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Women, Children, and Slaves as Dependants of the Householder in Rabbinic and Roman Law

In Palestinian rabbinic texts not only slaves but also women and (minor) children are presented as dependants of the free male Israelite householder in a number of regards. The collective reference to the categories of “women, slaves, and minors”, to whom specific halakhic rules apply, appears in tannaitic texts already.¹ The equation of these three status groups in their relation to the householder was widespread in antiquity, as is also indicated by Graeco-Roman and Christian sources.² In patriarchal societies the free male householder has authority over other members of his household as long as they stand in a dependent relationship to him. For married women, this relationship ends with their husbands’ death or divorce, for slaves with manumission or sale, for female children with marriage, and for male children with adulthood. Rabbis and Roman jurists devised legal rules that indicate various degrees of dependency and similarities and differences between the respective categories of dependants. Dependency is expressed in restrictions of one’s legal power, the violation of physical boundaries, and the lack of possession rights over property.

Before investigating these aspects in more detail, it is necessary to point to potential differences between legal theory and actual practice in daily life. Ancient rabbis proposed behavioral guidelines but lacked official authority to enforce them. While members of their own family, their immediate circles of students, and a few local sympathizers may have followed their guidance, other Jews may not.³ Furthermore,

1 Catherine Hezser, *Jewish Slavery in Antiquity* (Oxford: Oxford University Press, 2005): 69–82; Catherine Hezser, “Women, Children, and Slaves in Rabbinic Law,” in *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (Oxford: Oxford University Press, 2019): 489–503. On the treatment of the three categories in the Hebrew Bible see: Hilary Lipka, “Women, Children, Slaves, and Foreigners,” in *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (Oxford: Oxford University Press, 2019): 59–78; for the New Testament see Susan E. Hylen, “Women, Children, Slaves and the Law in the New Testament Period,” in *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (Oxford: Oxford University Press, 2019): 505–17.

2 Sandra R. Joshel and Sheila Murnaghan, *Women and Slaves in Greco-Roman Culture: Differential Equations* (London: Routledge, 1998); Suzanne Dixon, *The Roman Family* (Baltimore: Johns Hopkins University Press, 1992). On slavery in ancient Christian societies see Jennifer A. Glancy, *Slavery in Early Christianity* (Oxford: Oxford University Press, 2002); Mary E. Sommer, *The Slaves of the Churches: A History* (Oxford: Oxford University Press, 2020): especially 38–106.

3 On limitations to individual rabbis’ influence see Stuart S. Miller, *Sages and Commoners in Late Antique Erez Israel: A Philological Inquiry into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006): 218, who generally agrees with Lee I. Levine that “[t]he influence of the rabbis on the greater community indeed may have been limited”.

rabbis differed amongst themselves in many regards, so that diverse and partly contradictory rules are transmitted in the literary compilations. While Roman civil law was more official and enforceable than rabbinic law, it also had its limitations, especially with regard to private behaviour carried out in families and households.⁴ Whether and to what extent women and slaves were able to engage in business transactions, had decision-making power, and determined their own and their household's fate ultimately depended on the individual actors themselves rather than on abstract behavioral guidelines devised by the male intellectual elites.

1 Dependency and Reciprocity

In ancient patriarchal societies the free male householder, called *paterfamilias* in Roman sources and *ba'al ha-bayit* in rabbinic texts, held the highest authority within his family and household. In Roman society, paternal power in its different forms⁵ (*patria potestas*, *manus*, *dominium*) was the “central institution of the Roman family” and “was exercised over all members of the *familia* [. . .].”⁶ Similarly, rabbinic civil law “is almost exclusively orientated to the dominant position of the man as *ba'al ha-bayit* (head of the family and household) and thus focal point of the economic and social order”.⁷ In general, such authority could amount to decisions over the life or death of children, the physical punishment and sale of slaves, and the divorce of a wife her husband was no longer pleased with. Both rabbinic *halakhah* and Roman law were formulated from the perspective of the free male householder and served to legitimize his power over his dependants. Nevertheless, a simple centrifugal model of authority emanating from the householder to his wife, children, and slaves seems inadequate to express the much more complex socio-economic, emotional, and gender-specific relationships amongst family members.⁸ In fact, one could argue that the

4 Eugen Ehrlich, *Fundamental Principles of the Sociology of Law* (New Brunswick: Transaction Publishers, 2009): 193, points to the discrepancy between Roman civil law and social law or norms of behaviour that were not covered by law. Furthermore, the enforceability of certain rules varied over time, see Andrew M. Riggsby, *Roman Law and the Legal World of the Romans* (Cambridge: Cambridge University Press, 2010): 267, with regard to *fideicommissum*.

5 Cf. Max Kaser, *Das römische Privatrecht*, vol. 1, *Das altrömische, das vorklassische und klassische Recht*, 2nd ed. (Munich: C.H. Beck, 1971): 56–58; Francesca Lamberti, “Hauskinder (filii familias),” in *Handbuch des Römischen Privatrechts*, vol. 1, ed. Ulrike Babusiaux et al. (Tübingen: Mohr Siebeck, 2023): 863–69.

6 Myles McDonnell, *Roman Manliness: “Virtus” and the Roman Republic* (Cambridge: Cambridge University Press, 2006): 173. On patriarchal authority see also Richard Saller, *Patriarchy, Property, and Death in the Roman Family* (Cambridge: Cambridge University Press, 2009): 102–32.

7 Peter Schäfer, *The History of the Jews in Antiquity* (London: Routledge, 1995): 165.

8 On households in rabbinic sources see Hayim Lapin, “The Construction of Households in the Mishnah,” in *The Mishnah in Contemporary Perspective*, vol. 2, ed. Alan Avery-Peck and Jacob Neusner (Lei-

male householder was as dependant on his wife, children, and slaves as these household members were on him. Their relationship was therefore reciprocal, at least to some extent.

An adult man would become a householder only once he was married and had children.⁹ Therefore the family and his relationship to its members were the necessary prerequisite for his social status, whereas his legal status depended on the mere fact that he himself was not subject to *patria potestas*.¹⁰ Tal Ilan has pointed out that the rabbis of the Mishnah and Tosefta associated the biblical commandment to “be fruitful and multiply” (Gen. 1:28) with men but not with women (m. Yebam. 6:6; t. Yebam. 8:4).¹¹ The explanation given in the Talmud Yerushalmi is that the continuation of the verse, “[. . .] and fill the earth and subdue it” (Gen. 1:28) applies to men only (y. Yebam. 6:6, 7c). Adult male power depended on the ability to establish a family. While slaves were not essential members of a *bayit*, wives and children were. They constituted the nuclear family unit, which became increasingly important in Roman times. Since slave ownership was most common amongst the wealthy strata of society, to whom only a few rabbis belonged, for most rabbis and male Jewish householders their dependants would have consisted of their wives and minor children only.¹² According to a statement attributed to R. Yose in the Babylonian Talmud (b. Shabb. 118b; see also b. Yoma 13a), the term *bayit* can be applied to the wife, who constitutes the very nucleus of the home.¹³ A man cannot have a *bayit* without a wife, who also gives birth to his children.

den: Brill, 2006): 55–80; Alexei Sivertsev, *Private Households and Public Politics in 3rd–5th Century Jewish Palestine* (Tübingen: Mohr Siebeck, 2002).

⁹ Similarly, Judith Evans Grubbs, *Women and the Law in the Roman Empire: A Sourcebook on Marriage, Divorce and Widowhood* (London: Routledge, 2002): 155, points out that *patria potestas* only existed in the context of the *conubium*, that is, it “was a feature of Roman marriage only”.

¹⁰ Cf. D. 50.16.195.2 (Ulp. 46 ad ed.): *pater autem familias appellatur, qui in domo dominium habet, recteque hoc nomine appellatur, quamvis filium non habeat: non enim solam personam eius, sed et ius demonstramus* [. . .].

¹¹ Tal Ilan, *Jewish Women in Greco-Roman Palestine: An Inquiry into Image and Status* (Tübingen: Mohr Siebeck, 1995): 107.

¹² On slave ownership in ancient Jewish society see Hezser, *Jewish Slavery in Antiquity* (n. 1): 285–98.

¹³ Cynthia A. Baker, *Rebuilding the House of Israel: Architectures of Gender in Jewish Antiquity* (Stanford: Stanford University Press, 2002): 56–57, argues that “the homology wife/woman = house [. . .] has much to do with sexual activity and cohabitation” (57). I suggest a sociological understanding, since the acquisition of a wife constitutes the foundation of a household.

2 Similarities in the Establishment and Dissolution of the Husband-Wife and Master-Slave Relationships

The rabbinic configuration of marriage and slavery relationships stresses the authority and agency of the free male householder. The used terminology seems to defy differences between the wife's free status and the slave's bondedness by emphasizing both the wife's and the slave's dependency on the householder.

The ways in which wives were supposed to be “acquired” by their husbands – the verb *קנה*, “to purchase” is used in both cases – resembled the acquisition of slaves, namely, through money or a document (in both m. Qidd. 1:1 [wife] and 1:2 [slave] the terms *כסף*, “money”, and *שטר*, “deed”, are used). The third way to “acquire” a wife was through sexual intercourse (m. Qidd. 1:1), which could be forced upon her, thus resembling what we would nowadays call rape. This practice resembles the Roman *usus*, a relatively unregulated way¹⁴ of acquiring *manus* over a wife (note that the term is also part of *mancipatio* and *emancipatio* in relation to slaves or children).¹⁵ In rabbinic law it resembles usucaption, which rabbis considered a legitimate way of acquiring so-called Canaanite, that is, non-Jewish slaves (m. Qidd. 1:3). In all of these cases, the free male Israelite (and adult Roman citizen) physically took hold of another human being, whether a woman or a slave, to possess them and make them physically subservient to his own needs.

Whether and to what extent the procedure of marriage through sexual intercourse constituted rape obviously depended on the question of consent. Vandiver distinguishes between the abduction of the Sabine women for marriage purposes and the rape of Lucretia in Roman literature and art: “Clearly, the Sabine women are abducted *against* their wills, but Livy does not ever state that they are actually raped;” rather, “their consent was essential for the *fait accompli* of their marriages to have moral validity.”¹⁶ This example already indicates how difficult, if not impossible, it is to determine consent based on ancient narratives. As far as Jewish women are concerned, Hauptman has pointed out that “consent, [. . .], is indirect” and assumed on the basis of a woman's subsequent behaviour.¹⁷ Even in the Babylonian Talmud, where discussions on consent have evolved to the next level, “the question that the rabbi must address is whether the woman's response to the man's proposal consti-

¹⁴ Kaser, *Das Römische Privatrecht*, vol. 1 (n. 5): 78.

¹⁵ George Mousourakis, *Fundamentals of Roman Private Law* (Berlin: Springer, 2012): 102.

¹⁶ Elizabeth Vandiver, “The Founding Mothers of Livy's Rome: The Sabine Women and Lucretia,” in *The Eye Expanded: Life and the Arts in Greco-Roman Antiquity*, ed. Frances B. Titchener and Richard F. Moorton (Berkeley: University of California Press, 1999): 209.

¹⁷ Judith Hauptman, *Rereading the Rabbis: A Woman's Voice* (Boulder, CO: Westview Press, 1998): 70.

tutes consent.”¹⁸ One may assume that, in general, marriage through sexual intercourse would have taken place only once the man was certain of the woman’s consent. In some cases the sequence would have been reversed, however: victims of rape are asked whether they agree to marriage with their rapist, a rabbinic innovation which, according to Hauptman, “give her a measure of control over her own future”.¹⁹

Only the husband could initiate a termination of the marriage by having a writ of divorce written and delivered to his wife and only the master could commission a manumission or sales document for his slave. *m. Git.* 1:4 states explicitly: “All the same are writs of divorce for women and writs of emancipation for slaves: they resemble each other with regard to bringing [them from overseas] and taking [them overseas]. And this is one of the ways in which divorce documents and writs of emancipation [of slaves] are the same”.²⁰ The agency of the householder is emphasized here. Hauptman points to the “patriarchal construction of divorce. It is the man who has virtually all the power in this area: He decides to divorce, issues the bill of divorce to the woman – just as one issues the writ of manumission to a slave – and she can neither initiate nor resist. Since she cannot remarry without a *get*, she is dependent upon him for her future marital well-being.”²¹ Similarly, slaves depended on the manumission document for a change of their status from enslaved to freed.

In both cases, the new status put the subject into a socially inferior position in comparison to a woman who was never married before and a person who had never been enslaved. A divorced woman was considered less “valuable” than a virgin (see *m. Ketub.* 1:2) and a freed slave (עבד משחרר) was inferior to a freeborn person (see *m. Hor.* 3:8, where freed slaves stand at the very end of the rabbinic status hierarchy). The householder’s physical use of the woman during marriage and of the slave during servitude left a lasting mark on them, rendering them inappropriate for certain types of marital unions. According to biblical law, a female divorcee cannot marry into a priestly family (see already *Lev* 21:6–7). While rabbis reckon with the possibility that a male freed slave marries an Israelite, Levite, or priestly woman, the offspring of such a union will have the status of the manumitted slave, that is, the children’s status will be inferior to that of ordinary Israelites (*t. Qidd.* 4:14). For freed female slaves marriage to a priest is prohibited (cf. *m. Bik.* 1:5, *t. Qidd.* 5:3), probably because her former sexual subjection to her master renders her body “used” and

¹⁸ Hauptman, *Rereading the Rabbis* (n. 17): 71.

¹⁹ Hauptman, *Rereading the Rabbis* (n. 17): 78. On this topic see also Catherine Hezser, “Plurisignation in Biblical and Rabbinic Law: The Meaning and Punishment of ‘Rape’,” in *Making History: Studies in Rabbinic Literature, History, and Culture in Honor of Richard L. Kalmin*, ed. Carol Bakhos and Alyssa Gray (Providence: Brown Judaic Studies, 2024): 383–405.

²⁰ All translations of rabbinic sources are my own.

²¹ Hauptman, *Rereading the Rabbis* (n. 17): 79–80.

therefore imperfect, whereas the male slave was believed to be able to maintain his sexual agency.

3 Wives' and Slaves' (Lack of) Property Ownership

3.1 Wives' Property Rights

The rabbinic innovation of the *ketubbah* or marriage contract is of utmost importance for investigating the dependency relationship between husbands and wives. Hauptman has called the *ketubbah* a “social contract” between husbands and wives.²² It served as official documentation of the mutual obligations of the marriage partners. The husband's obligations toward his wife include her redemption from slavery, provision of medical care in case of illness and maintenance after his death.²³ The wife's obligations toward her husband included various household tasks, some of which could be delegated to female slaves if she brought them into the marriage (m. Ketub. 5:5). According to Hauptman, “the *ketubah* consolidates some basic rights for women, even if it leaves patriarchy in place, it was an improvement over what was the case prior to the time it was instituted [. . .].”²⁴

The rabbinic perception of property rights in marriage resembled the Roman *cum manu* or *in manu* marriage: the property which the woman brought into the marriage passed into the power of the husband, who could use it for his business purposes. Mousourakis writes that “this mode of marriage rendered her *alieni iuris* and her property at the time of conclusion of the marriage as well as all that she subsequently acquired passed to her husband or his *pater*.”²⁵ Whereas Roman families adopted the new form of *sine manu* marriage from the time of the late Republic onwards, giving wives a greater amount of independence in financial matters and consequently also in other areas of life,²⁶ in the rabbinic imagination wives' financial subjection under their husbands continued in late antiquity.²⁷ According to Michael

²² Hauptman, *Rereading the Rabbis* (n. 17): 68.

²³ See Hauptman, *Rereading the Rabbis* (n. 17): 66–67 with references.

²⁴ Hauptman, *Rereading the Rabbis* (n. 17): 67.

²⁵ Mousourakis, *Fundamentals of Roman Private Law* (n. 15): 102; more detailed: Kaser, *Das römische Privatrecht*, vol. 1 (n. 5): 79–80; Jakob Fortunat Stagl, “Ehegüterrecht,” in *Handbuch des Römischen Privatrechts*, vol. 1, ed. Ulrike Babusiaux et al. (Tübingen: Mohr Siebeck 2023): 876

²⁶ Kaser, *Das römische Privatrecht*, vol. 1 (n. 5): 321, 329–31. On Roman marriage law see also Judith Evans-Grubbs, “Marriage Contracts in the Roman Empire,” in *Ancient Marriage in Myth and Reality*, ed. Lena Larsson Lovén and Agneta Strömberg (Cambridge: Cambridge Scholars Publishing, 2010): 78–101.

²⁷ On the introduction of Roman *sine manu* marriages see Mousourakis, *Fundamentals of Roman Private Law* (n. 15): 102.

Satlow, the “legal system [was] heavily biased toward the rights of the husband over the property of his wife”, creating financial dependency.²⁸

Financial dependency also determined the lives of minor children and slaves. In the case of minor children this is not surprising and is still the case today. Like wives, children and slaves were supposed to be maintained by the householder, the provision of accommodation, food, and clothing serving as a compensation for the loss of financial independence. Yet male adult slaves were sometimes employed as their masters’ business managers and instrumental in the increase of his wealth. While wives were expected to surrender their property to their husbands, slaves’ knowledge and business acumen was put to profitable use. At least theoretically, all of the proceeds belonged to the householder and he was the one in charge of decision making.

Despite this rigid system of financial dependency, there were also ways to circumvent it – which would have depended on a male householder’s goodwill. As far as women were concerned, fathers could give daughters gifts in contemplation of death, which functioned outside proper inheritance laws that favoured sons over wives and daughters.²⁹ Through such gifts, “a man can choose to give part of his estate to his daughter”.³⁰ The donation, made by declaration on his deathbed, would be effective after his death. Such deathbed gifts are also mentioned in Roman law under the name of *donatio mortis causa*.³¹ Whether and to what extent Jewish women could use such gifted property depended on their status and on the time when they received the gift. The issue is discussed at length in Mishnah Ketubbot 8:1, where the stages before betrothal, between betrothal and marriage, and after marriage are distinguished. The discussion shows that while rabbis were generally in favour of a husband’s control over his wife’s property, they were undecided with regard to property she received as a gift at any of these stages.

The first part of Mishnah Ketubbot 8:1 distinguishes between women before and after their betrothal. The Houses of Hillel and Shammai allegedly agreed that a woman can do whatever she wants with property she received before her betrothal. They differed, however, with regard to property she received after her betrothal. According to the House of Hillel, she no longer has decision rights over the property, that is, she may not sell it or give it away, whereas the House of Shammai continues to grant her authority over the gifted property. The following sentence states, however, that both schools agreed that if she had used such property, she should not be penalized and her decision and action would be considered valid. According to

²⁸ Michael Satlow, *Jewish Marriage in Antiquity* (Princeton: Princeton University Press, 2001): 219.

²⁹ On this legal regulation see Reuven Yaron, *Gifts in Contemplation of Death in Jewish and Roman Law* (Oxford: Oxford University Press, 1960).

³⁰ Hauptman, *Rereading the Rabbis* (n. 17): 184.

³¹ See Andrew Borkowski, *Deathbed Gifts: The Law of Donatio Mortis Causa* (London: Blackstone, 1999), who traces them from Roman to English law; David Rüger, *Die donatio mortis causa im klassischen römischen Recht* (Berlin: Duncker & Humblot, 2011).

R. Gamliel's response to sages, who asked him whether the prospective husband has not acquired possession of her property together with possession of the woman, rabbis were "at a loss [to find reason to giving him right] over her new [possessions acquired after betrothal], and would you even burden us with the old also!" (ibid.), meaning that they found it difficult to prevent her from using property gifted to her before her actual marriage.³²

In the second part of the *mishnah* property gifted to a woman after her marriage, once her *ketubbah* was already written, is discussed. Sages allegedly agreed that like the *ketubbah* such additional property should be under the custody of the husband: "These and these agree that if she sold or gave away [such property], the husband retrieves it from the hand of the purchasers" (ibid.), that is, any transaction she made with this property is considered invalid. Uncertainty pertains, however, to a situation where she received property while not married (that is, marriage was not on the cards yet) and then she was (suddenly?) married. Again, R. Gamliel is said to have decided in favour of the woman: "If she has sold or given away [such property], [the transaction] is valid" (ibid.). He again stated that they were "at a loss" with regard to the husband's right of possession of such property (ibid.).

R. Gamliel's knowledge of Roman law may have contributed to this indecision and ambiguity. In regard to Roman women, Melville writes: "All property belonging to the wife that was not included in the dowry (*dos*), whether acquired before or after marriage, was known as "paraphernal" property (*parapherna*); it remained the separate property of the wife, and the husband had no rights in or over it except such as his wife might choose to accord him".³³ The *parapherna* comprised "[a]ll of the wife's property other than the *dos* [dowry] and the gift because of marriage [the husband's *donatio ante nuptas*] [. . .] Of this she is and continues to be the absolute owner".³⁴ She can use it in whatever way she chooses without requiring her husband's permission. If she wishes, she can give him administrator's rights (*res in parapherna datae*).³⁵

Rabbis must have been aware of married women's greater executive power over property in Roman law. They may have feared that Jewish women might turn to Roman adjudicators to validate the transactions they made with property gifted to them. By enabling women to make use of property received after betrothal and before marriage, rabbis maintain the husband's general right of control over their wife's

³² See also Ilan, *Jewish Women in Greco-Roman Palestine* (n. 11): 168–69, on this text.

³³ Robert Dundonald Melville, *A Manual of the Principles of Roman Law Relating to Persons, Property, and Obligations* (Edinburgh: W. Green & Son, 1915): 164; in more detail: Erich Gerner, *Beiträge zum Recht der Parapherna. Eine ehgüterrechtliche Untersuchung* (Munich: C.H. Beck, 1954); Kaser, *Das römische Privatrecht*, vol. 1 (n. 5): 329–30.

³⁴ Ferdinand Mackeldey, *Handbook of the Roman Law*, trans. and ed. Moses A. Dropsie (Philadelphia: T. & J.W. Johnson & Co., 1883): 432.

³⁵ Mackeldey, *Handbook* (n. 34): 432.

property by, at the same time, enabling parents to transfer property to daughters that would remain outside of their (later) husband's control. Especially in families without sons such mechanisms would have been crucial in protecting property from the husband's potential business losses and in transmitting it to the daughters' children.

The phenomenon of fathers gifting property to their daughters, when they were their only children, is also reflected in the Babatha and Salome Komaise papyri from the Judean desert. In her study on the relationship between Roman and local law in these documents, Oudshoorn points out that gifts enabled fathers to transfer parts of their estate to daughters from an earlier marriage, if they decided to remarry and potentially gain male heirs.³⁶ In P. Yadin 19 her father Judah makes a gift to his daughter Shelamzion after his marriage to Babatha. The gift probably consisted of real estate. P. Yadin 20 addresses a conflict that arose after his and his brother's death between Shelamzion and the guardians of his male nephews. The document confirms Shelamzion's right to a courtyard in Ein Gedi, which belonged to her grandfather Eleazar Kthousion and then to her father Judah.³⁷ Czajkowski writes: "Behind this is apparently an implication that, when Eleazar died, his property was not divided in the way that it should have been between Judah and his brother Jesus. This would have had implications for the property Jesus' sons would then have inherited."³⁸ Shelamzion's right to the property is confirmed here, however, which indicates that daughters could receive property from their fathers, even if the transfer was not called "inheritance". Since Shelamzion was married at the time when her rights to the courtyard were confirmed, this property would have been her personal possession to which her husband lacked the usufruct.

3.2 Slaves and Property

Slaves lacked the right to property possession during the time of their enslavement but they could be employed to administer and do business with their master's property. Whether and to what extent their master rewarded them for the gains they achieved was entirely up to him.

In Roman law the term *peculium* is used for slaves' holding and use of property which they did not possess themselves (D. 41.2.49.1, Pap. 2 def.). Slaves could serve as business managers for wealthy Romans, although the number of rich Romans who

³⁶ Jacobine G. Oudshoorn, *The Relationship between Roman and Local Law in the Babatha and Salome Komaise Archives. General Analyses and Three Case Studies on Law of Succession, Guardianship and Marriage* (Leiden: Brill, 2007): 239.

³⁷ Oudshoorn, *The Relationship between Roman and Local Law* (n. 36): 226.

³⁸ Kimberley Czajkowski, *Localized Law: The Babatha and Salome Komaise Archives* (Oxford: Oxford University Press, 2017): 53.

needed such managers may have been relatively small.³⁹ Rabbis reckoned with a similar use of slaves in ancient Jewish society. According to t. B. Qam. 11:2, “the son who does business with what belongs to his father, and likewise the slave who does business with what belongs to his master, behold, they [the proceeds] belong to the father; behold, they [the proceeds belong to the master].” It seems that sons could gain property rights over their fathers’ property only once they had inherited it. Until then, the father maintained all rights over his property and decided what he would give to his sons, even if they were adults. This seems to be indicated in m. B. Bat. 8:7, which rules that as soon as fathers write over their property to their sons, they can no longer sell the property; but the sons cannot sell it either, since it is still in the father’s domain, that is, the property is locked and in limbo until the father dies and the sons inherit. During this intermediate period, the father still has the usufruct, which he can give to whomever he wants.

In Roman law sons were also dependent on their fathers until they inherited his property.⁴⁰ Sons *in potestate* were subjected to their father’s *patria potestas* even if they were adults. They could engage in economic enterprises only if their father permitted and financed them. Since they had no independent ownership rights, the proceeds would belong to the father. Sons *in potestate* resembled slaves with regard to their lack of property ownership rights.⁴¹ Saller has suggested to distinguish between wealthy property owners and small-holders. Owners of small plots may have had their sons work their land and share in the income, so that “the balance of economic power between aging parents and adult sons was more nearly equal.”⁴²

The rabbinic principle that “the hand of a slave is like the hand of his master”, which appears in various contexts in the Talmud Yerushalmi (see, e.g., y. Peah 4:6, 18b), meant that a slave could not even take possession of a found object (see m. B. Mes. 1:5). He shared this inability to possess a find with minor children and wives, whereas adult children and divorced wives could take possession of the find and be recognized as its owners (ibid.). The rules indicate similarities in the dependency sta-

39 Peter Hunt, *Ancient Greek and Roman Slavery* (Hoboken: Wiley Blackwell, 2018): 47, thinks that “[o]nly a few thousand Romans can have been rich enough to need a business agent”; more information can be found in Martin Schermaier, ed., *The Position of Roman Slaves. Social Realities and Legal Differences*, Dependency and Slavery Studies 6 (Berlin: De Gruyter 2023), esp. Richard Gamauf, “Peculium: Paradoxes of Slaves With Property,” in *The Position of Roman Slaves. Social Realities and Legal Differences*, ed. Martin Schermaier, Dependency and Slavery Studies 6 (Berlin: De Gruyter 2023): 87–124, and Richard Gamauf, “Dispensator: The Social Profile of a Servile Profession in the Satyrca and in Roman Jurists’ Texts,” in *The Position of Roman Slaves. Social Realities and Legal Differences*, ed. Martin Schermaier, Dependency and Slavery Studies 6 (Berlin: De Gruyter 2023): 125–63.

40 Antti Arjava, “Paternal Power in Late Antiquity,” *Journal of Roman Studies* 88 (1998): 148–49; in more detail: Lamberti, *Handbuch des Römischen Privatrechts I* (n. 5): 869–75.

41 See Arjava, “Paternal Power” (n. 40): 148.

42 Richard P. Saller, *Patriarchy, Property and Death in the Roman Family* (Cambridge: Cambridge University Press, 1994): 125.

tus of slaves, wives, and minor children. For adult sons the dependency relationship was less severe: they could keep finds and were more likely to benefit from work they did on their father's landed property.

There was another way for a slave to acquire ownership of property, namely, through a gift by a third party. Such gifts are mentioned in Roman literary and legal sources and served as a reward for a slave's loyalty and efficiency.⁴³ The same is true for inheritances and bequests in favour of slaves.⁴⁴ A *baraita* in the Talmud Yerushalmi transmits a dispute between R. Meir and sages. Whereas R. Meir denied a slave ownership to property that someone else had given him "[on condition] that your master has no right to it", sages clearly approved of the validity of such a gift: "And sages say: The slave has acquired ownership, [but] his master has not acquired ownership" (y. Qidd. 1:3, 60a). Interestingly, the way in which slaves could acquire ownership resembles that of women: through gifts made by third parties, whether the women's father or a slave's relative or friend. Slaves could use the gift to do business with it, enabling them to increase their independent property and eventually purchase their freedom (see m. Qidd. 1:3: a slave may redeem himself with the money given to him by others). In Roman law the *peculium* could contain gifts from the master and from others, if they were added with the master's approval. This money would be considered the slave's own property (Digest 15.1.39). Rabbis ruled that a slave could even purchase his own slaves under the condition that he rather than his master would have possession and authority over them (y. Yebam. 7:1, 8a).

It seems, then, that the general rule that wives, children, and slaves were financially dependent on the householder could be circumvented to enable each of these categories to obtain rights over property they received as a gift from others or from the householder himself. The Babatha and Salome Komaise papyri indicate that wealthy families made use of this option to transfer property to daughters if they lacked sons. Particularly accomplished slaves, who were able to expand their master's business, are likely to have benefitted from their management skills by being rewarded by their masters. In the households of the middle and lower strata of society, in which wives and adult children contributed to the family income with their labour, the actual use of the ensuing property (e.g., in the form of crops or money from the sale of goods) may have been more equally distributed in any case.

⁴³ Richard Gamauf, "Slavery: Social Position and Legal Capacity," in *The Oxford Handbook of Roman Law and Society*, ed. Paul J. du Plessis et al. (Oxford: Oxford University Press, 2016): 392 and *ibid.* n. 47 with references to Justinian's *Digest*. Such gifts could be used to purchase liberty.

⁴⁴ Wolfram Buchwitz, *Servus alienus heres. Die Erbeinsetzung fremder Sklaven im klassischen römischen Recht* (Vienna: Böhlau, 2012); Wolfram Buchwitz, "Giving and Taking: The Effects of Roman Inheritance Law on the Social Position of Slaves," in *The Position of Roman Slaves* (n. 39): 165–85.

4 The Householder's Power over Women's, Children's and Slaves' Bodies

Another type of women's, children's, and slaves' dependency on the householder was his authority over their bodies. Fathers guarded over the virginity of their daughters and decided when and whom they should marry. Householders had their wives and slaves at their sexual disposal. Fathers could exert physical punishment over their children and masters had total control over their slaves' bodies.⁴⁵ They also decided where their dependants would live, what they would wear, and what food they ate.

Besides this picture of male householders' control over the lives and lifestyles of the members of their household, which the legal sources present, there are instances of rebellion, such as Josephus' stories of plots undertaken by wives and slaves of the Herodian royal family,⁴⁶ rabbinic parables that express masters' fears of servile wet-nurses' and teachers' influence on their children,⁴⁷ and wives who defy their husband's wishes.⁴⁸ There are also references to masters who allegedly refrained from harsh punishments of their slaves and treated them well and parents who allowed daughters to marry the men they loved. In daily life, these "exceptions" may have been more common and significant than the enforcement of patriarchal rules of control over the dependants' bodies.

According to both rabbinic and Roman law, householders could use physical punishments to discipline their children and slaves. In early Roman law the already mentioned *patria potestas* even included the father's decision over the life or death of a child.⁴⁹ At least theoretically, newborn babies could be killed or abandoned to control

⁴⁵ This was also the case in Christian households, see Julia Hillner, "Family Violence: Punishment and Abuse in the Late Roman Household," in *Approaches to the Byzantine Family*, ed. Leslie Brubaker and Shaun Tougher (Farnham: Ashgate, 2013): 21–44.

⁴⁶ Whether and to what extent such stories had a historical basis or are a stereotypical presentation of "the theme of the king who cannot control his own family" remains uncertain. For examples of "plotting women" in both Josephus and Graeco-Roman literature see R. Alan Culpepper, "Mark 6:17–29 and Its Narrative Context," in *Mark as Story: Retrospect and Prospect*, ed. Kelly R. Iverson and Christopher W. Skinner (Atlanta: Society of Biblical Literature, 2011): 151–52.

⁴⁷ See Hezser, *Jewish Slavery in Antiquity* (n. 1): 360–62.

⁴⁸ A prominent example is the rabbinic story in *Leviticus Rabbah* 9:9 about the wife who went to listen to R. Meir's sermon in the synagogue on Friday nights, against her husband's wishes. On this story see Burton L. Visotzky, *Golden Bells and Pomegranates: Studies in Midrash Leviticus Rabbah* (Tübingen: Mohr Siebeck, 2003): 111: "One might be tempted to see her as a feminist heroine". See also Galit Hasan-Rokem, *Tales of the Neighborhood: Jewish Narrative Dialogues in Late Antiquity* (Berkeley: University of California Press, 2003): 67, who suggests that her husband might have suspected her of evading her marital obligations of sex with him on Friday nights.

⁴⁹ Cf. Kaser, *Das römische Privatrecht*, vol. 1 (n. 5): 60–63; Lamberti, *Handbuch des Römischen Privatrechts I* (n. 5): 860–63.

the size of the family, number of heirs, and number of girls in need of a dowry.⁵⁰ Masters could exert such harsh punishments on slaves that they led to the slaves' death. In Justinian's *Institutes* master's total power over slaves is justified by the "law of nations": "Therefore slaves are in the power of their masters. This power indeed comes from the law of nations: for we can see that amongst all nations alike masters have power of life and death over their slaves" (ibid. 1.8.1).

Women also experienced violence in domestic settings. Dossey has argued that "Greek men displayed more qualms than Latins about beating their wives;" in late antiquity, Greek men considered wife-beating shameful, whereas Roman men considered it "good family discipline".⁵¹ Reasons for men's violence against their wives could be the wife's drunkenness and suspected adultery, or even looking out of a window for too long. Augustine "took it as a matter of course that men would strike their wives for faults such as joking with other men or looking out of windows immodestly".⁵² Hillner refers to "immoral conduct" and "un-wifely behaviour" as a pretext for beating a wife at the time of Justinian.⁵³ As far as rabbinic sources are concerned, measures to "put a wife in her place" included the threat of divorce with the loss of her ketubbah, which not only meant the loss of her maintenance but also the loss of the property which she brought into the marriage. Wives suspected of adultery (*sotah*) were meant to undergo the bitter water ordeal, a biblical institution which is discussed at length in the Mishnah, Tosefta, and Talmud (*Sotah* tractates) but was perhaps more theoretical than real in rabbinic times.⁵⁴ The physical coercion of wives, on the other hand, is hardly ever mentioned in classical Palestinian rabbinic texts.⁵⁵

50 On child abandonment in ancient Jewish society see Catherine Hezser, "The Exposure and Sale of Infants in Rabbinic and Roman Law," in *Jewish Studies Between the Disciplines. Judaistik zwischen den Disziplinen. Papers in Honor of Peter Schäfer on the Occasion of his Sixtieth Birthday*, ed. Klaus Herrmann et al. (Leiden: Brill, 2003): 3–28.

51 Leslie Dossey, "Wife-Beating and Manliness in Late Antiquity," *Past & Present* 199 (2008): 4.

52 Dossey, "Wife-Beating" (n. 51): 10. See also Patricia Clark, "Women, Slaves, and the Hierarchies of Domestic Violence: The Family of St. Augustine," in *Women and Slaves in Greco-Roman Culture: Differential Equations*, ed. Sandra R. Joshel and Sheila Murnaghan (n. 2): 109–29.

53 Hillner, "Family Violence" (n. 45): 29.

54 See the discussion in Ilan, *Jewish Women in Greco-Roman Palestine* (n. 11): 137–40, who points to controversy over the trial of the *sotah* at the end of the Second Temple period already.

55 See also Nahum Rakover, *Jewish Law and Current Legal Problems* (Jerusalem: Library of Jewish Law, 1984): 150, who emphasizes that coercion of wives in rabbinic law "is of a financial nature". Daniel Boyarin, *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Male* (Berkeley: University of California Press, 1997): 166 n. 44, points to "[t]he prevailing unconditional opposition of medieval rabbis to wife-beating". Avraham Grossman, *Pious and Rebellious: Jewish Women in Medieval Europe*, The Tauber Institute Series for the Study of European Jewry (Hanover, NH: Brandeis University Press, 2004): 212–30, provides a detailed discussion on "Violence Toward Women", including wife-beating, in medieval Jewish societies and texts.

Obviously, this does not preclude the possibility that it actually happened in daily life.⁵⁶

More recently, scholars have questioned the extent to which such patriarchal powers were used in daily life. Was the householder the despot the legal sources enabled him to be? Gardner has suggested to distinguish between law and life, theory and practice: “[. . .] studies have challenged the assumption that such paternal control was a social reality for much of the lifetime of many Romans”.⁵⁷ Rather than using their power over life and death, householders would have been guided by other aspects of *patria potestas*, namely, the preservation of their property and legal liability for their household members’ actions.⁵⁸ Similarly, Saller defines *patria potestas* as “a father’s duty to protect those in his power”.⁵⁹ Family relations were guided by the value of *pietas*, which involved children’s and, needless to say, slaves’ submission to and obedience towards their father and master.⁶⁰ If they disobeyed and upset the family harmony based on hierarchical power relationships, the householder had the right to rectify the situation in whatever way he considered appropriate. Both philosophers and agricultural writers advised householders not to act upon their anger and to remain calm and rational in their handling of conflicts.⁶¹ Hillner has emphasizes that “[c]orrect behaviour within the household became one of the prime indicators of male elite morality”.⁶² As blood relatives of the householder children were probably treated better than slaves. Cicero already points to the distinction between the disciplining of children and the coercion of slaves (rep. 3.37).⁶³ Yet slaves were the householder’s property, which they had an interest in preserving. They would not want to render slaves unable to work or to be sold on.

According to rabbinic law, “he who injures his fellow is liable to him [to pay compensation] on five counts: injury, pain, medical costs, loss of [work] time, and indignity” (m. B. Qam. 8:1). In the following sections of the Mishnah, distinctions are made with regard to who injured whom and in which circumstances. Hebrew, that is, formerly Jewish slaves take precedence over Canaanite, that is, non-Jewish slaves and slaves belonging to others to slaves owned by the householder himself. Whereas

⁵⁶ See Naomi Graetz, *Silence is Deadly: Judaism Confronts Wifebeating* (Lanham, MD: J. Aronson, 1998).

⁵⁷ Jane F. Gardner, *Family and Familia in Roman Law and Life* (Oxford: Clarendon Press, 1998): 269; another aspect (“Komplementarität”) is emphasized by Evelyn Höbenreich, “Rechtsstellung der Frauen,” in *Handbuch des Römischen Privatrechts*, vol. 1, ed. Ulrike Babusiaux et al. (Tübingen: Mohr Siebeck, 2023): 750–53.

⁵⁸ See Gardner, *Family and Familia* (n. 57): 269.

⁵⁹ Saller, *Patriarchy, Property and Death* (n. 42): 104.

⁶⁰ Saller, *Patriarchy, Property and Death* (n. 42): 106–7.

⁶¹ See, e.g., Seneca, *De ira*, on controlling anger. William V. Harris, *Restraining Rage: The Ideology of Anger Control in Classical Antiquity* (Cambridge, MA: Harvard University Press, 2001).

⁶² Hillner, “Family Violence” (n. 45): 22–23.

⁶³ See also Saller, *Patriarchy, Property and Death* (n. 42): 145, with regard to Cato’s advice.

anonymous sages imposed liability to compensation on someone who injured Jewish slaves and slaves belonging to others, individual rabbis condoned the unlimited corporal punishment of slaves: “R. Judah says: Slaves are not subject to compensation for indignity” (m. B. Qam. 8:3). Since slaves were considered to lack honour, they were not compensated if treated in a disgraceful way. In the following Mishnah, injuring a slave of any background is equated to injuring women and minors: “He who injures them is liable;” yet the compensation is paid to them only after divorce and manumission (m. B. Qam. 8:4). In all of these cases the injury is not specified as a punishment for misdemeanor, though.

According to Saller, “[o]ne of the primary distinctions between the condition of a free man and a slave in the Roman mind was vulnerability of the latter to corporal punishment, in particular lashings at another man’s private whim”.⁶⁴ Yet (minor) children could be disciplined with lashes too. Therefore, the question is whether and to what extent the corporal punishment of slaves differed from that of children. Were legal distinctions made between the physical punishment of children and slaves?

It needs to be noted first that there were many similarities. The disciplining of both children and slaves was generally considered beneficial to them and done in the hope that it would improve their behaviour. Not only fathers and masters themselves but also elementary teachers, domestic pedagogues, and instructors⁶⁵ could discipline children and estate managers and supervisors could give lashes to slaves. The biblical image of the “rebellious son”, who disobeys his parents and should be punished by public stoning (Deut 21:18–21) is held up by rabbis (cf. m. Sanh. 8:2–3 and y. Sanh. 8:1, 26a). Sivan has already pointed out that the biblical punishment could hardly be executed in Roman-Byzantine times, however.⁶⁶ She also points to rabbinic texts that “aspire to hedge the unlimited power of fathers over their children by penalizing intentionally inflicted damage on children”.⁶⁷

Tosefta B. Qam. 9:3 differentiates between minor and adult children. Fathers are considered liable for injuries inflicted on adult children but not for those inflicted on minors: “[If he injures] his own minor children (*ketanim*), he is not liable on any count”.⁶⁸ In the case of minor daughters, an exception to this rule applies, however: “If he injures his minor daughter [more than necessary], the damages [for the bodily injuries] are hers and he is exempt from the rest [of the counts]”.⁶⁹ Physical injuries inflicted on daughters could lower their marriage opportunities. In the case of sons, too, excessive violence against children was criticized by rabbis: “A father who injures

⁶⁴ Saller, *Patriarchy, Property and Death* (n. 42): 137.

⁶⁵ Cf. D. 9.2.5.3 (Ulp. 18 ad ed.) and D. 19.2.13.4 (Ulp. 32 ad ed.).

⁶⁶ Hagith Sivan, *Jewish Childhood in the Roman World* (Cambridge: Cambridge University Press, 2018): 56–57.

⁶⁷ Sivan, *Jewish Childhood* (n. 66): 57.

⁶⁸ Translation with Sivan, *Jewish Childhood* (n. 66): 57.

⁶⁹ Sivan, *Jewish Childhood* (n. 66): 57.

[excessively] his minor son is liable on all counts [. . .]. A father who hits his son and a teacher who smites his pupil, if they injure them they are exonerated but if they exceeded the appropriate measure they are liable" (ibid.). How to decide between "normal" and excessive punishment is not specified here, however, and probably left to the testimony of onlookers to decide.⁷⁰

Like children, slaves were vulnerable to their masters' and supervisors' execution of power over them. As already pointed out, the right of masters to kill their slaves is considered universal ("the law of nations") in Justinian's *Institutes* (1.8.1).⁷¹ We may assume that slaves were killed by their masters or their agents much more frequently than children by their parents and that the reasons for doing so were less stringent. While masters and estate supervisors may have inflicted grave injuries on slaves who caused their anger, in the case of freeborn children fathers and teachers would have been more restrained, aware of the need to preserve the minors' dignity.

Biblical law allows masters to severely punish their slaves but not to kill them instantaneously: "When a man strikes his slave, male or female, with a rod, and he dies there and then, he must be avenged. But if he survives a day or two, he is not to be avenged, since he is the other's property" (Exod. 21:20–21). In the latter case one could argue that the lashes were not meant to kill the slave. If he eventually died of his injuries, the master is not held liable for killing him. A statement attributed to R. Yehudah in m. B. Qam. 8:3 points to a significant aspect in the perception of slaves: unlike children, who were raised to become honorable adults, slaves stood beyond distinctions of honour and shame. Therefore, physical punishments' impact on the slave's dignity, mental state, and reputation were considered irrelevant. Just as rabbinic rules distinguish between minor and adult sons, they distinguish between Hebrew (originally Jewish) and Canaanite (non-Jewish) slaves with regard to the householder's liability: a father who injures adult children and a master who injures Hebrew slaves is liable, whereas a father who injures minor children and a master who injures Canaanite slaves is not, unless they belonged to others, in which case he damaged another master's property (m. B. Qam. 8:3.5; but see t. B. Qam. 9:10).

⁷⁰ On the punishment of children in Jewish law see also Benjamin Shmueli, "Corporal Punishment of Children in Jewish Law," *Jewish Law Annual* 18 (2009): 137–211; Solomon Schimmel, "Corporal Punishment of School Children: The Teacher's Tory Liability in Jewish Law," *Jewish Education* 45 (1976): 32–41; Yitzchak Levi and Avraham Sherman, "Corporal Punishment by Parents and Teachers," *Crossroads: Halacha and the Modern World* 5 (1999): 143–57.

⁷¹ On restrictions of the *dominica potestas* (the master's power) see. Richard Gamauf, "Sklaven (servi)," in *Handbuch des Römischen Privatrechts*, vol. 1, ed. Ulrike Babusiaux et al. (Tübingen: Mohr Siebeck, 2023): 958–63.

5 Conclusions

In her book *The Creation of Patriarchy* (1986) Gerda Lerner argues that in patriarchal societies, whether ancient or modern, “various forms of dependency and unfreedom coexisted”.⁷² Patriarchal family relations and slavery coexisted in ancient Near Middle Eastern societies such as Babylonia and Egypt and in the Mediterranean region throughout Hellenistic and Roman times. These societies did not know the modern Human Rights “concept of freedom as an inalienable right of all human beings”.⁷³ Slaves, and to some extent also wives and children, were considered the male householder’s “property”, whose own rights were limited or non-existent. These members of the household stood under the householder’s legal authority. Any property they might have owned would remain under his control as long as they were part of his household. He was at liberty to make use of their sexuality and labour.

Lerner argues that it is not women as such who are “reified” – free women maintain a certain amount of agency – but their “sexuality and reproductive capacity” are turned into commodities and controlled by male householders, whether fathers or husbands.⁷⁴ She identifies various “degrees of unfreedom” that existed “on a spectrum ranging from the slave woman [. . .] to the ‘free’ wife”.⁷⁵ In her book, *Chattel or Person? The Status of Women in the Mishnah*, Judith Romney Wegner also identifies sexuality as the key for distinguishing between chattel and person as far as the representation of women in the Mishnah is concerned: “Whenever some man has a proprietary interest in the sexual and reproductive function of a specified girl or woman, the Mishnah’s framers treat the woman as the man’s chattel in all matters that affect his ownership of her sexuality; in all other contexts, the dependent woman is treated as a person”.⁷⁶ As we have seen, for example, there are differences between the property rights of women before marriage, while married, and after divorce and distinctions between her dependency on her father (women before betrothal and marriage) and her husband (during marriage).

Degrees of dependency also existed between children and slaves. Here the basis of dependency was not sexuality but the notion that the child and slave were not fully fledged persons able to make their own decisions and handle things independently. Whereas the child would eventually grow into an adult person and had to be treated with this future development in mind, the slave’s personhood was denied, at least as

⁷² Gerda Lerner, *The Creation of Patriarchy* (Oxford: Oxford University Press, 1986): 95.

⁷³ Lerner, *The Creation of Patriarchy* (n. 72): 95.

⁷⁴ Lerner, *The Creation of Patriarchy* (n. 72): 213.

⁷⁵ Lerner, *The Creation of Patriarchy* (n. 72): 215.

⁷⁶ Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah* (Oxford: Oxford University Press, 1988): 19.

far as the legal texts are concerned.⁷⁷ “Roman slaves partake only of the personhood of their master, and are categorized as an *instrumentum* rather than a person [. . .].”⁷⁸ The rabbinic rule that “the hand of the slave is like the hand of the master” seems to point to a similar concept. Therefore, in contrast to all of the other categories of dependants discussed here, the slave’s dependency on his master was absolute and to some extent continued after manumission. Whereas women would become independent after the death of their husband or divorce and children would grow into responsible adults, the stigma of slavery would haunt their offspring for generations and was associated especially with unchastity, theft, and deceit, misdemeanors that did not fit the notion of a respectable Roman citizen or free male Israelite.⁷⁹ When slaves had become independent and no longer under the immediate control of their masters, common prejudices against them continued and denied them full integration into free(born) society. They remained in limbo between slavery and freedom.⁸⁰

77 Slaves are categorized as “persons” (*persona*) in Gai. inst. 1.9 (similar Inst. 1.3 pr.) and esteemed as naturally born free (*iure naturali omnes liberi nascerentur* [. . .], D. 1,1,4 pr. (Ulp. 1 inst.)). On this issue see also Catherine Hezser, “The Perception of Slaves as Human Beings and Property in Ancient Jewish and Graeco-Roman Texts,” in *Human Dignity and Human Rights in Ancient Near East, Israel, and Hellas*, vol. 2, ed. Evangelia G. Dafni and Evangelos Chrysos, *Orbis Biblicus et Orientalis* (Leuven: Peeters, forthcoming 2025).

78 John Frow, “Personhood,” in *The Oxford Handbook of Law and Humanities*, ed. Simon Stern et al. (Oxford: Oxford University Press, 2020): 284.

79 See Hezser, *Jewish Slavery in Antiquity* (n. 1): 151, with references.

80 On the status and situation of manumitted slaves see especially Rachel Zelnick-Abramovitz, *Not Wholly Free: The Concept of Manumission and the Status of Manumitted Slaves in the Ancient World* (Leiden: Brill, 2005). On manumitted slaves in rabbinic sources see Hezser, *Jewish Slavery in Antiquity* (n. 1): 108–15.