in households of distant relatives or nonkin individuals. Rulers donated mostly foreign captives of both sexes, sometimes in hundreds. In contrast, the majority of the private, nonelite donations included one to several individuals of local origin. Over three quarters of the dedicated individuals in a dataset from Ur III Girsu were females, with over 40 percent being female infants. The private donors were mostly men of all trades, which demonstrates that donation of humans was a commonplace phenomenon in Mesopotamia. It is also evident in the fact that people donated humans not only to large city temples but also to local town and even village sanctuaries. Few female donors gave away either their children or their slaves.

The Ur III dedicatees became part of a broader social group of unalienable temple dependents called "servants/slaves" of a deity who worked full time all year round for salaries in kind. Two other ways temple organizations secured these dependents were the purchase of individuals and their self-reproduction (these are called "the house-born ones"). These dependents, including the consecrated individuals, were employed mostly in menial labor, such as carrying water (men), weaving and grain processing (women), cleaning, and occasionally assisting in cult-related activities. While it is not entirely clear, many of them can be identified as **UN-il$_2$**.

Ur III officials often recorded donors' names. This practice, Bartash argues, may reflect the *paramonē* obligation (from Greek *paramenein*, "to remain") of the manumitted slaves. Such dedicatees kept living with and supporting their masters in old age. Following the death of their former masters, the manumitted and consecrated individuals became fully under the authority of the temple.

Bartash concludes that the consecration of individuals to temples in Mesopotamia represented an alternative to slavery. For impoverished families, donations offered a means to avoid selling family members into slavery. The donation of unwanted freemen (abandoned babies, orphans, lonely elderly, etc.) saved lives and kept streets clear of beggars. The dedication of foreign captives provided an effective mechanism for control and assimilation without true enslavement in private households.

The third point raised in this special issue is that the legal dichotomy of free versus slave was not the only factor defining an individual's status and actual freedom of action. Cornelia

Wunsch argues in "The Hoax of Semi-Freedom: Legal Status, Manumission, and Emancipation in the Neo-Babylonian Period" that two additional factors must be considered: one's role in a household and emancipation.

Wunsch argues in favor of only two legal statuses, nonslave ("free") and slave. She offers a straightforward "free-or-slave test": a free person could pass property and communal or state duties to the next generation whereas a slave could not. As a result, the Neo-Babylonian temple dedicatees and their offspring called *širkū* were free. Every other nonslave social group bound by obligations to individuals, organizations, or the state were free as well, including the Judean and other Levantine deportees who were settled on the royal land. This model advocates the view that all nonslaves were free, but the "freedom" was akin to many shades of gray rather than a single white color.

The crucial argument is that the concept of *emancipation* eliminates the need for the ill-defined servile status in ancient Mesopotamia. The position of the member of a household vis-à-vis the head of this household determined their legal capacity and the possibility of emancipation, which is defined as the legal ability to start their own household or join someone else's.

For example, the head of the household (usually the father of the family) was an emancipated individual. He had the maximum legal capacity and thus represented the archetypal Babylonian freeman. The majority of such men owed duties to a temple or the state. The type and nature of these obligations produced a multitude of social situations with resulting economic opportunities. His wife, children, and other relatives were free citizens from a legal standpoint. They were nevertheless unemancipated members of his household, just like his slaves. Regardless of their legal status, the unemancipated members of a household were "attached" to it via their relationship to its head—again, as kin or nonkin—and they could not operate autonomously in the society. Sons became emancipated after their father's death; daughters were simply transferred from one household to another upon their marriage without emancipation. Some women were emancipated, like widows without sons. Yet, such women usually chose to join a state, temple, or private household for protection and maintenance.

Wunsch illustrates her emancipation approach with the example of manumission during the Neo-Babylonian period. Manumission is the clearance of property rights of one person (master, as well as his heirs and creditors) over another person (slave), with the resulting change of status of the slave to the free. The individual is "cleansed" of his former status (*zakû*; see Bartash in this special issue for Old Babylonian *ullulum* and Sumerian **sag-ki … dadag**

"to clear the forehead (of the slave hairdo)"). Wunsch identifies two principal manumission outcomes across Mesopotamia, Asia Minor, the Levant, Egypt, and Greece:

*1a. Manumission with immediate emancipation* was when a master cleared the slave of the slave status and immediately emancipated him from under his authority. The new freeman was legally free to do whatever he wanted: to join someone else's household or to start his own one, given he had the means.

*1b. Manumission with emancipation upon master's death*. Emancipation of slaves in many cases took place only after the death of the master. The manumitted slave became an unemancipated member of the former master's household and owed him services "as a slave" or as an adopted child, "as a son." A common duty was to take care of the former master and his wife in old age. The freedmen could be reenslaved by their former masters and "fathers" if they neglected their duties.

*2. Manumission with consecration (a.k.a. dedication, oblation)* was a release from slavery without emancipation. The manumission cleared the rights of the owner over the slave and the consecration transferred the unemancipated freedman from the household of his former master to the household (temple) of his new master or mistress, a god or a goddess. The transfer could happen immediately, but often it happened only after the death of the head of the household with the freedman living with and taking care of his former master in old age. If the consecrated person was still young, he could start his own household under the umbrella of the temple household, look for a wife from among other dependents of the same temple, own and pass property to his children, and even do some business. Yet, he, let alone his wife and children, forever remained legally incapacitated despite being free and a head of his own private household. The status of the consecrated persons in ancient Mesopotamia was a social dead end, because a deity would never give back the gift, would never release his/her "servants" from their duties. The evidence of the release of dedicatees is either nonexistent or dubious. Wunsch argues that consecration of slaves was an important source of labor for Babylonian temples.

The emancipation perspective explains the practice that has been confusing scholars for generations. Namely, the right of a Mesopotamian household head to pledge, sell, or give as a gift or donate anyone within his household regardless of their legal status. The articles by Bartash and Wunsch demonstrate through their analysis of temple dedicatees in Sumer and late Babylonia that all humans in ancient Mesopotamia were saleable (givable, etc.), no matter whether free or slave. As a result, the transaction of sale or gift is in itself no indication of one's legal status.

In “The Precarious Inheritance Rights of Adopted Slaves during the Old Babylonian Period,” Jules Jallet-Martini raises the fourth point that is also evident in the articles by Bartash and Wunsch: manumitted slaves had fewer rights than regular citizens. Jallet-Martini examines the cases of slaves who were manumitted and adopted during the Old Babylonian period, focusing on their obligations, inheritance rights, and the practice of adoption-manumission. He highlights that while adopted slaves became free members of their adoptive families, their inheritance rights were often disadvantaged compared to biological heirs.

Adoptions of slaves were undertaken for various reasons, such as addressing infertility, ensuring labor, or securing support during old age. Slaves were adopted due to close personal ties with their owners or because they were the children of their owners and concubines. Jallet-Martini’s research confirms Wunsch’s conclusions that manumitted slaves remained duty-bound to their adoptive families until the death of the person, usually paterfamilias, who freed and adopted them. Upon the adopter’s death, the freedman-adoptee could either inherit the entire estate if the parents were childless or share the inheritance with other heirs, potentially providing means to establish an independent household.

Adoption-manumission could take effect either immediately or upon the adopter’s death, but the freed slave’s status remained vulnerable during the adopter’s lifetime. These contracts often included terms indicating the adoptee’s freed, literally “purified” status (*ullulum*), references to their former slave status, and penalty clauses threatening reenslavement if the adoptee violated the agreement. Through examples from many Babylonian cities, Jallet-Martini demonstrates how freed heirs typically had fewer inheritance rights than biological children, even when they were the eldest sons.

The fifth point that becomes evident in this special issue is that there were considerable differences among unfree statuses just like among the legally free ones. Annunziata Rositani demonstrates in “The Status of War Prisoners at Uruk in the Old Babylonian Period” that war captives, who are traditionally understood as “slaves,” were managed differently and in a different institutional context than regular domestic slaves. She examines the status of prisoners of war during the Old Babylonian period, focusing on two years of Rīm-Anum’s reign in Uruk, ca. 1742-1740 BC. These prisoners are documented in texts referring to the *bīt asīrī* (“house of prisoners”), which was likely a detention facility within the palace of Sîn-kāšid. Unlike chattel slaves, who were privately owned and sold as property, prisoners of war were managed by the administration and primarily performed forced labor, including brewing, fulling, kitchen work, poultry farming, reed working, and weaving.

Rositani emphasizes the distinct status of prisoners of war, noting that they could often be ransomed or released if they were from other Babylonian cities or Ešnunna, as they retained their identities as citizens of their former communities. Conversely, prisoners from foreign regions such as Subartum could occasionally be sold by the palace. The terminology used for these prisoners also underscores their unique status, as they were typically referred to by legally neutral terms like **sag-nita$_2$/munus** ("male/female heads") or **ša$_3$**/*ša šallatim* ("from/of the plunder") rather than **ir$_3$/geme$_2$** ("male/female slaves/servants").

While most prisoners were forced to serve the palace directly, some were donated to temples, especially those of higher rank, such as military officers or other prominent individuals from Ešnunna. Rositani proposes that these notable persons could be released from temple servitude after donation upon negotiations, which challenges the permanent status of donations as described in the articles by Bartash and Wunsch.

The sixth point, raised by John Nicholas Reid in "Detention as Liminal Space During the Middle Babylonian Period," is that *detention* effectively "paused" individuals' actual freedom (freedom of movement and social action) without altering their formal legal status, for example, as free citizens. Reid explores the role of detention as a liminal space during the Middle Babylonian period, identifying its two primary purposes as part of the judicial process and as a means to coerce labor. Although detention was not used as a form of punishment like imprisonment, the legal and social rights of detained individuals, regardless of their preexisting free or enslaved statuses, were often restricted.

To illustrate detention as a liminal space, Reid draws on literary texts from the second and first millennia, such as hymns and incantations, which compare detention to a womb—a transitional state between life and death. This analogy underscores the uncertain outcomes for detainees, who could be freed or punished after their cases were resolved. In judicial contexts, detention was often used for interrogation in cases involving various crimes, but it did not constitute a punishment if suspects were found guilty. Reid also notes instances where guarantors could provide restitution on behalf of suspects. Regarding labor coercion, Reid explains that detention was applied to individuals who failed to fulfill work obligations, particularly those who fled and were subsequently captured. If fugitives evaded capture, their family members or guards could be detained in their place, with guarantors sometimes pledging to locate the fugitives to secure the release of the detained.

As a result, the articles in this special issue go *beyond*, rather than between, the free-slave dichotomy in describing social complexity in ancient Mesopotamia. The authors apply a variety of approaches considering origin, household structure and its relationship to its head

(whether human or divine), emancipation, patronage, and economic access to resources and employment and political opportunities to demonstrate that there was no distinct third legal category between the free and the enslaved. So-called "serfs" were, in fact, either noncitizen freemen like *muškēnū*, unalienable household dependents like temple dedicatees, or individuals in precarious economic conditions like "menials." While the strict legalistic approach, with its free-slave dichotomy, remains essential, the articles highlight the importance of other distinctions, such as citizens versus noncitizens and emancipated heads of households versus unemancipated household dependents, both free and enslaved.

Amanda Pondany's "Beyond Slavery and Freedom in Ancient Mesopotamia: A Response" offers a deeply humanizing perspective that powerfully complements the broader arguments of this collection of articles. She reminds us that one of the great strengths of Mesopotamian studies lies in the vast number of primary sources written not for posterity but for immediate, practical needs that allow us to encounter individuals in their own social and historical contexts. Pondany emphasizes that behind every administrative record, adoption contract, or labor assignment lies a real person, navigating complex and often ambiguous social statuses. Her essay recenters the lived experiences of individuals like the weaver Iltani, turning data points into human stories.

References


Brinkman, J. A. 1980. Forced Laborers in the Middle Babylonian Period. *Journal of Cuneiform Studies* 32 (1): 17-22.

Charpin, Dominique. 1987. Les Décrets Royaux à l'Époque Paléo-Babylonienne, à Propos d'un Ouvrage Récent. *Archiv für Orientforschung* 34: 36-44.

Culbertson, Laura. 2011. Slaves and Households in the Near East. Pp. 1-17 in *Slaves and Households in the Near East*, ed. Laura Culbertson. Oriental Institute Seminars 7. Chicago: The Oriental Institute of the University of Chicago.

Culbertson, Laura. 2024. Slaves, serfs, and foreigners. Pp. 241-68 in *Society and the Individual in Ancient Mesopotamia*, ed. Laura Culbertson and Gonzalo Rubio. Studies in Ancient Near Eastern Records 33. Berlin: de Gruyter.

Finley, M. I. 1980. *Ancient Slavery and Modern Ideology*. New York: Viking.

Fynn-Paul, Jeffrey. 2009. Empire, Monotheism and Slavery in the Greater Mediterranean Region from Antiquity to the Early Modern Era. *Past & Present* 205 (1): 3-40.

Jursa, Michael. 2010. *Aspects of the Economic History of Babylonia in the First Millennium BC: Economic Geography, Economic Mentalities, Agriculture, the Use of Money and the Problem of Economic Growth*, vol. 4 of *Veröffentlichungen zur Wirtschaftsgeschichte Babyloniens im 1. Jahrtausend v. Chr*. Alter Orient und Altes Testament 377. Münster: Ugarit-Verlag.

Kleber, Kristin. 2011. Neither Slave nor Truly Free: The Status of the Dependents of Babylonian Temple Households. Pp. 101-11 in *Slaves and Households in the Near East*, ed. Laura Culbertson. Oriental Institute Seminars 7. Chicago: The Oriental Institute of the University of Chicago.

Kleber, Kristin. 2018. Dependent Labor and Status in the Neo-Babylonian and Achaemenid Periods. Pp. 441-65 in *What's in a Name? Terminology related to the Work Force and Job Categories in the Ancient Near East*, ed. Agnès Garcia-Ventura. Alter Orient und Altes Testament 440. Münster: Ugarit-Verlag.

Koslova, Natalia. 2008. Bezeichnungen der Arbeitskräfte in Umma der Ur III-Zeit. Pp. 149-206 in *The Growth of an Early State in Mesopotamia: Studies in Ur III Administration; Proceedings of the First and Second Ur III Workshops at the 49th and 51st Rencontre Assyriologique Internationale, London July 10, 2003 and Chicago July 19, 2005*, ed. Steven J. Garfinkle and J. Cale Johnson. Biblioteca del Próximo Oriente Antiguo 5. Madrid: Consejo Superior de Investigaciones Científicas.

Kramer, Samuel Noah. 1963. *The Sumerians: Their History, Culture, and Character*. Chicago: University of Chicago Press.

Lenski, Noel. 2018. Framing the Question: What Is a Slave Society? Pp. 15-57 in *What Is a Slave Society? The Practice of Slavery in Global Perspective*, ed. Noel Lenski and Catherine M. Cameron. Cambridge: Cambridge University Press.

Lewis, David M. 2017. Orlando Patterson, Property, and Ancient Slavery: The Definitional Problem Revisited. Pp. 31-54 in *On Human Bondage: After Slavery and Social Death*, ed. John Bodel and Walter Scheidel. Chichester: Wiley-Blackwell.

Molina, Manuel. 2011. Sklave, Sklaverei. A. Im 3. Jahrtausend. Pp. 562–564 in *Reallexikon der Assyriologie*, vol. 12, parts. 7/8, ed. M. P. Streck. Berlin: De Gruyter.

Molina, Manuel. 2025. The Laws of Ur-Namma and the Neo-Sumerian Legal Practice. Pp. 265-339 in *Keilschriftrecht zwischen Theorie und Praxis, Episteme in Bewegung. Beiträge zu einer transdisziplinären Wissensgeschichte*, ed. E. Cancik-Kirschbaum and I. Schrakamp. Wiesbaden: Harrasowitz.

Patterson, Orlando. 1982. *Slavery and Social Death: A Comparative Study*. Cambridge: Harvard University Press.

Pottorf, Andrew Richard. 2022. *Social Stratification in Southern Mesopotamia during the Third Dynasty of Ur (ca. 2100–2000 BCE)*. PhD diss., Harvard University.

Prentice, Rosemary. 2010. *The Exchange of Goods and Services in Pre-Sargonic Lagash*. Alter Orient und Altes Testament 368. Münster: Ugarit-Verlag.

Ragen, Asher. 2006. *The Neo-Babylonian* širku*: A Social History*. PhD diss., Harvard University.

Richardson, Seth. 2019. Aliens and Alienation, Strangers and Estrangement: Difference-Making as Historically-Particular Concept. Pp. 307-40 in *A Stranger in the House – the Crossroads III. Proceedings of an International Conference on Foreigners in Ancient Egyptian and Near Eastern Societies of the Bronze Age held in Prague, September 10–13, 2018*, ed. Jana Mynářová, Marwan Kilani, and Sergio Alivernini. Prague: Charles University, Faculty of Arts.

Richardson, Seth. 2021. Partial Persons, Unsafe Spaces: The Babylonian Production of Class through Laws About Animals. Pp. 41-67 in *Animals and the Law in Antiquity*, ed. Saul M. Olyan and Jordan D. Rosenblum. Brown Judaic Studies. Providence: Brown University.

Richardson, Seth. 2023. Mesopotamian Slavery. Pp. 17-39 in *The Palgrave Handbook of Global Slavery throughout History*, ed. Damian A. Pargas and Juliane Schiel. Cham, Switzerland: Palgrave Macmillan.

Rio, Alice. 2017. *Slavery After Rome, 500–1100*. Oxford Studies in Medieval European History. Oxford: Oxford University Press.

Roth, Martha T., with a contribution by Harry A. Hoffner Jr. 1997. *Law Collections from Mesopotamia and Asia Minor*, 2nd ed., ed. Piotr Michalowski. Writings from the Ancient World 6. Atlanta: Scholars Press.

Snell, Daniel C. 2011. Slavery in the Ancient Near East. Pp. 4-21 in *The Ancient Mediterranean World*, vol. 1 of *The Cambridge World History of Slavery*, ed. Keith Bradley and Paul Cartledge. Cambridge: Cambridge University Press, 2011.

Steinkeller, Piotr. 2013. Corvée Labor in Ur III Times. Pp. 347-424 in *From the 21st Century B.C. to the 21st Century A.D.: Proceedings of the International Conference on Sumerian Studies Held in Madrid, 22–24 July 2010*, ed. Steven J. Garfinkle and Manuel Molina. Winona Lake, IN: Eisenbrauns.

Steinkeller, Piotr. 2015. Introduction. Labor in the Early States: An Early Mesopotamian Perspective. Pp. 1-35 in *Labor in the Ancient World*, ed. Piotr Steinkeller and Michael Hudson. The International Scholars Conference on Ancient Near Eastern Economies 5. Dresden: ISLET-Verlag.

Steinkeller, Piotr. 2017. An Estimate of the Population of the City of Umma in Ur III Times. Pp. 535-66 in *At the Dawn of History: Ancient Near Eastern Studies in Honour of J. N. Postgate*, vol. 2, ed. Yağmur Heffron, Adam Stone, and Martin Worthington. Winona Lake, IN: Eisenbrauns.

Steinkeller, Piotr. 2018. Care for the Elderly in Ur III Times: Some New Insights. *Zeitschrift für Assyriologie* 108 (2): 136-42.

Tenney, Jonathan S. 2011. *Life at the Bottom of Babylonian Society: Servile Laborers at Nippur in the 14th and 13th Centuries B.C*. Culture and History of the Ancient Near East 51. Leiden: Brill.

Tenney, Jonathan S. 2017. Babylonian Populations, Servility, and Cuneiform Records. *Journal of the Economic and Social History of the Orient* 60 (6): 715-87.

Verderame, Lorenzo. 2018. Slavery in Third-Millennium Mesopotamia: An Overview of Sources and Studies. *Journal of Global Slavery* 3: 13-40.

Vlassopoulos, Kostas. 2021. *Historicising Ancient Slavery*. Edinburgh Studies in Ancient Slavery. Edinburgh: Edinburgh University Press.

Von Dassow, Eva. 2011. Freedom in Ancient Near Eastern Societies. Pp. 205-24 in *The Oxford Handbook of Cuneiform Culture*, ed. Karen Radner and Eleanor Robson. Oxford: Oxford University Press.

Von Dassow, Eva. 2013. Piecing Together the Song of Release. *Journal of Cuneiform Studies* 65: 127-62.

Wilcke, Claus. 2014. Gesetze in sumerischer Sprache. Pp. 455-616 in *Studies in Sumerian Language and Literature*. *Festschrift für Joachim Krecher*, ed. N. Koslova, E. Vizirova, and G. Zólyomi. Babel und Bibel: Annual of Ancient Near Eastern, Old Testament, and Semitic Studies 8. Orientalia et Classica 56. Winona Lake, IN: Eisenbrauns.