

## RESEARCH ARTICLE

# Punishment for the Coercion of Labour during the Ur III Period

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### Abstract

This article traces corporal and collective punishment in relation to the labour control of slaves and other dependent persons during the Ur III period (c.2100–2000 BCE). Slaves and other dependent persons often worked in related contexts with some overlap in treatment. Persons of different statuses could be detained and forced to work. Persons of various statuses also received rations and other benefits, but the evidence suggests that the most extreme forms of corporal punishment were reserved for slaves. This article, however, contextualizes these threats of mutilation and the death penalty, demonstrating that such punishments should be considered the exception and not the norm.

### Introduction

Physical punishment in relation to labour coercion was likely common for many children, slaves, and other dependent persons. Just before the Third Dynasty of Ur (c.2100–2000 BCE) [hereafter, Ur III], Gudea, ruler of the Second Dynasty of Lagaš (c.2200–2100 BCE), claimed to have ended certain abuses while building a temple for Ningirsu. On one of his dedicatory statues, Gudea says: “No one was beaten by the whip or hit by the goad, a mother did not beat her child.”<sup>1</sup> Further, Gudea states: “I had debts remitted and ‘washed all hands.’ For seven days no grain was ground. The slave woman was equal to her mistress, the slave was allowed to walk side by side with his master.”<sup>2</sup> Although the actual implementation of these particular social reforms is not confirmed in other documents, these claims of pious acts relate to ideals dealing with ritual purity for the purpose of temple building.<sup>3</sup> This idyllic social

<sup>1</sup>Gudea Statue B, iv: 10–12, Collection of Antiquités Orientales of the Musée du Louvre, Paris = AO 2; RIME 3/1.01.07, St B dark green diorite statue, c.2200–2100 BCE, column iv: 10–12 (= Dietz Otto Edzard, *Royal Inscriptions of Mesopotamia – Early Periods*, III/I: *Gudea and His Dynasty* (Toronto, 1997)). Translation by Edzard. Unless otherwise stated, translations are mine.

<sup>2</sup>Gudea Statue B, vii: 29–30 (AO 2, diorite statue; RIME 3/1.01.07, St B, column vii: 29–33, translation by Edzard, *Gudea and His Dynasty*).

<sup>3</sup>It should be noted that debt releases by kings are well attested in the documentation for the later Old Babylonian period. On the practice of establishing justice in the land and releases, see Dominique Charpin, “Les édits de ‘restauration’ des rois babyloniens et leur application”, in Claude Nicolet (ed.), *Du pouvoir dans L’Antiquité. Mots et réalités, Hautes études du monde Gréco-Romain* (Geneva, 1990), XVI, pp. 13–

picture reflects a practice of negative confessions by kings that is tied to ritual activity and purity ideals.<sup>4</sup> The text could be intended to reflect a social reform that fits in the tradition of earlier reforms, such as the one of Urukagina.<sup>5</sup> But more particular to the focus of this article, the text distinguishes between the negative and positive treatment of labour, envisioning an ideal that included societal harmony rather than physical abuse.

Again, although it is unknown if Gudea's reforms were ever practised, the text shows that there was, at the very least, a contemplative difference between the good treatment of dependent persons of differing statuses and the poor treatment of said persons. As would be expected, much like today, not everyone was treated poorly, and not everyone was treated well. Life was complicated, and the text cited above gives voice to a royal ideal that involved celebrating the proper treatment of dependent persons of all statuses. So, while it is unknown if the practice was implemented, the concept is clearly present in ancient Mesopotamia and indicates that the difference between good treatment and poor treatment of dependents was known. If the difference was known, and positive treatment was celebrated as a pious act, then it is reasonable to conclude that some dependents of various classes were treated well while others were treated poorly.<sup>6</sup> It was not all bad or all good. The everyday realities of life were complicated. Still, some distinctions do appear to emerge in the treatment

24; Dominique Charpin, "L'andurārum à Mari", *MARI*, 6 (1990), pp. 253–270; William W. Hallo, "Slave Release in the Biblical World in Light of a New Text", in Ziony Zevit, Seymour Gitin, and Michael Sokoloff (eds), *Solving Riddles and Untying Knots: Biblical, Epigraphic and Semitic Studies in Honor of Jonas C. Greenfield* (Winona Lake, IN, 1995), pp. 88–89; Fritz Rudolf Kraus, *Königliche Verfügungen in altbabylonischer Zeit* (Leiden, 1984). On purity in Mesopotamia, see Walther Sallaberger, "Reinheit A. Mesopotamien", *Reallexikon der Assyriologie und Vorderasiatischen Archäologie*, 11 (2007), pp. 295–299; Michaël Guichard and Lionel Marti, "Purity in Ancient Mesopotamia: The Paleo-Babylonian and Neo Assyrian Periods", in Christian Frevel and Christophe Nihan (eds), *Purity and the Forming of Religious Traditions in the Ancient Mediterranean and Ancient Judaism* (Leiden, 2013), pp. 47–113. Note, too, Beate Pongratz-Leisten, "Reflections on the Translatability of the Notion of Holiness", in Mikko Luukko, Saana Svård, and Raija Mattila (eds), *Of God(s), Kings, Trees, and Scholars: Neo-Assyrian and Related Studies in Honour of Simo Parpola*, *Studia Orientalia* 106 (Helsinki, 2009), pp. 409–427, 414, on judicial aspects of purity in Gudea's temple building inscriptions, such as the selection of the location for clay to make the bricks.

<sup>4</sup>For a study of the negative confession in relation to the later New Year Festival, see Beate Pongratz-Leisten, "Das 'negative Sündenbekenntnis' des Königs anlässlich des babylonischen Neujahrsfestes und die kiddinūtu von Babylon", in Jan Assmann, Theo Sundermeier, and Henning Wrogemann (eds), *Schuld, Gewissen und Person. Studien zur Geschichte des inneren Menschen*, *Studien zum Verstehen fremder Religionen* 9 (Gütersloh, 1997), pp. 83–101.

<sup>5</sup>See RIME 1.09.09.1, [Reforms of Urukagina], clay cone, c.2500–2340 BCE, Louvre Museum, Paris, France, AO 03278 (= Douglas R. Frayne, *Royal Inscriptions of Mesopotamia – Early Periods*, I: *Presargonic Period (2700–2350)* (Toronto, 1998)); Blahoslav Hruška, "Die innere Struktur der Reformtexte Urukaginas von Lagaš", *Archiv Orientální*, 41 (1973), pp. 104–132; Piotr Steinkeller, "The Reforms of Urukagina and an Early Sumerian Term for 'Prison'", in Piotr Michalowski, Piotr Steinkeller, Elizabeth Caecilia Stone, and Richard L. Zettler (eds), *Velles Paravales: Ancient Near Eastern Studies in Honor of Miguel Civil*, *Aula Orientalis* 9 (Barcelona, 1991), pp. 227–233.

<sup>6</sup>In the "Laws of Hammurapi", §§115–116, there is a distinction made between the natural death of a person held as a distraint and one that was because of mistreatment. When a distraint died because of mistreatment, there were penalties that were attached to the death based on the status of the distraint. If the death occurred without beatings or physical abuse, then the creditor was not held liable. While likely not a "law", this demonstrates that, at least on the conceptual level, there was a known distinction between the good treatment and the poor treatment of dependents and workers.

of persons of differing statuses with respect to punishment and threats of punishment for labour coercion during the Ur III period.

In this article, I will discuss the punishment of slaves and other dependent workers during the Ur III period. While the Ur III period is the focus here, various texts from the Old Babylonian period (c.1900–1600 BCE) will also be referenced at points to elaborate upon practices and discuss some of the social changes that occurred.

To avoid the unintended impression that everything was great in Mesopotamia or that everything was terrible and violent, the present article will discuss the positive and negative aspects of the treatment of dependent persons to provide a fuller social picture. While the focus will be on approaches to and threats of punishment that resulted in and facilitated labour coercion, it should be kept in mind that the more extreme forms of punishment were likely exceptions and not the rule. The reasons for this are several. First, of the many surviving texts dating to the Ur III period, attestations to threats of extreme punishment are decidedly limited. Second, households, most of whom likely only possessed a few slaves,<sup>7</sup> did not want to mutilate or kill a slave and, by so doing, hurt the household. A brief discussion below will use texts from the later Old Babylonian period to offer a potential reason why such severe punishment could ever happen. But, in short, mutilating or killing runaway slaves would have been uncommon. Finally, other than accounting, writing was focused primarily on the exceptions and not the norms.<sup>8</sup> So, when extreme details of threats or expressed desires to punish come to the fore in documents, it is likely because the matter was not part of the usual course of life. With these caveats in mind, this paper contends that both slaves and “state” dependents could receive similar treatment, but the threats of the most severe forms of punishment – at least, as far as the record attests – were directed towards slaves. This suggests that slavery was ill-defined, sharing many features with other persons belonging to the lower stratum while also cautioning against flattening the lower stratum altogether. The primary focus of this article, however, is on how punishment was used to coerce labour during the Ur III period.

### Ur III Period and Debate About Slavery

Despite only lasting approximately one hundred years, the Ur III period left a remarkable record of nearly 100,000 texts.<sup>9</sup> Most of these texts are administrative, as administrators sought to keep track of and allocate resources. Of particular interest

<sup>7</sup>See discussion below.

<sup>8</sup>For helpful discussions about what was written down and what was not, see Marc Van De Mieroop, “Why Did they Write on Clay?”, *Beiträge zur Alten Geschichte*, 79 (1997), pp. 7–18; Marc Van De Mieroop, “On Writing a History of the Ancient Near East”, *Bibliotheca Orientalis*, 54 (1997), pp. 285–305; Piotr Steinkeller, “Toward a Definition of Private Economic Activity in Third Millennium Babylonia”, in Robert Rollinger, Christoph Ulf, and Kordula Schnegg (eds), *Commerce and Monetary Systems in the Ancient World: Means of Transmission and Cultural Interaction: Proceedings of the Fifth Annual Symposium of the Assyrian and Babylonian Intellectual Heritage Project, Held in Innsbruck, Austria, October 3rd–8th 2002* (Stuttgart, 2004), pp. 91–111, 95–96.

<sup>9</sup>See Steven J. Garfinkle, “Ur III Administrative Texts: Building Blocks of State Community”, in Paul Delnero and Jacob Lauinger (eds), *Texts and Contexts: The Circulation and Transmission of Cuneiform Texts in Social Space* (Boston/Berlin, 2015), pp. 143–165, 145.

here is how those in positions of authority during the Ur III period exerted control over human resources.

Despite the number of texts dealing with this subject, it is important to remember that only some things were written down and that not everything that was written down has been preserved. While texts like the Gudea above suggest that physical punishment could occur across social relationships in relation to labour acquisition and control, the written record indicates that there were some differences that one might observe when considering the punishment and threats of punishment of persons of different social statuses, but also a complex overlap in terms of context and treatment.

Still, determining social status in the Mesopotamian records is complicated. Degrees of functional overlap create challenges when attempting to distinguish between “slaves” and other lower-stratum workers.<sup>10</sup> This problem is exacerbated by the broad semantic range of the terms related to slavery, such as arad/arad<sub>2</sub> and geme<sub>2</sub>, which can refer to slaves or servants.<sup>11</sup> In the field of Assyriology, legal and economic approaches were taken to solve the problem,<sup>12</sup> as well as attempts to focus on treatment when studying the distinguishing features of slavery.<sup>13</sup> While

<sup>10</sup>Igor M. Diakonoff, “Slave-Labour vs. Non-Slave Labour: The Problem of Definition”, in Marvin A. Powell (ed.), *Labor in the Ancient Near East* (New Haven, CT, 1987), pp. 1–3, 1.

<sup>11</sup>Ignace J. Gelb, “Prisoners of War in Early Mesopotamia”, *Journal of Near Eastern Studies*, 32 (1973), pp. 70–98, 76. See more recently Lorenzo Vederame, “Slavery in Third-Millennium Mesopotamia: An Overview of Sources and Studies”, *Journal of Global Slavery*, 3 (2018), pp. 13–40, 19–21; Heather D. Baker, “Slavery and Personhood in the Neo-Assyrian Empire”, in John P. Bodel and Walter Schneidel (eds), *On Human Bondage: After Slavery and Social Death* (Hoboken, NJ, 2017), pp. 15–30, 24–25. Baker’s article deals with the Neo-Assyrian period, but the overall article is relevant for methodology.

<sup>12</sup>See Robert K. Englund’s brief critique of the earlier debate, primarily represented by Diakonoff and Gelb: Robert K. Englund, “Hard Work: Where Will It Get You? Labor Management in Ur III Mesopotamia”, *Journal of Near Eastern Studies*, 50 (1991), pp. 255–280, 255–256. Englund stated that the paucity of tools available at the time and the subjective nature of much of the discussion hindered the results. More recently, important attempts to revisit the question include for the Middle Babylonian Period: Jonathan S. Tenney, *Life at the Bottom of Babylonian Society: Servile Laborers at Nippur in the 14th and 13th Centuries, B.C.* (Leiden/Boston, MA, 2011); Jonathan S. Tenney, “Babylonian Populations, Servility, and Cuneiform Records”, *Journal of the Economic and Social History of the Orient*, 60 (2017), pp. 715–787. See further the proceedings of the Chicago Symposium on slavery: Laura Culbertson (ed.), *Slaves and Households in the Near East: Papers from the Oriental Institute Seminar, Slaves and Households in the Near East, Held at the Oriental Institute of the University of Chicago 5–6 March 2010*, University of Chicago Oriental Institute Seminars 7 (Chicago, IL, 2011). Recent discussions of the terminology related to slavery for the Neo-Assyrian period include Karen Radner, *Die neuassyrischen Privatrechtsurkunden als Quelle für Mensch und Umwelt*, State Archives of Assyria Studies 6 (Helsinki, 1997), pp. 202–248.

<sup>13</sup>Since such a large semantic range exists for the term *wardum* (slave) and other terms relating to slavery (Muhammad A. Dandamaev, *Slavery in Babylonia: From Nabopolassar to Alexander the Great (626–331 BC)*, rev. edn, ed. Marvin A. Powell, trans. Victoria A. Powell (DeKalb, IL, 1984)), several methods have been employed to determine the status of individuals mentioned in the texts of the ancient Near East. Dandamaev, for example, seeks to determine whether a person can be sold or branded in the Neo-Babylonian period. If such is the case, then Dandamaev considers the individual to be a slave (Dandamaev, *Slavery in Babylonia*, pp. 78–79). Gelb argues against Dandamaev’s criteria, since Gelb thinks that his own work renders Dandamaev’s method insufficient (Ignace J. Gelb, “Quantitative Evaluation of Slavery and Serfdom”, in Barry L. Eichler, Jane W. Heimerdinger, and Åke W. Sjöberg (eds), *Kramer Anniversary Volume: Cuneiform Studies in Honor of Samuel Noah Kramer* (Kevelaer, 1976), pp. 195–

the discussion largely came to an impasse, the most recent approaches tend to deal with the question of slavery in the ancient Near East in relation to the legal question of alienability. In Daniel Snell's view, for example, although some slaves were never sold, the potential for sale was the critical feature of slavery.<sup>14</sup> When dealing with the Neo-Assyrian period, Heather Baker takes a "minimalist approach" in search of what she calls "firmer ground when dealing with those slaves whom we know to have been bought and sold in the 'regular' sale contracts".<sup>15</sup> Still, as described by Laura Culbertson:

A study that isolates slaves for treatment, positing a uniform definition for "slave" while simultaneously neglecting the relationships around them, risks assuming that slavery is an inherent condition that takes a similar shape across time and place without regard for context. Slavery is not in fact definable without reference to relationships within the broader social, economic, and legal concepts that surround it.<sup>16</sup>

Culbertson's edited volume advanced the state of the discussion by considering the household as offering insight into the nature of slavery through relationships. This article looks at the work context to provide insight into the coercion of slaves and other lower-stratum workers. The context of work outside the household is also where so many questions arise since slaves and other lower-stratum persons were worked in a particular context with singular oversight. This study highlights the overlap in treatment and context, suggesting that slavery was not an "inherent condition".

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207, 201). Gelb states that members of the semi-free class (whom he calls serfs) were marked or branded, while Dandamaev views such individuals as slaves on that basis. Gelb ("From Freedom to Slavery", in Dietz Otto Edzard (ed.), *Gesellschaftsklassen im Alten Zweistromland und in den angrenzenden Gebieten. XVIII Rencontre Assyriologique internationale* (Munich, 1972), pp. 81–92, 82) explains his own approach as follows: "Because of the difficulties in defining the terms 'slavery' and 'serfdom' based on such criteria as freedom, salability, legal rights, my own approach to the whole question of labor classes is based not on outside form, as reflected in terminology, but on function, as reflected in the utilization of the labor" (p. 87). In one of his earlier writings, Gelb ("The Ancient Mesopotamian Ration System", *Journal of Near Eastern Studies*, 24 (1965), pp. 230–243, 240–241) rejects the use of the term serf based on its medieval feudal connections, preferring to refer to the *guruš* class. Gelb, however, in his later writings continues to utilize the term. See, for instance, Gelb, "Quantitative Evaluation", pp. 195–207; Ignace J. Gelb, "Definition and Discussion of Slavery and Serfdom", *Ugarit-Forschungen*, 11 (1979), pp. 283–297. Gelb ("From Freedom to Slavery", p. 87) compares "slaves" with "serfs" using twenty "distinctive features". See Diakonoff's (Igor M. Diakonoff, "Slaves, Helots and Serfs in Early Antiquity", *Acta Antiqua Academiae Scientiarum Hungaricae*, 22 (1974), pp. 45–78, 56–63) interaction with Gelb's categories.

<sup>14</sup>Daniel C. Snell, *Life in the Ancient Near East: 3100–332 B.C.E.* (New Haven, CT, 1997), p. 21. More recently, Snell mentioned saleability as a criterion for a "traditional" definition of slavery, after which he discussed and employed to some extent Orlando Patterson's definition of slavery (Orlando Patterson, *Slavery and Social Death: A Comparative Study*, Cambridge, MA, 1982), only to return to the question of saleability for his conclusion (Daniel C. Snell, "Slavery in the Ancient Near East", in Keith Bradley and Paul Cartledge (eds), *The Cambridge World History of Slavery, I: The Ancient Mediterranean World* (Cambridge, 2011), pp. 4–21, 4, 20–21).

<sup>15</sup>Baker, "Slavery and Personhood", pp. 24–25. For a legal definition of slavery, see Raymond Westbrook, "Slave and Master in Ancient Near Eastern Law", *Chicago-Kent Law Review*, 70 (1995), pp. 1631–1676, 1634. Raymond Westbrook, "ziz.da/kiššatum", *Wiener Zeitschrift für die Kunde des Morgenlandes*, 86 (1996), pp. 449–459, 458.

<sup>16</sup>Culbertson, "Introduction", in *Slaves and Households*, p. 2.

Slaves could benefit from working outside the household while earning trust and sharing in community projects. Slaves could be set free, often on the death of their owner. But slaves could also suffer consequences for flight. While most of the repercussions looked exactly like those meted out to other lower-stratum workers, more extreme punishment was sometimes threatened.

But a caveat is in order. Punishment for labour coercion cannot provide the fundamental means of isolating slaves in texts, but it does belong to the necessary groundwork for moving towards a greater understanding of slavery in its varied contexts. While the question of slavery cannot be solved in this brief paper, nor is it even attempted, it is worth noting that whenever extreme threats of punishment for labour coercion appear, one of the terms associated with slavery is present in the sources from the Ur III period.

### Labour Context

Lorenzo Verderame summarizes the three primary sources of slaves in the Ur III period: prisoners of war, citizens, and unidentified.<sup>17</sup> Not all prisoners of war became slaves, but taking captives served as one source. Citizens could be reduced to forms of slavery through debt or because of crime. Still, the origin of many slaves in the Ur III period remains unpreserved.

It should be noted that it is generally agreed that slavery in ancient Mesopotamia was not a significant source of labour. As early as 1976, Ignace J. Gelb referred to slavery as a negligible part of the population.<sup>18</sup> This general viewpoint has only grown. As justification for a symposium on slavery and subsequent publication of the results, Culbertson states: “The increasing recognition of slavery’s negligible role in labor spheres of the Near Eastern societies also prompts new questions about the place, purpose, and experience of slavery in specific Near Eastern contexts.”<sup>19</sup> Verderame writes that for the Ur III period: “The few references to slaves in the vast corpus of Neo-Sumerian documents seems to ground Gelb’s statement that their number and impact was limited.”<sup>20</sup> Verderame, however, helpfully points to some potential exceptions in the evidence.

In one text, the inheritance of a household is divided. The total number of slaves is twenty-six (seventeen males and nine females).<sup>21</sup> More recently, the data from a construction project at Garšana during the Ur III period has led to further questions and reconsiderations among some scholars about the role of slavery and its impact.<sup>22</sup> In particular, the household of Šu-Kabta had approximately 175 “slaves”.<sup>23</sup> Considering

<sup>17</sup>Verderame, “Slavery in Third-Millennium Mesopotamia”, pp. 21–25.

<sup>18</sup>Gelb, “Quantitative Evaluation”, pp. 195–207.

<sup>19</sup>Culbertson, “Introduction”, p. 1.

<sup>20</sup>Verderame, “Slavery in Third-Millennium Mesopotamia”, p. 33.

<sup>21</sup>David I. Owen, “Widows’ Rights in the Ur iii Sumer”, *Zeitschrift für Assyriologie und Vorderasiatische Archäologie*, 70 (1980), pp. 170–184; Bertrand Lafont, “Les textes judiciaires sumériens”, in Francis Joannès (ed.), *Rendre la justice en Mésopotamie. Archives judiciaires du Proche-Orient Ancien (iiiie–ier millénaires avant J.-C.)* (Saint-Denis, 2000), pp. 35–68; Manuel Molina, *La ley más Antigua. Textos legales sumerios* (Barcelona, 2000), pp. 49–51, n. 10. Verderame, “Slavery in Third-Millennium Mesopotamia”, pp. 33–34.

<sup>22</sup>See Robert McC. Adams, “Slavery and Freedom in the Third Dynasty of Ur: Implications of the Garshana Archives”, *Cuneiform Digital Library Journal*, 2 (2010), §4.1.

<sup>23</sup>Adams, “Slavery and Freedom”, §4.

this potentially notable exception,<sup>24</sup> it should be recalled that, given the broad semantic range of the term *arad*, as discussed above, it is unlikely that all of these “slaves of the household” were slaves instead of “servants” or dependents of the household.<sup>25</sup> At least a couple of reasons can be offered for this viewpoint. As Piotr Steinkeller points out, individuals in these texts from Garšana, such as CUSAS 3: 16, 30, and 33, who are described as *arad<sub>2</sub> e<sub>2</sub>-a-me-eš<sub>2</sub>* (servants of the household) and *lu<sub>2</sub>-hun-ga<sub>2</sub>-me-eš<sub>2</sub>* (hirelings) are summarized in the total as *eren<sub>2</sub>*, who are typically considered as non-slave workers dependent upon royal households.<sup>26</sup>

Further, scribal managers, for example, appear among these individuals described as “slaves/servants”. Given the semantic range of the terminology, it is more likely that some, if not many, of these persons were dependents rather than “slaves”. But even if it could be demonstrated that all these persons were “slaves”, the size of this household would represent the exception of a very large and influential household and not the norm, given the limited references to slaves in the existing corpora.

Rather than an economy that consisted primarily of slave labour, Steinkeller argues that most of the labour force entailed persons who “owed services – primary labour – to the king. In exchange for those services, the *éren* received various benefits from the crown. Most important, the king granted them the *uso fructo* rights to royal land”.<sup>27</sup> Numerous individuals who were not slaves worked for royal and institutional administrative bodies in regions under the governor’s control.<sup>28</sup> There were certain benefits to be had by working in these contexts.<sup>29</sup> These dependents were moved around and placed under the authority of overseers to complete specific tasks. The overseers were accountable for the distribution of rations and related production.

<sup>24</sup>*Ibid.*, §§4.2–4.5.

<sup>25</sup>See discussion in Piotr Steinkeller, “Introduction: Labor in Early States: An Early Mesopotamian Perspective”, in *idem* and Michael Hudson (eds), *Labor in the Ancient World*, International Scholars Conference on Ancient Near Eastern Economies 5 (Dresden, 2015), pp. 1–36, 7, n. 12. When considering the *eren<sub>2</sub>*, Natalia Koslova (Natalia V. Koslova, “Bezeichnungen der Arbeitskräfte in Umma der Ur III-Zeit”, in Steven J. Garfinkle and Justin C. Johnson (eds), *The Growth of an Early State in Mesopotamia: Studies in Ur III Administration* (Madrid, 2008), pp. 149–206) discussed the term *dumu-gi<sub>7</sub>* in Umma, demonstrating the term is largely synonymous with *eren<sub>2</sub>*. Such terms have been considered referring to people who are non-slaves (Koslova, “Bezeichnungen der Arbeitskräfte”, p. 152), the free (Piotr Steinkeller, “Corvée Labor in Ur III Times”, in Steven Garfinkle and Manuel Molina (eds), *From the 21st Century B.C. to the 21st Century A.D.: Proceedings of the International Conference of Sumerian Studies held in Madrid 22–24 July 2010* (Winona Lake, IN, 2013), pp. 347–424, 350), or based on legal texts “a slave who has been freed” for the *dumu-gi<sub>7</sub>* (Raymond Westbrook, “The Sumerian Freedman”, in Walther Sallaberger, Konrad Volk, and Annette Zgoll (eds), *Literatur, Politik und Recht in Mesopotamien. Festschrift für Claus Wilcke* (Wiesbaden, 2003), pp. 333–340; Miguel Civil, “The Law Collection of Ur-Namma”, in Andrew George (ed.), *Cuneiform Royal Inscriptions and Related Texts in the Schøyen Collection* (Bethesda, MD, 2011), pp. 221–286, 254).

<sup>26</sup>Steinkeller, “Introduction: Labor in Early State”, p. 7, n. 12.

<sup>27</sup>Steinkeller, “Corvée Labor in Ur III Times”, p. 351.

<sup>28</sup>*Ibid.*, pp. 347–424.

<sup>29</sup>Note, too, Seth F. C. Richardson, “Building Larsa: Labor-Value, Scale and Scope-of-Economy in Ancient Mesopotamia”, in Piotr Steinkeller and Michael Hudson (eds), *Labor in the Ancient World*, pp. 237–328; J. Nicholas Reid, “The Birth of the Prison: The Functions of Imprisonment in Early Mesopotamia”, *Journal of Ancient Near Eastern History*, 3:2 (2016), pp. 81–115; Vitali Bartash, “Coerced Human Mobility and Elite Social Networks in Early Dynastic Iraq and Iran”, *Journal of Ancient Near Eastern History*, 7 (2020), pp. 25–57.

Slaves, prisoners of war, human booty, and other human resources intersected at numerous points while working for the administrative bodies.<sup>30</sup> Once slaves, prisoners of war, and human booty were enveloped into the administrative oversight, they could be worked alongside other persons of different social statuses in the same context and under the same management. This was true of mature adults as well as children.<sup>31</sup> This intersection between workers of different statuses occurred in changing, non-stagnant contexts driven by needs and various factors.

For example, when fighting males went on campaign,<sup>32</sup> the net loss of workers would have increased the need for human resources, with females sometimes filling roles typically performed by males.<sup>33</sup> When successful campaigns brought an influx of prisoners of war under administrative control, the need for labour sources normalized. Further, an influx of human resources resulted in some males being used to fill jobs typically related to females, for example.<sup>34</sup>

The focus of this article is not on prisoners of war and human booty, however. It should also be noted that the origin or status of an individual is only sometimes recorded in administrative documents. Once fully received into administrative control, human booty could be identified as such but could also simply be referred to by name and denoted as a dependent female.<sup>35</sup> As such, the method for identifying a person was more practical than programmatic, depending on the purpose of writing. So, while much is known about the treatment of human resources, many questions remain. With these qualifications, however, specific differences are evident in the record.

Persons of different statuses and origins were often worked in a singular administrative context. Even if differences are observable, there was also a complex overlap across statuses. Both slaves and other dependents received benefits such as barley

<sup>30</sup>For the later Old Babylonian period, it should be noted that house-born slaves became a source of labour but were not treated as belonging to the native population. See discussion in J. Nicholas Reid, “The Children of Slaves in Early Mesopotamian Laws and Edicts”, *Revue d’Assyriologie*, 111 (2017), pp. 9–23; Kraus, *Königliche Verfügungen*, pp. 280–284. See also Hallo, “Slave Release in the Biblical World”, pp. 88–89.

<sup>31</sup>Benjamin Studevent-Hickman, “The Organization of Manual Labor in Ur III Babylonia” (Ph.D., Harvard University, 2006), p. 137, 161ff.

<sup>32</sup>Agnès Garcia-Ventura, “Ur III Biopolitics: Reflections on the Relationship between War and Work Force Management”, in Davide Nadali and Jordi Vidal (eds), *The Other Face of the Battle: The Impact of War on Civilians in the Ancient Near East* (Münster, 2014), pp. 7–23, 7–8.

<sup>33</sup>Garcia-Ventura, “Ur III Biopolitics”, pp. 7–8.

<sup>34</sup>See discussion of the broken text MVN 13, 242, which includes over 140 male Amorites working as millers during the second year of the reign of Amar-Suen, and HSS 4, 8, which also includes blind males working as millers, in Wolfgang Heimpel, “Blind Workers in the Ur III Texts”, *Kaskal: A Journal of History, Environments, and Cultures of the Ancient Near East*, 6 (2009), pp. 43–48, 45. MVN 13, 242, clay tablet, c.2100–2000 BCE, Free Library of Pennsylvania collection, PA, United States, FLP 2029 (= Marcel Sigrist, David Owen, and Gordon Young, *The John Frederick Lewis Collection*, Part II (Rome, 1984)); HSS 4, 8, clay tablet, c.2100–2000 BCE, Harvard Museum of the Ancient Near East, Cambridge, MA, SM 1899.02.034 (= Mary Hussey, *Sumerian Tablets in the Harvard Semitic Museum – Part II: From the Time of the Dynasty of Ur*, Harvard Semitic Studies 4 (Cambridge, MA, 1915)).

<sup>35</sup>Note discussion of the text on BCT 2, 206 in Garcia-Ventura, “Ur III Biopolitics”, pp. 15–16. The primary term, *geme<sub>2</sub>*, has a semantic range that can refer to a slave but also to any dependent female. BCT 2, 206, clay tablet, c.2100–2000 BCE, Birmingham Museums and Art Gallery, UK, A. 1390\_1982 (= Philip Watson, *Catalogue of Cuneiform Tablets in Birmingham City Museum* (Warminster, 1993)).



rations, provisions such as garments,<sup>36</sup> and even opportunities to improve one's life in some senses. Still, those opportunities for advancement for slaves were at the discretion of the master, who held the primary authority over manumission.<sup>37</sup> So, while a slave might be able to earn trust and even gain access to wealth, the hope of freedom was usually restricted by the decision of their master.<sup>38</sup> Even after release, that individual was vulnerable since others might seek to gain access to their labour.<sup>39</sup> By contrast, persons working for the administrative bodies were obligated to fulfil their roles, as seen in the imprisonment of runaways. Still, it is unlikely that there was a permanent requirement to remain working for their administrative group or overseer.<sup>40</sup> While many were returned to their prior role after living under guard, the relatively short periods spent under guard suggest that service to the administrative bodies was not a "life sentence".<sup>41</sup> For some, service to the "state" also meant benefits for their household, where corvée labour and acting as a "merchant" possibly meant gaining access to land, vocations, and commodities.<sup>42</sup>

With punishment, some non-slaves certainly experienced forms of physical abuse, as they would have in households. But the most extreme forms of punishment, such as mutilation and death, do not appear to be attached to the threats of punishment for labour coercion as they were with slaves. So, while physical punishment likely did

<sup>36</sup>See J. Nicholas Reid, "Working for Royal Households and Temples at Girsu During the Third Dynasty of Ur: A New Text", in Laura Quick, Ekaterina E. Kozlova, Sonja Noll, and Philip Y. Yoo (eds), *To Gaul, to Greece and Into Noah's Ark: Essays in Honour of Kevin J. Cathcart on the Occasion of His Eightieth Birthday*, Journal of Semitic Studies Supplement 44 (Oxford, 2019), pp. 139–166.

<sup>37</sup>Reid, "Children of Slaves", pp. 9–23.

<sup>38</sup>See discussion in Westbrook, "Slave and Master", pp. 1648–1651. For the Ur III period, Adam Falkenstein, (*Die neusumerischen Gerichtsurkunden. Einleitung und systematische Darstellung* (Munich, 1956), I, pp. 92–95) has compiled court cases that mention manumission. However, it remains questionable whether these proceedings should be viewed as opportunities for manumission or whether these court cases more accurately reflect the possibility that if one was wrongfully enslaved, the individual may be released based on the ruling of the court. Since these proceedings appear to deal with cases that seek to establish if there was a rightful or wrongful enslavement of someone, there does not appear to be any clear principle of manumission that would remove the authority related to ownership from the master to a legal precedent or some other ruling body. Nevertheless, Steinkeller suggests that the text COS 3.134A, the "Manumission of Umanigar", indicates that there was an unrecorded rule that debt-slaves who were the only heir were set free once the head of the household died (see his treatment of COS 3.134A and 3.134B in the "Manumissions" section of William H. Hallo and K. Lawson Younger, Jr. (eds), *The Context of Scripture* (Leiden [etc.], 2002), III, p. 301. It is also possible for freedom or release to be purchased as is shown in CST 541. CST 541, clay tablet, c.2100–2000 BCE, John Rylands Library, University of Manchester, UK, JRL 541 (= Thomas Fish, *Catalogue of Sumerian Tablets in the John Rylands Library* (Manchester, 1932)).

<sup>39</sup>See the case of Warad-Bunene in CT 6, pl. 29 from the later Old Babylonian Period, for example. Warad-Bunene was recently manumitted. He wanted to perform the *ilku*-service of his father's household and tried to avoid conscription into military service. It seems that once people had their slave mark removed, likely a distinctive hairstyle, their status would have been checked and there was the potential that they would be pressed into service. See Theophilus G. Pinches, *Cuneiform Texts from Babylonian Tablets in the British Museum* (London, 1898), VI).

<sup>40</sup>Note, for example, Steinkeller's discussion of periods of required service relating to 100 days in the record. Steinkeller, "Corvée Labor in Ur III Times", p. 366.

<sup>41</sup>Most stays in "prison" were relatively short term. For a discussion of the lengths of stay as well as explanations for longer term examples, see J. Nicholas Reid, *Prisons in Ancient Mesopotamia: Confinement and Control until the First Fall of Babylon* (Oxford, 2022), pp. 141–150.

<sup>42</sup>See discussion in Steinkeller, "Corvée Labor in Ur III Times", pp. 347–424.

occur, and death and sickness are well attested in relation to workers utilized by the administrative bodies, slaves are the only persons who appear in texts that threaten more severe forms of punishment for labour coercion. While these examples of extreme punishment were likely limited and uncommon, the instances that do appear are only attached to labour coercion when the terminology related to slaves is present.

The following section will discuss the punishment of slaves and contextualize these threats of punishment with other texts. Next, dependents who worked in some capacity for the administrative bodies will be discussed. Finally, examples of punishment for labour coercion that extend beyond the individual offender are considered.

## Slaves

A variety of punishments are attested concerning the control of slaves. Extreme physical punishment, such as the death penalty or mutilation, could happen to anyone found guilty of a “crime”. With respect to labour coercion, however, the most severe examples of corporal punishment are attested in relation to slaves. For example, the death penalty is the most extreme form of punishment threatened against runaway slaves. In one text, a captured slave was forced to take the following oath in the name of the king: “On the day I flee a second time, may I be destroyed.”<sup>43</sup> In another text, a slave takes the oath: “On the day I flee, let it be a (capital) crime.”<sup>44</sup> While it might appear to be counterproductive to threaten slaves with the death penalty, as it would result in a loss for the owner, the death penalty was an exemplary punishment.

Not all runaways faced the death penalty as corporal punishment. In one text, a slave of the palace ran away for three years.<sup>45</sup> In response, the slave was to have his nose cut as punishment. This would have been painful and humiliating, and the consequences of his flight would have been a visible mark on his body, which would have likely made it more difficult to blend in should another flight attempt be made. It should be noted that this text is not an idealized threat of punishment. Rather, it was a consequence of flight recorded in an administrative document, indicating that mutilation did sometimes occur and was not just threatened.

<sup>43</sup>NRVN 1, 1, clay tablet, Ist Ni 737, Arkeoloji Müzeleri, Istanbul, Turkey (= Muazzez İlmiye Çığ and Hatice Kızılyay, *Neusumerische Rechts- und Verwaltungsurkunden aus Nippur* (Ankara, 1965), I). See further editions: Lafont, “Les textes judiciaires sumériens”, pp. 35–68, n. 19; Manuel Molina and Marcus Such-Gutiérrez, “On Terms for Cutting Plants and Noses in Ancient Sumer”, *Journal of Near Eastern Studies*, 63:1 (2004), pp. 1–16, 8; J. Nicholas Reid, “Runaways and Fugitive-Catchers during the Third Dynasty of Ur”, *Journal of the Economic and Social History of the Orient*, 58 (2015), pp. 576–605, 590, n. 37.

<sup>44</sup>BE 3/1, 1, clay tablet, University of Pennsylvania Museum of Archaeology and Anthropology, Philadelphia, Pennsylvania, United States, CBS 11176 (= David W. Myhrman, *Babylonian Expedition of the University of Pennsylvania, III/I: Sumerian Administrative Documents Dated in the Reigns of the Second Dynasty of Ur from the Temple Archives of Nippur* (Philadelphia, PA, 1910)). On the nature of the šer<sub>7</sub>-da as a capital crime, see Miguel Civil, “On Mesopotamian Jails and Their Lady Warden”, in Mark E. Cohen, Daniel C. Snell, and David B. Weisberg (eds), *The Tablet and the Scroll: Near Eastern Studies in Honor of William W. Hallo* (Bethesda, MD, 1993), pp. 72–78, 76–78. Contra Pascal Attinger, “L’Hymne à Nungal”, in Walthar Sallaberger, Konrad Volk, and Annette Zgoll (eds), *Literatur, Politik und Recht in Mesopotamien. Festschrift für Claus Wilcke* (Wiesbaden, 2003), pp. 15–34, 27. See discussion in Reid, “Runaways and Fugitive-Catchers”, p. 591.

<sup>45</sup>See Molina and Such-Gutiérrez, “On Terms for Cutting”, p. 3. See further Reid, “Runaways and Fugitive-Catchers”, p. 590.

This evidence attests to differences in punishment practices for labour coercion during the Ur III period. While, as will be seen below, detention is attested in relation to runaway workers in the Ur III period, the more extreme forms of corporal punishment, such as mutilation and the threat of the death penalty, are not attested in cases of the labour coercion of dependent workers. But why would a master ever contemplate hurting or killing their slave who was considered their personal property? Texts from the later Old Babylonian period could provide some insight.

The death penalty is attested in the record from Old Babylonian Mari as an exemplary punishment. One text mentions a servant who ran away with two females. The person who caught the runaway gouged out his eyes and requested permission “to kill this man, let him be impaled so people learn from his example”.<sup>46</sup> The text demonstrates that the king had authority over the death penalty,<sup>47</sup> which, in this case, was thought of as an exemplary punishment to dissuade others from running away with human resources. In another text more closely tied to punishment for labour coercion, a letter writer grows frustrated with his inability to gather a group of nomads to be dispatched on a mission. He states that he has waited five days at the prearranged place and that he has written to the towns where they are pasturing their flock. As motivation, he writes: “If within three days they do not gather – and if my lord agrees – a criminal should be killed in jail. His head cut off, it should be paraded among these towns, as far as Hutnum and Appan, so that the frightened troops will quickly gather.”<sup>48</sup> In this case, the death penalty was a way to motivate troops to gather and be sent on an urgent mission. As such, this writer sought to utilize the death penalty to coerce.

These Old Babylonian texts from Mari dealing with the death penalty are not normative. Since they are written seeking permission to apply the death penalty, it demonstrates that this approach was far from the rule and considered more exceptional. Perhaps these texts help contextualize the more extreme examples of threats of punishment directed towards runaway slaves in the earlier Ur III period. First, the use of oaths to threaten extreme punishment could indicate that the slave owner desired a documented reason for carrying out the penalty should it be needed. Further, the oath adds solemnity to the threat, which indicates both the non-normative nature of such penalties and that the owner would not have wanted to lose his slave. Otherwise, the efforts to pursue and capture and the further

<sup>46</sup>See RA 91, 110, clay tablet, Mari Excavation, A.1945 (= Sophie Démare-Lafont, “Un ‘Cas royal’ à l’époque de Mari”, *Revue d’Assyriologie et d’Archéologie Orientale*, 91:2 (1997), pp. 109–119). Translated by Jack M. Sasson, *From the Mari Archives: An Anthology of Old Babylonian Letters* (Winona Lake, IN, 2015), p. 227.

<sup>47</sup>See further, the “Laws of Ešnunna” § 48 states that “a capital case is only for the king”. Translation by Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor*, 2nd edn, Society of Biblical Literature Writings from the Ancient World Series (Atlanta, GA, 1997), p. 66. See Raymond Westbrook, “Old Babylonian Period”, in *idem* (ed.), *A History of Ancient Near Eastern Law* (Leiden, 2003), pp. 361–430, 366. Further, see the Old Babylonian Mari text, RA 91, 110 (= Démare-Lafont, “Un ‘Cas royal’”, p. 110). See also Daniel C. Snell, *Flight and Freedom in the Ancient Near East* (Leiden, 2001), p. 57, cited below, which indicates that the death penalty had to be approved by the king for it to be carried out.

<sup>48</sup>Archives royales de Mari [ARM] 2, 48, clay tablet, Mari Excavation (= Jean-Marie Durand, *Les Documents épistolaires du palais de Mari*, II, Littératures anciennes du Proche-Orient [hereafter, LAPO] 17 (Paris, 1998), p. 559). Translation by Sasson, *From the Mari Archives*, p. 226.

opportunity to avoid applying the death penalty do not make sense.<sup>49</sup> In short, it seems that threats of mutilation or the death penalty were extreme, exceptional cases that only seem to make sense as instances of exemplary punishment that sought to deter others from running away. The non-normative nature of these texts is evidenced in other texts, as well, which deal with the capture of runaway slaves.

In one letter, Fs Sigris 127–128, 1, a man named Nanatum pursues and captures a slave who ran away on more than one occasion.<sup>50</sup> Nanatum apparently caught the runaway slave and returned him to his owner, but the slave ran away again. Nanatum found the slave a second time, who was by this time the slave of another individual. Nanatum purchased the slave from the prior owner to sell the slave to the person who had possession of the slave after the second flight. In this instance, Nanatum was utilized on more than one occasion to capture a slave. Although it is conceivable that the slave was punished in some way, it did not rise to the level of death and likely not mutilation. At the very least, any punishment relating to the first incident did not prevent the slave from fleeing a second time.

In a text from Umma, Fs Sigris 131, 4, a slave ran away from military service after the death of his owner.<sup>51</sup> The slave was discovered in the town of Anšan (modern-day Tall-i Malyan in the Fars province). A man named Gudea, not to be confused with the king from the earlier period referenced above, was able to identify the slave and take an oath as confirmation. The son of the deceased owner of the slave paid Gudea ten shekels of silver and returned the slave to his military service. The return price was steep, especially in comparison to the average cost of slaves in the Ur III period, typically between five or six shekels of silver for females and, on average, ten shekels of silver for males.<sup>52</sup> In part, the compensation recorded in Fs Sigris 131, 4 is probably related to the distance to Anšan. More to the point of this paper, since the slave was forced into bowman service after flight, severe physical punishment was not likely implemented and was certainly not recorded in the present text. In short, most runaway slaves did not receive death penalties, and likely were not mutilated, but the potentiality is documented in the above examples, unlike with the treatment of dependent workers.

If the more extreme forms of punishment did not occur regularly, what likely happened when slaves ran away? While captured runaways probably experienced some form of corporal punishment that did not rise to the level of mutilation or the death penalty, it is certain that most runaways were guarded or restrained in some manner while being coerced to work. At Garšana, workers appear to have been housed in locked barracks in certain contexts relating to work projects.<sup>53</sup> This practice

<sup>49</sup>See Reid, “Runaways and Fugitive-Catchers”, pp. 582–587.

<sup>50</sup>Fs Sigris 127–128, 1, clay tablet, British Museum, BM 106439 (= Manuel Molina, “New Ur III Court Records Concerning Slavery”, in Piotr Michalowski (ed.), “On the Third Dynasty of Ur: Studies in Honor of Marcel Sigris”, *Journal of Cuneiform Studies*, Supplemental Series 1 (2008), pp. 125–143).

<sup>51</sup>Fs Sigris 131, 4, clay tablet, BM 110379 (= Molina, “New Ur III Court Records”).

<sup>52</sup>Piotr Steinkeller, *Sale Documents of the Ur-III-Period* (Stuttgart, 1989), p. 138. Compare the return price above to the two shekels mentioned as a return price in “Laws of Ur-Namma”, §16. This “law collection” does not likely include actual laws. On the nature of the law collections of ancient Mesopotamia, see bibliography and discussion in Reid, “Children of Slaves”, p. 9, n. 3.

<sup>53</sup>See the situation at Garšana in Wolfgang Heimpel, *Workers and Construction Work at Garšana* (Bethesda, MD, 2009), pp. 60–63, 163–165.

could be related to the status of those workers since many who ran away in that context were also called “slaves/servants of the palace”.<sup>54</sup> In short, slaves and other lower-stratum workers were detained during the Ur III period to force them to work.

### Dependent Workers

In this period, one consequence of flight from labour assignments was detention. Classic definitions of prisons primarily concern detention as a means of punishment.<sup>55</sup> In Mesopotamia, if detention was ever used as punishment in a strictly legal sense, it was rare and not well-attested.<sup>56</sup> Rather, imprisonment was a multifunctional practice typically related to the judicial process and labour coercion.<sup>57</sup> While imprisoned, labour coercion occurred in a more restrictive context and would have been undesirable since imprisonment is consistently presented as a negative experience.<sup>58</sup>

An example of imprisonment relating to work coercion can be found in the case of Lugal-niġlagare, who was working as a potter.<sup>59</sup> This individual appears in another text as a runaway in prison, this time called Niġlagare. In a third text, Lugal-niġlagare appears again as a potter with his previous crew in the administration.<sup>60</sup> The imprisonment of runaway workers demonstrates one of the coercive options utilized to control the labour of even specialized workers such as a potter.

Detention could be used to control workers who ran away or were considered a flight risk. And while the practice does not necessarily qualify as punishment, in a strictly legal sense relating to crime, the act of detention would have been undesirable and a negative consequence. By detaining and coercing workers who sought to run away, the workforce was compelled to accept the work assignments given to them and any concomitant conditions since the process of flight and likely capture would only result in worse conditions with continued service to be rendered. As seen below, a collective punishment directed at family members adds to the coercive approach.

<sup>54</sup>Note the runaways many of whom are described as slaves of the palace at Iri-Saġrig (conveniently summarized in Heimpel, *Workers and Construction Work*, pp. 62–63); see discussion above.

<sup>55</sup>Norval Morris and David J. Rothman, “Introduction”, in *idem* (eds), *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York/Oxford, 1998), pp. vii–xiv, ix. See discussion in Reid “Birth of the Prison”.

<sup>56</sup>Reid, *Prisons in Ancient Mesopotamia*. See also Bertrand Lafont and Raymond Westbrook, “Mesopotamia: Neo-Sumerian Period (Ur III)”, in Raymond Westbrook (ed.), *History of Ancient Near Eastern Law*, pp. 183–226, 221; Hans Neumann and Susanne Paulus, “Strafe (im Strafrecht) A”, *Reallexikon der Assyriologie und Vorderasiatischen Archäologie*, 13 (2011), pp. 197–203, 201.

<sup>57</sup>Reid, *Prisons in Ancient Mesopotamia*.

<sup>58</sup>*Ibid.*, pp. 126–151.

<sup>59</sup>On the case of this potter, see Jacob L. Dahl, “A Babylonian Gang of Potters: Reconsidering the Social Organization of Crafts Production in the Late Third Millennium BC Southern Mesopotamia”, in Leonid E. Kogan, Sergey Loesov, and Serguei Tishchenko (eds), *City Administration in the Ancient Near East: Proceedings of the 53e Rencontre Assyriologique Internationale* (Winona Lake, IN, 2010), pp. 275–305, 286. See further discussion in Reid, “Runaways and Fugitive-Catchers”, pp. 596–597; Reid, “Birth of the Prison”, p. 94.

<sup>60</sup>Other runaways also appear living under guard in various texts. See discussion in Reid, “Runaways and Fugitive-Catchers”, pp. 592–597; Reid, “Birth of the Prison”, pp. 90–96.

The pursuit of administrative workers was not a dominant practice in ancient Mesopotamia. While the flight of workers from most administrative contexts appears to have been permissible in the Old Babylonian period, unlike the Ur III period,<sup>61</sup> corporal confinement to coerce labour, however, is attested in the cases of the *bīt asīrī* at Uruk and the *nēparum* of the Mari. Detention in such houses was not like modern prisons used for punishment; these were workhouses that detained human resources.<sup>62</sup> Still, one letter mentions disposing of someone in the workhouse to never hear from them again.<sup>63</sup> The writer mentions the provision of rations of bread and oil. Although the end of the text is broken, the context indicates that, whether the prisoner lives or dies, he is not to be heard from again.<sup>64</sup>

In sources dating to the Ur III period, the most extreme threats of physical punishment appear where terminology related to slaves occurs, and then only as exceptionally rare instances. Mutilation and the death penalty would not have been desirable means to coerce labour since such actions resulted in the loss or damage of human property. Corporal confinement does not appear to have been used in a punitive sense; still, detention was consistently considered an unpleasant experience in the record and was one way in which labour was coerced and controlled in early Mesopotamia. While forms of confinement for coercion existed as preventive measures for slaves, since any overseer working a person belonging to another would be responsible for ensuring that they did not flee, runaways living in prison appeared to have been primarily lower-stratum workers working in administrative contexts.<sup>65</sup> The use of imprisonment in labour contexts seems to have been used more expansively during the Ur III period than in the Old Babylonian period. For the former, the administrative bodies and controlling entities used detention to coerce labour

<sup>61</sup>Johannes Renger (in “Flucht als soziales Problem in der altbabylonischen Gesellschaft”, in Edzard, *Gesellschaftsklassen im Alten Zweistromland*, pp. 167–182) argues that by the Old Babylonian period, non-slave workers were able to leave their position without pursuit. For the Middle Babylonian evidence, see Jonathan S. Tenney, *Life at the Bottom of Babylonian Society: Servile Laborers at Nippur in the 14th and 13th Centuries, B.C.* (Leiden/Boston, MA, 2011), pp. 93–133.

<sup>62</sup>Marie-France Scoufflaire, “Quelques cas de détentions abusives à l’époque du royaume de Mari”, *Akkadica*, 53 (1987), pp. 25–35; Marie-France Scoufflaire, “Premières réflexions sur l’organisation des ‘prisons’ dans le royaume de Mari”, in Marc Lebeau and Philippe Talon (eds), *Reflets des deux fleuves. Volume de mélanges offerts à André Finet* (Leuven, 1989), pp. 157–160; Reid, *Prisons in Ancient Mesopotamia*.

<sup>63</sup>Another text seeks to dispose of a person in related fashion. The partial logic behind some decisions to condemn a person or persons to indefinite grinding in the workhouse can be accessed in part in this text from Mari. In ARM 14, 78 (see next footnote), the sender is concerned about what to do with three nomads. He frets that if they are sold to a distant people to keep them from ever returning to their land, they could subsequently be sold again to anyone. The sender proposes a different solution that will maintain control over the nomads. He says that they should be mutilated, either by eye gouging or tongue cutting, and condemned to grinding. In this way, the workhouse was being used to dispose of a person in a more secure manner, while also coercing labour. See ARM 1, 57, clay tablet, Mari Excavation (= Jean-Marie Durand, *Les Documents épistolaires du palais de Mari*, III, LAPO 18 (Paris, 2000), p. 1076). See translation in Sasson, *From the Mari Archives*, p. 228 [text 4.6.c.i].

<sup>64</sup>See ARM 14, 78, clay tablet, Mari Excavation (= Maurice Birot, *Lettres de Yaqqim-Addu, gouverneur de Sagaratum*, Archives royales de Mari 14 (Paris, 1974); Durand, *Les Documents épistolaires* III, p. 929). See translation in Sasson, *From the Mari Archives*, pp. 226–227.

<sup>65</sup>See Table 1 with over 100 texts from the Ur III period in Reid, *Prisons in Ancient Mesopotamia*, pp. 46–50, and discussion of terminology related to “prisons” at pp. 37–64. It is concluded that most prisoners were lower stratum workers coerced in labour contexts.

from a variety of persons, while the later Old Babylonian examples appear tied more closely to prisoners of war, slaves, and what we would call criminals (in the context of modern judicial processes). While lower-stratum workers in the Ur III period do not appear to have been free to leave their work assignments for the administrative bodies, there were benefits to working for the “state”. They and their households gained access to provisions and, in some cases, land and other benefits that required taxes and services to be rendered in return. Perhaps the larger familial and household benefits of working for the “state” provide insight into why collective punishment for labour coercion could extend beyond the individual worker.

### Collective Punishment to Coerce Labour

Punishment was not always restricted to the individual offender and could also have collective implications. Of course, corporal and collective punishments were not exclusive. These could intersect in a single context and arise from a singular event. There were a variety of ways in which a household or responsible party could face negative consequences for the actions of another.

Collective labour coercion can be seen through the accounting practices of the Ur III period. Accounts could end up with a surplus (*diri*) but often resulted in a deficit (*la<sub>2</sub>-ia<sub>3</sub>* and *si-i<sub>3</sub>-tum*) owed to the “state”.<sup>66</sup> While these debts were often allowed to accumulate without any discernible consequence, at least in the preserved record, the overseer lived with the possibility of debt repayment being required by the palace. In such instances, the overseer could be imprisoned for being in debt.<sup>67</sup> Further, there are instances in which outstanding debts were collected from the household.<sup>68</sup> For example, lines obverse 1 to reverse 8 of MVN 10, 155, note the following:<sup>69</sup>

142 litres of clarified butter, 180 litres of *kašk* cheese, the year, “Simurum was destroyed for the third time”; deficit of UrKANara, the cattle herder.

<sup>66</sup>The “merchant” accounts in the Ur III period have been studied in detail by, among others, Daniel C. Snell, *Ledgers and Prices: Early Mesopotamian Merchant Accounts* (New Haven, CT, 1982); Piotr Steinkeller, “The Organisation of Crafts in Third Millennium Babylonia: The Case of the Potters”, *Altorientalische Forschungen*, 23 (1996), pp. 232–253; Robert K. Englund, “Administrative Timekeeping in Ancient Mesopotamia”, *Journal of the Economic and Social History of the Orient*, 31 (1988), pp. 121–185; Robert K. Englund, *Organisation und Verwaltung der Ur III-Fischerei* (Berlin, 1990); Jacob L. Dahl, “The Ruling Family of Ur III Umma: A Prosopographical Analysis of a Provincial Elite Family in Southern Iraq ca. 2100–2000 BC” (Ph.D., University of California Los Angeles, 2003); Dahl, “A Babylonian Gang of Potters”; Steven J. Garfinkle, “Was the Ur III State Bureaucratic? Patrimonialism and Bureaucracy in the Ur III Period”, in *idem* and Johnson, *Growth of an Early State*, pp. 55–61; Steven J. Garfinkle, “What Work Did the Damgars Do?: Towards a Definition of Ur III Labour”, in Kogan *et al.*, *City Administration in the Ancient Near East*, pp. 307–316; Steven J. Garfinkle, *Entrepreneurs and Enterprise in Early Mesopotamia: A Study of Three Archives from the Third Dynasty of Ur*, Cornell University Studies in Assyriology and Sumerology (CUSAS) 22 (Bethesda, MD, 2012); J. Nicholas Reid, “Cuneiform Tablets of the University of Mississippi Museum”, *Akkadica*, 138 (2017), pp. 153–180.

<sup>67</sup>See discussion in Reid, “Birth of the Prison”, pp. 91–93.

<sup>68</sup>See Dahl, “The Ruling Family of Ur III Umma”, p. 39.

<sup>69</sup>MVN 10, 155, clay tablet, c.2100–2000 BCE, Bibliothèque de Versailles, Versailles, France, BV 20 (= Jean Pierre Grégoire, *Inscriptions et archives administratives cunéiformes*, Part I (Rome, 1981)). See also Englund, *Organisation und Verwaltung*, pp. 42–48; Englund, “Hard Work”, p. 268.

UrKANara died; Baba, his child, Ba'aba ..., Er-..., Agati, Zala'a, female slaves, as estate instead of the deficit, of the deliveries their deficit is removed (from his account).

This is an example of a deficit owed by a cattle herder. Since he has died owing a debt, his entire household is seized.

In another example, members of the native population are seized and forced to work in the stead of family members who have fled. Lines 4 to 16 of HLC 374, plate 141, reverse column 1 state:<sup>70</sup>

Geme-Nungal, full output (worker receiving) 30 litres instead of Lu-Ninšubur, her husband, who ran away. Baba-Ninam, full output (worker receiving) 30 litres instead of Nig-Baba, her brother, who ran away. Nin-inimgina, full output (worker receiving) 30 litres instead of Lugal-x, her brother, who ran away. Geme-Agimu, full output (worker receiving) 30 litres instead of Ur-Ebabbar, her husband, who ran away. Geme-eškuga, full output (worker receiving) 30 litres instead of Elak-s'uqir, her husband, who ran away. Work taken from the tablet(?) Wives of runaway workers (erin<sub>2</sub>). To the millers. Reverse column 2, line 6: [x x] and males and females who have been seized [with weapons].<sup>71</sup>

In this instance, female relatives are seized to replace runaway husbands and brothers.<sup>72</sup> There is no indication that these runaways were slaves. Instead, they appear to be state dependents obligated to perform work. While, according to the records for this period, runaways would have been likely pursued,<sup>73</sup> the practice of

<sup>70</sup>HLC 374, pl. 141, clay tablet, c.2100–2000 BCE, provenance Girsu (mod. Tello), dated Šulgi Year 48 Month 5 Day 15, Oriental Institute, University of Chicago, IL, OIM A32029 (= George A. Barton, *Haverford Library Collection of Cuneiform Tablets or Documents from the Temple Archives of Telloh*, Part III (Philadelphia, PA, 1914)); see also K. Maekawa, “Ur III Girsu Records of Labor Forces in the British Museum (I)”, *Acta Sumerologica*, 20 (1998), pp. 63–110, 86; Reid, “Runaways and Fugitive-Catchers”, pp. 597–598.

<sup>71</sup>HLC 374, pl. 141. Maekawa, “Ur III Girsu Records, p. 86: reverse column 1, lines 4–16: 1(aš) 3(ban<sub>2</sub>) geme<sub>2</sub>-<sup>d</sup>nun-gal / mu lu<sub>2</sub>-<sup>d</sup>nin-šubur dam-ni ba-zah<sub>3</sub>-še<sub>3</sub> / 1(aš) 3(ban<sub>2</sub>) <sup>d</sup>ba-ba<sub>6</sub>-nin-am<sub>3</sub> / mu nig<sub>2</sub>-<sup>d</sup>ba-ba<sub>6</sub> šeš-a-ni ba-zah<sub>3</sub>-še<sub>3</sub> / 1(aš) 3(ban<sub>2</sub>) nin-inim-gi-na mu lugal-x dam-ni ba-zah<sub>3</sub>-še<sub>3</sub> / 1(aš) 3(ban<sub>2</sub>) geme<sub>2</sub>-<sup>d</sup>a-gi-mu<sub>2</sub> / mu ur-e<sub>2</sub>-babbar<sub>2</sub> dam-ni ba-zah<sub>3</sub>-še<sub>3</sub> / 1(aš) 3(ban<sub>2</sub>) geme<sub>2</sub>-eš<sub>3</sub>-ku<sub>3</sub>-ga / mu e-la-ak-šu-qir dam-ni ba-zah<sub>3</sub>-še<sub>3</sub> / a<sub>2</sub> im-ta / 1 line blank / dam erin<sub>2</sub> zah<sub>3</sub>-me / uš-bar-še<sub>3</sub> / [blank space] / column 2, line 6: [...] u<sub>3</sub> geme<sub>2</sub> guruš geš-e dab<sub>5</sub>-ba-me. a<sub>2</sub> im-ta appears to be a *hapax legomenon* for the published Ur III record. Maekawa (at p. 86) proposes the reconstruction of he<sub>2</sub>-dab<sub>5</sub>, which he interprets to mean “newcomers”. This reconstruction and interpretation are reasonable since the tablet deals with people entering the workforce and those who have been seized because of their familial relationship to runaways. The reading “seized with weapons” is a reconstruction based on a related text. A similar text with a similar context (CT 10, pl. 24; see next footnote) suggests we can emend the text here from u<sub>3</sub> geme<sub>2</sub> guruš geš-e dab<sub>5</sub>-ba-me (“and males and females who have been seized”) to u<sub>3</sub> geme<sub>2</sub> guruš geš-tukal-e dab<sub>5</sub>-ba-me (“and males and females who have been seized with weapons”).

<sup>72</sup>Note related texts such as CT 10, pl. 24, clay tablet, c.2100–2000 BCE, British Museum, London, UK, BM 014313 (= Leonard W. King, *Cuneiform Texts from Babylonian Tablets in the British Museum* (London, 1900)) and BE 3/1, 1, clay tablet, c.2100–2000 BCE, University of Pennsylvania Museum of Archaeology and Anthropology, Philadelphia, Pennsylvania, United States, CBS 11176 (= Myhrman, *Babylonian Expedition III/I*).

<sup>73</sup>See discussion in Reid, “Runaways and Fugitive-Catchers”.



seizing relatives would have served as an additional coercive measure to make workers report for work rather than attempting flight. Further, in the absence of these runaway male relatives, the negative consequences were directed towards their female relatives.

Collective punishments for labour control serve as powerful motivators. When one's family members could be seized because of flight or outstanding debt, this would serve as a motivating factor towards adopting approved actions and behaviour. It could also serve as a deterrent that extends beyond any negative personal consequences one might face.

## Conclusion

There were benefits and threats attached to being involved in labour projects during the Ur III period. Working for the "state" provided access to rations and clothing.<sup>74</sup> Even when forced to work on "state" and community projects, much of the work performed related to meaningful community projects such as irrigation. Moreover, performing work for the temple might have had some positive benefits, at least notionally. Others working for the "state" were given opportunities to gain access to resources that could lead to personal advancement. So, while many often seemed to run a negative balance, the opportunity to benefit from the relationship as an "agent of the state" was present. As for slaves, they could be entrusted with business for their master and hope that faithful service could result in release, often with the death of the owner.

Although slave and non-slave workers in Mesopotamia were likely subjected to various forms of corporal punishment relating to labour coercion in all periods, the record indicates that differences were present in the punishment of slaves and other lower-stratum workers. It seems that while physical abuse likely occurred for persons of different statuses, the more extreme threats of physical punishment such as the death penalty or mutilation appear reserved for "criminals", prisoners of war (for mobility control and labour creation),<sup>75</sup> and slaves (for labour coercion).

<sup>74</sup>Richardson, "Building Larsa". For evidence of slaves having positions of influence and wealth for the later period in Mesopotamia, see Dandamaev's discussion of the slave Dayān-bēl-ušur, of whom Dandamaev ("The Economic and Legal Character of the Slaves' Peculium in the Neo-Babylonian and Achaemenid Periods", in Edzard, *Gesellschaftsklassen im Alten Zweistromland*, pp. 35–39, 39) writes: "He was one of those slaves who possessed houses and were influential persons, usurers on a large scale, who lent out money and produce to freemen and to other slaves. Despite his wealth and influence, however, Dayān-bēl-ušur was completely dependent upon the whim of his master, and in the course of 48 years he, together with his family, was six times sold or bestowed as a gift or put up as security for a debt." For the Ur III period, see Hans Neumann, "Slavery in Private Households Toward the End of the Third Millennium B.C.", in Culbertson, *Slaves and Households*, pp. 21–32, 24–26, and for the Garšana evidence: Heimpel, *Workers and Construction Work*, pp. 45–122. Further, in later periods, slaves could train as apprentices (see Heather Baker, "Degrees of Freedom: Slavery in Mid-First Millennium BC Babylonia", in "The Archaeology of Slavery", Special Issue, *World Archaeology*, 33:1 (2001), pp. 18–26).

<sup>75</sup>On the blinding of prisoners of war in early Mesopotamia, see Piotr Steinkeller, "An Archaic 'Prisoner Plaque' From Kiš", *Revue d'assyriologie et d'archéologie orientale*, 107 (2013), pp. 131–157, see 143–144, n. 38; Heimpel, "Blind Workers in the Ur III Texts", pp. 43–44; Jerrold S. Cooper, "Blind Workmen, Weaving Women and Prostitutes in Third Millennium Babylonia", *Cuneiform Digital Library Notes*, 5 (2010).

Although the difference between mutilation for mobility control and mutilation for labour control is fine, it is worth highlighting. Yet, as argued above, even these more extreme examples of punishment were the exception and not the norm. Most slaves were simply returned to their positions and detained.

In conclusion, slavery seems to have made up a limited portion of the labour force needed to maintain and perform the various projects of the Ur III period. Slaves were worked alongside persons of different statuses who owed service to and were dependent upon the “state”. While outliers in treatment are attested, the most common response to flight appears to have been detention. State officials used existing structures, such as overseers and guards, to detain and coerce labour. Detention provided one of the means by which fluctuating labour needs were addressed by maintaining a more stable pool of human resources.

The study of punishment, as such, provides insight into the labour coercion of persons of different statuses, both in how their lives intersected and how they sometimes diverged. An area for future research will be to consider how overseers of individual and discreet projects during particular periods acquired and maintained access to the human resources necessary to meet changing labour needs, as well as how the terminology related to slaves might be elaborated upon and understood on a case-by-case basis.