

## *Awīlum, muškēnum, and wardum*

HERVÉ RECULEAU

The Laws of Hammurabi (eighteenth century BCE; see HAMMURABI OF BABYLON AND HIS DYNASTY) divide Babylonian society into three social classes (or orders), *awīlum*, *muškēnum*, and *wardum*, the penalty inflicted for certain crimes varying depending on the status of the perpetrator and victim. The nature of this tripartite division and its social implications are still debated among scholars, especially since these terms are polysemic and vary according to the context in which they appear.

The term describing the lowest status, *wardum*, fundamentally means “subordinate” and can apply to free men in relation to their superiors (especially the king and gods). When referring to a social class, however, it denotes actual slaves, be they chattel slaves or enslaved debtors. Chattel slaves (either born slaves or war prisoners) wore distinctive marks and would always remain slaves unless emancipated or redeemed, whereas enslaved debtors could be freed either by repaying their debt or via a royal ANDURĀRUM edict.

On the opposite end of the social ladder, *awīlum* primarily denotes “a man” and is often employed in this general meaning, for instance, in the protases of laws or similar formulations, such as medical diagnoses (*šumma awīlum* = “if someone”). However, it is also used in a more restrictive sense. When it is opposed to the two other terms or used as a vocative (in greeting formulas of letters), it describes members of the elite and may be translated as “gentleman,” with the connotations of social status and moral superiority carried by the English word. Throughout most of Mesopotamian history, including the Old Babylonian period, members of the elites were engaged in both their own “private” business and that of the palace or

temples, where they appear as high-ranking administrators.

Between these two categories was the *muškēnum*, etymologically “he who bows down.” He is contrasted to *awīlum* as the commoner to the nobleman. It was felt scandalous that a member of this class should become king, as in fact occurred in eighteenth century BCE Ešnunna (ESHNUNNA) when, in a time of turmoil, the military officer Šilli-Sîn was chosen king. On the other hand, the *muškēnum* is also opposed to the palace, especially regarding the status of land: the palatial administration had no rights to seize his land but often tried nevertheless, especially because the status of land was often unclear. The *muškēnum* had then to appeal to the king’s justice to have his rights to “the land of his father” guaranteed, and as we can see from the documentation pertaining to the newly conquered territory of LARSA under Hammurabi, the administration was often contradicted by the king. Moreover, one text (CT 8 1c) shows that one had to be deprived of his status of *muškēnum* to become a fellmonger, a task described as an *ILKUM* (service owed to the palace) in another letter (AbB 7 51). The *muškēnum* was thus a “commoner,” inferior in status to the *awīlum* (hence the lower penalties in the Laws when he is the victim), but also economically independent, either as an agriculturalist or as a lower-ranking city-dweller.

SEE ALSO: Land and landholding, ancient Near East.

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