

АКАДЕМИЯ НАУК СССР
ИНСТИТУТ ВОСТОКОВЕДЕНИЯ

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РАБСТВО
В ВАВИЛОНИИ
VII—IV вв. до н. э.
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ПРЕДИСЛОВИЕ

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И. М. ДЬЯКОНОВ

Книга написана на основе исчерпывающего исследования многих тысяч клинописных документов. Она заменяет во многом эпизодические представления о нововавилонском рабстве цельной картиной, охватывающей все стороны жизни рабов, какие только отразились в источниках: применение их труда в различных областях производства; источники рабства; купля-продажа рабов; вопросы частичной правоспособности рабов и даже семейные отношения; данные о пище и одежде, продолжительности их жизни и т. д. В специальных главах представлены характеристики царского и храмового рабовладения.

Книга рассчитана на историков древнего Востока, а также на экономистов и юристов, занимающихся проблемами рабства.

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VII—IV вв. до н. э. — очень важный период в истории Ближнего Востока. На это время падают крушение Ассирийской державы после продолжительной и ожесточенной войны, образование Нововавилонского царства с последовавшими за этим возрождением вавилонской культуры и экономическим расцветом, борьба за гегемонию между Египтом, Вавилонией и Мидией, захват всего Ближнего Востока (наряду с другими территориями) сначала персами, а позднее и армией Александра Македонского.

Вместе с тем период этот характеризуется исключительным обилием письменных источников. Из Вавилонии дошло много тысяч хозяйственно-административных и частноправовых документов. Содержание их очень разнообразно: долговые расписки, закладные, контракты о продаже, аренде и дарении земли, домов и другого имущества, о найме рабов и скота, об обучении ремеслам, квитанции об уплате податей, документы о международной торговле, протоколы судебных процессов, описи различных вещей, переписка официального характера и письма с семейными новостями и т. д., вплоть до (выражаясь современными терминами) командировочных удостоверений, документов штатного расписания и адресной картотеки. Кроме того, сохранились исторические хроники, царские надписи, фрагменты законов, художественные произведения, грамматические, медицинские, астрономические, математические и религиозные тексты, словари-билингвы, географические карты, подорожные, планы домов, ярлыки к различным предметам и т. д. Весь этот материал позволяет восстановить повседневную жизнь вавилонян.

В результате плодотворных археологических раскопок, которые ведутся на территории Месопотамии в течение многих десятилетий, материал письменных источников существенно увеличивается с каждым годом. Например, только во время одного сезона раскопок в Уруке было найдено около 6 тыс. до-

кументов нововавилонского и ахеменидского времени (пока ни один из них не издан). В музеях Европы, Ближнего Востока и Америки и в частных коллекциях хранятся тысячи нововавилонских документов, которые до сих пор еще не изданы, что объясняется недостатком специалистов.

Для рассматриваемого времени мы имеем разносторонний документальный материал и из смежных областей, позволяющий выявить общие для передовых стран Ближнего Востока I тысячелетия до н. э. черты исторического развития и специфику различных обществ. В первую очередь здесь необходимо упомянуть тысячи новоассирийских и эламских документов, арамейские и демотические папирусы.

Опубликованных нововавилонских документов так много, что пока еще никто не сделал попытки систематизировать этот материал в каком-либо порядке. Внимание прежде всего обращалось на датировочные формулы и юридические термины. Большая часть текстов издана только в клинописной автографии, без транслитерации и перевода, и доступна только сравнительно узкому кругу специалистов. Поэтому многие работы, посвященные исследованию рассматриваемого периода, неизбежно носят предварительный характер, но такие работы помогут в будущем (возможно, не близком) правильно понять социально-экономическую структуру общества, что является важной задачей исторической науки. Но для разрешения такой задачи необходимо достаточное количество надежных исследований, посвященных различным проблемам, и в первую очередь поземельным отношениям, храмовой и государственной собственности, труду свободных и различных групп зависимого населения и т. д.

Вопрос о роли рабства в древности всегда занимал важное место в советской науке. Это традиционное направление нашей науки давно стало предметом острого интереса и со стороны зарубежных ученых. Как в нашей стране, так и за рубежом публикуются книги и статьи, посвященные теоретическим вопросам рабства и его роли в отдельных областях, начиная от Египта и кончая Китаем. Вопросы о значении труда рабов в экономике и масштабах его применения в тех или иных обществах обсуждаются и на международных конгрессах. Хотя о рабстве в Вавилонии I тысячелетия до н. э. исследователями было высказано много ценных замечаний в различных работах, но сама эта проблема до сих пор ни разу не являлась предметом специального исследования. Поэтому необходимость данной монографии как одного из предварительных шагов в изучении вавилонского общества представляется очевидной.

Автор поставил перед собой цель собрать и исследовать материал вавилонских документов VII—IV вв. Для этого им были протранскрибированы и переведены все известные и доступ-

ные ему клинописные документы с XI по II в. до н. э. Однако в самой монографии рассматриваются только нововавилонский и ахеменидский периоды (626—331 гг.), а тексты предшествующего и более позднего времени, а также синхронные источники из смежных стран привлекаются в порядке сопоставления и выяснения эволюции института рабства. В книге сделана попытка исследовать частновладельческое, храмовое и царское рабство, а также положение промежуточных между рабами и свободными слоев населения.

Нам кажется, что попытки изолированного изучения рабства, характерные для многих авторов, приводят исследование этой проблемы в тупик. Недостаточно знать, что такой-то человек имеет столько-то рабов, которые делают то-то. Проблема рабства касается всех сторон хозяйственной жизни. Важно оценить в целом, попытаться понять, чем располагает рабовладелец кроме рабов, как обрабатывается земля, чем можно охарактеризовать его хозяйство. Такой подход несомненно поможет понять роль рабского труда, масштабы его применения по сравнению с трудом свободных. Поэтому мы считали необходимым рассмотрение в сравнительном плане и аналогичного материала о роли труда мелких земледельцев, арендаторов, ремесленников и наемных работников, хотя эти вопросы в целом не могут быть предметом детального исследования в данной книге.

Выводы автора, находящиеся в зависимости от интерпретации зачастую нелегких для понимания текстов, в ряде случаев могут быть спорными. Располагая исключительно обильными данными о рабах, мы в то же время почти не имеем никаких нарративных источников, содержащих обобщения и систему взглядов вавилонян на рабство. Чтобы читатель-неспециалист имел возможность проверить выводы автора, в большинстве случаев мы старались дать подробное изложение содержания текстов.

Часть необработанных до сих пор документов, имеющих существенное значение для исследования рабства, приводится в транслитерации и переводе. Переводы документов включены в текст работы, а транслитерации даны в приложении в хронологическом порядке. Ссылки на тексты и исследования даются в сокращенной форме, а полные названия публикаций содержатся в списке сокращений. В круглых скобках даются дополнения, которые сделаны для большей ясности при переводе с аккадского на русский язык, в квадратных скобках — восстановления разрушенного текста, фигурными скобками отмечены описки писца, а ломаными — пропуски текста писцом или издателем. Знак = служит для указания на переиздание текста, а знаком / отмечены дубликаты документов.

Работа над вавилонскими документами была начата еще при жизни академика В. В. Струве, ценным советам, помощи

и поддержке которого автор бесконечно обязан. В плане методической обработки и исследования источников особенно ценны были советы и замечания И. М. Дьяконова и Ю. Я. Перепелкина. Автор многим обязан также покойному Л. А. Липину, у которого прошел начальный курс чтения нововавилонских текстов. Автор выражает благодарность И. Д. Амусину, И. М. Дьяконову, А. Г. Лундину, Ю. Я. Перепелкину, Г. Х. Саркисяну, И. Ф. Фихману, В. А. Якобсону и другим коллегам, которые при обсуждении данной работы сделали ценные критические замечания и дали полезные советы. В книге учтены доступные автору публикации, вышедшие до мая 1972 г.

SUMMARY

The Neo-Babylonian Kingdom was founded in 626. By that time Babylonia had already passed through a long period of historical development as a class society: the first state units in Mesopotamia appeared 2000 years earlier. Towards the end of the second millennium B. C. big cities — centres of handicraft production — grew up in Babylonia, and from the VIIIth—VIIth centuries domestic trade began to flourish, a development which was followed by the expansion of foreign trade. Naturally, important changes occurred in the social structure. Society consisted of full-fledged citizens, of freeborn persons deprived of civil rights, of various groups of *glebae adscripti* and, finally, of slaves.

Full-fledged citizens were members of the Popular Assembly of the temple community which was invested with jurisdiction in judging cases involving property and family law. Such full-fledged citizens included persons of high rank (the upper echelons of the state and temple officials, representatives of large business houses, etc.), the larger part of the labouring population (craftsmen and peasants), as well as the poorest strata of the people. From the legal point of view, all full-fledged citizens were considered equal and could become slave-owners; but, in fact, only a relatively small number of them *had* slaves. Freeman deprived of civil rights consisted of the king's military colonists and of various groups of state workers whom the state provided with means of production, and settled on royal land. These people had no part in city (or temple) self-government because they did not own property within the city's communal land fund, and consequently could not become members of the Popular Assembly. Among this group of the population there were, besides warriors, also craftsmen of various trades, merchants etc.

The role of the *glebae adscripti* deprived of the means of production, was of great importance for the economy. They lived as dependants of private individuals or bodies (e. g., the temples) and worked because of extra-economic coercion, but they were not considered slaves from the legal point of view. In contrast to the slaves, they were not the complete property of their masters; for instance, they could not be sold.

The number of slaves in Babylonia greatly increased during the VIIth — IVth centuries B. C. in comparison with the earlier periods of the history

of Mesopotamia; they, together with the cattle, constituted movable property, and appeared to be one of the most important attributes of wealth. Hundreds of slaves worked on the temple estates, and the average number of slaves in a well-to-do private family was from 3 to 5. Large business houses had dozens and even hundreds of slaves. However, as a whole, the freemen and the *glebae adscripti* outnumbered the slaves by far. Slaves were the property of their owners. With respect to their masters, the slaves had only obligations and no rights.

Scholars often speak about the instability of the slavery structure in the East, and believe there was no sharp line of demarcation between freeman and slave, the transition from freedom to slavery and, conversely, from slavery to freedom being fluid and occurring with great frequency and ease. This point of view is not borne out by documentary evidence. Only cases of debt slavery can virtually be regarded as a state of transition from one status to another. However, the defaulting debtor working temporarily for his creditor can hardly be actually ranked with slaves. Transition from one social group to another met during the entire history of Babylonia with such obstacles that only rare cases are known; e. g., manumissions of slaves were legally permitted but actually occurred very rarely. Hence there are no grounds to suppose that slaves could easily become freemen. Similarly, a transition of representatives of the other social groups from one status to another was either prohibited by law or made very difficult in practice.

The question arises: what was the role of the social groups mentioned above in the country's economy and, before all, in agriculture and in the handicraft industry?

The documentary sources divulge little information about the employment of privately-owned slave labour to agriculture, except cases when slaves appear as tenants of leased fields. The slaves, either on their own, or together with freemen or other slaves, rented fields, seed, animals and implements for the cultivation of the land from their own masters or from other persons, including other slaves. The conditions stipulated in the contracts did not differ from those which were typical of contracts between freemen.

Sometimes the size of the fields leased by slaves was so large that the tenants were not able to cultivate these fields themselves even with the help of their family members. For instance, one or two slaves naturally could not till an area which produced a yearly crop of about 15,000 centners of grain. It is quite evident that for all the work connected with the cultivation of these fields (including the maintenance of irrigational constructions) the tenants had to resort to the help of a substantial number of agricultural labourers. Often the slaves leased out land, rented to them by other people, to sub-tenants including other slaves. Sometimes they leased out fields to the influential business house of Murašû, or cultivated these fields jointly with its men and, in particular, provided an equal number of labourers. Similarly, the slave-tenants of canals often carried out all necessary work with the help of other persons.

Thus, according to available data, the slaves were basically occupied in agriculture as tenant-farmers. Among such slaves many cultivated the

field themselves together with their families. But sometimes the slave-tenants appear as large-scale employers. One might suppose that slave labour would be widely used on the estates belonging to the great landowners, to the temples, and to the king, although this is not stated in any of the deeds, since the relations between the slaves and their owners would not affect the interests of third persons. However, such an assumption should be rejected, not only because of the lack of evidence in favour of it in the period under review, but mainly in view of the fact that indirect data testify against it.

The great landowners preferred to lease out the land to tenant-farmers instead of employing slaves, since slave labour required constant supervision and, correspondingly, increased expenditures. This explains why real latifundia did not develop in Babylonia, with the exception of temple latifundia, and the presence of large landed estates combined with small land tenure was a highly typical and notable phenomenon. In those cases where great landowners resorted to the help of their own slaves, they either provided the slaves with parcels of land for their own independent households which they held as *peculium*, or, even more frequently, put such parcels out on lease. The documents provide us with interesting insights into the activities of the well-known business house of Egibi. We know the slaves of this family by names, and we are acquainted with the biographies of many of them. However, it is difficult to find among these slaves a type that could be supposed to work on the land as ordinary slaves did.

Evidently, the House of Egibi considered such use of their slaves as either unprofitable or simply impossible. Only a few of the slaves of the House of Egibi cultivated land given to them as their *peculium*, or tilled it as leasehold tenants. At the same time, dozens of documents indicate that the lands of the House of Egibi were rented out to freeborn tenants. Inevitably the question arises, what were the slaves of the family of Egibi employed in, if, as a rule, they did *not* till the land? The answer to this question is not difficult to find. Some of the slaves were permitted to work independently, on their own account and responsibility. They possessed their own households, and paid their «tax» (quit-rent) in addition to a percentage of their income from business. Other slaves were hired out to strangers. The following is especially important: about one hundred slaves are mentioned in connection with the division of the property of the House of Egibi. However, this is not so much as it sounds, since no less than sixteen houses, located in various cities, are involved. It was necessary to have a large number of slaves to maintain domestic services in these houses, and in the households connected with them.

The business house of Murašû, which held large expanses of land in southern and central Babylonia, cultivated only a small part of it with the help of their slaves on condition of lease. In the majority of cases, the slaves of the House of Murašû, in so far as they were engaged in agriculture, were not direct producers but tenant-employers. Frequently the House of Murašû itself also preferred leasing out their fields by small portions to freeborn peasants.

Thus, slave labour found only limited employment in agriculture, and could not compete with free tenant labour or replace the latter on the large privately-owned estates in Babylonia of the VIIth — IVth centuries B. C.

It is true that a relatively large number of slaves worked on the temple estates. However, evidently, slaves in temple economies were scarce, and they were only partly used for the cultivation of temple land. For this reason, the temple administration was often forced to employ seasonal workers who even were recruited from neighbouring countries. Furthermore, the temples sometimes leased out land to privately-owned, or to their own slaves, but often they preferred to deal with freeborn tenants. A considerable part of the temple estates was also tilled by different groups of *glebae adscripti*. Consequently, in spite of the fact that slaves were used in the agricultural economy on the temple estates, their labour could not satisfy all the demands of temple agriculture. Moreover, temple slaves caused many troubles by their frequent escapes and their reluctance to work, thus requiring constant supervision. The problems are illustrated by the letters of temple officials to their superiors. First of all, the officials request money for paying the freeborn hired labourers who otherwise will stop working; secondly, the senders of the letters also request fetters for the temple slaves, since some of them have run away. It appears that the hired labourers did take interest in the work if they received wages regularly, but the slaves (in particular if they were occupied in hard labour — for instance, in irrigation work) did their best to avoid work. We have no evidence at our disposal of the use of slave labour on the royal agricultural estates in Babylonia. The royal lands were leased out to tenants through the royal officials. In the first millennium B. C., in contrast to the beginning of the second millennium B. C., the royal economy was organized on the pattern of private households, and did not play any important role. At this time the leading role belonged to the private and temple households.

This brings us to the conclusion, that in Babylonia of the period under review slave labour did not play a decisive role in agriculture, and was used on a limited scale in comparison with the labour of freeborn farmers. This explains the action of king Nebuchadnezzar II: having conquered Jerusalem after a prolonged siege, and then forcibly deported to Babylonia more than ten thousand inhabitants of that city, he did not turn them into slaves. The forced labour sector in Babylonia, in contrast to Greek and Roman antiquity, was not able to absorb such masses of captives.

In the Neo-Babylonian texts artisans who were slaves by their status are mentioned much more frequently than in the documents of the preceding periods. In the VIIth—IVth centuries B. C. there were relatively many skilled artisans among Babylonian slaves, a phenomenon which was the result of the general growth of production and the increase of importance of slave labour. But even in the Neo-Babylonian period slave labour was not of decisive importance in the handicraft industry, and could not replace free labour, particularly in the field of skilled handicraft. Freeborn craftsmen made contracts with different people for the manufacturing of various

goods from either their own materials, or from those procured by their customers against corresponding payment.

Here we ought to discuss the question of the ratio between free and unfree craftsmen in the temple households. In evaluating the correlation between free and unfree labour in private households, we may in some cases not be quite certain of our conclusions, since the slaves working on these estates may often not be mentioned in the documentary sources. Quite another matter is the temple archives which have, for instance, preserved hundreds of accounts of distribution of food-stuffs to various groups of labourers, including temple slaves, for the entire year. These documents show that the temples had at their disposal a certain limited number of their own artisan slaves. But these slaves could not be responsible for the whole temple production even at a minimum evaluation. The temple administration was compelled to employ free skilled labour on a large scale all through the year. In addition, the temples often had to employ artisans from other cities. Evidently, it was not possible to find a sufficient number of craftsmen in their own city. Hired labour was employed already during the earlier periods of Mesopotamian history, but it first began to play an important role in the economic structure of Babylonia in the first millennium B. C.

Temple officials and private persons had to resort on a large scale to the employment, in handicraft, in agriculture, and particularly in the implementation of various kinds of hard work, of the labour of freemen. Nevertheless, it was sometimes difficult to find the necessary number of labourers; and in such cases the workers were able to demand high payment rates. Not infrequently we encounter in the Neo-Babylonian period groups of hired workers consisting of hundreds of persons. They organized strikes in protest against tardy remuneration of their work and irregularity in supply of food. They did not want to work for too low pay, and in some cases they even threatened their employers with violence. The correspondence of the officials testifies that the temple administration realized the necessity of satisfying the demands of the hired labourers: if they refused to work, it would be impossible to replace them with skilled temple slaves. These numerous groups of hired labourers consisted mainly of free peasants owning small plots of land.

The composition of the hired labourers group raises the general question about the scale of social stratification among freemen. As is generally known, debt slavery represented the most wide-spread form of enslaving free persons, and under certain conditions defaulting debtors could be reduced to slavery in the strict sense of the word. In Babylonia of the VIIth—IVth centuries B. C., considerable changes took place in the condition of the debtors, in comparison with the earlier periods.

A creditor could arrest a defaulting debtor and keep him in a debtors' prison. However, there is no data indicating that during the Neo-Babylonian period a creditor could sell a debtor as a slave to a third person. Usually the debtor paid off his loan by working free of charge for his creditor, thereby preserving his freedom.

The practice of pledging one's person for debt had completely vanished

in Babylonia by the VIIth—IVth centuries B. C. In addition, there is no evidence that a husband had the right to pledge his wife, and one may firmly assume that this was prohibited by law. However, free people had the right to pledge their children, who were subject to the patriarchal authority of the head of their family. But it appears that the parents very rarely pledged their children. The condition of the children of freemen pledged for an antichretic loan was not unlike that of slaves, and their work for the creditor was evaluated in silver at the same rate as slave labour. After the debt had been paid off with interest, all ties between the children of the debtor, given in pledge, and the creditors, were cut off. However, the children of *defaulting* debtors *could* be enslaved. The limitation of debt slavery to three years as prescribed by the Laws of Hammurapi was not exercised in the Neo-Babylonian period. This may be deduced from the following: the son of an insolvent debtor could be made a temple slave, and as such could neither be ransomed nor set free. Consequently, during the period under consideration, debtor-slaves, constituting an intermediate social group, could, in principle, be reduced to slavery in the strict sense of the word.

The practice of selling oneself had disappeared in Babylonia by the first millennium B. C. The right of sale of children by their parents seems to have been acknowledged by law, but it occurred very seldom, primarily in cases of extreme need, of disastrous famine, and of wars and sieges.

In spite of the fact that among the freemen processes of social stratification took place, they were not being ruined and enslaved *en masse*. Apparently this can be explained by the relatively high living standard in Babylonia during the VIIth—IVth centuries B. C., and by the ample opportunity for landless people to become hired labourers, or to rent land from somebody else, together with the necessary implements and draught animals, or to enter the royal service, etc. Therefore, debt slavery was practically of no significant importance in the VIIth—IVth centuries B. C. in contrast to the earlier periods of Babylonian history.

The labour of the *glebae adscripti* mentioned above played an important role in agriculture. They represented an intermediate social group and, by cultivating land that was not their property, were placed between slavery and freedom. In the Neo-Babylonian period the role of such groups in production and in the social structure appreciably decreased in contrast to the third and the second millennia B. C. Still, it is difficult to answer definitively to the question, what were the economic reasons for the formation of social groups which were economically similar to slaves but, from the point of view of law, were not slaves. In Babylonia of the first millennium B. C. class division does not appear outwardly in a clear-cut form, and the establishing of the social stratification is complicated by the various social structures which did not correspond to the objective division of society into socio-economic classes. Marxist historiography considers *classes* to be large social groups with a historically determined position in the system of social production and with a specific role in the social organization of labour. The classes are united by an identical

relation to the property in means of production, by a community of interests, and by the mode of distributing social resources. Estates, in contrast to classes, are social groups whose position is defined by law as well as determined by their hereditary rights and duties.

In Babylonia during the first millennium B. C. freemen did not form a homogeneous social class, since there were different groups among them, whose position in the system of economic relations was not uniform. Among freemen we may discern slave-owners living on the labour of other people (on slave labour, as well as on the labour of the *glebae adscripti*, debtors, and hired labourers); then the middle groups consisting of free people who did not exploit the labour of others; and, finally, the lower strata of the free population who were engaged as hired labourers of cultivated rented land. The freemen included many people who, actually, did not have property in means of production.

Similarly, the slaves did not constitute a homogeneous social class since there were not only exploited but also exploiters among them (slave-owners, money-lenders, employers etc.), though these were far fewer in number than the working men. The processes of class stratification thus took place not only among the free, but also among the slaves.

The slaves were relatively numerous in Babylonia of the VIIth—IVth centuries B. C. They could have families, possess land, houses, and considerable amounts of movable property. The tendency toward such forms of the employment of slave labour became increasingly important during the Neo-Babylonian and Achaemenian periods, because the slaves who worked independently, on their own account and responsibility, and who paid a yearly quit-rent in silver were much more profitable to their owners than such slaves that worked under the lash and were always eager to run away.

The slaves who possessed a *peculium* played, like the freemen, an active role in the different spheres of economic life. Like the freemen, they lent money and natural products to free persons or to other slaves. In addition, the slaves engaged in such activities as commerce maintained their own taverns and workshops, and taught various trades. The legal form of business transactions between slaves was the same as between free persons. Sometimes the slaves made contracts not only with their own masters, with other freeborn persons, and with other slaves, but also with their own slaves. Slaves could also have their seals, witness contracts between free persons and slaves, and take oaths. In the legal sphere they had full rights to engage in litigation with each other and with other free persons but evidently not with their masters. There does not seem to have been any distinction made in the attitude towards the defense of a slave's interest in court as opposed to the defense of the interests of a free person. Moreover, slaves, like free persons, gave, as witnesses, testimony about crimes committed by other slaves or by free persons, including their own masters. Consequently, a slave's legal capacity was recognized by law, albeit with certain restrictions, and they were considered to be both objects and subjects of rights. Slaves could not only mortgage, rent out, buy and sell their

possessions (including real estate) but they could also accept the property of freeborn debtors or of slaves as pledge, including land, houses, etc. Slaves could buy and sell other slaves and hire free persons to work. Finally, a slave could be held responsible for the repayment of the debt of his master when they had taken the loan jointly.

Naturally, side by side with slaves possessing a *peculium*, living by their own labour and paying a quit-rent to their masters, and also with slaves paying a quit-rent or tax and exploiting the labour of other slaves and freeborn persons, there were in addition many slaves who were engaged in labour under their owner's supervision, and possessed no property. Thus, the slaves, like the freemen, did not all hold identical positions in the socio-economic structure. Therefore it is hardly correct to contrast the slaves as a homogeneous class to the slave-owners in the case of Babylonia of the first millennium B. C.

The question presents itself: what is there in common between a slave in chains and working under a lash, and a slave who is an exploiter, possessing means of production (true, only by right of *peculium*) and supervising others working for him?— Both the chained slave and the slave-exploiter belonged to the *estate* of slaves and were legally the master's property. Even the richest slave could not acquire liberty, since the right of manumission of a slave belonged alone and exclusively to the slave's owner. The richer the slave was, the more unprofitable it was for the master to set the slave free.

Thus, on the whole, it seems reasonable to contrast the slaves as an estate to the estate of free persons which included two different social groups, viz., that of slave-owners, and that of free workers. Therefore, in Babylonia of the first millennium B. C. the class structure did not coincide with the estate structure and, moreover, the representatives of different estates could belong to one and the same class, and vice versa — the representatives of one estate could belong to different classes.

If one attempts to establish, what *classes* there existed in Babylonia of the VIIth—IVth centuries B. C.— with the necessary reservation that there were no «pure» clear-cut classes as different from the estates,— we may come to the conclusion that the Neo-Babylonian society fell into three socio-economic classes:

The first class consisted of persons who had property in means of production but did not engage in productive labour. It represented the smallest group, the exploiting elite which constituted the dominant class. This group included the higher royal and temple officials, large landowners, merchants and businessmen; but usurers and businessmen who belonged to the estate of slaves should also be included in this class.

The second class and the most considerable in its number and role in the production, consisted of persons who possessed means of production, were engaged in productive labour but did not exploit the labour of others. This class included mostly freeborn peasants and craftsmen who were full-fledged citizens of the communities. Also the technically free peasants and craftsmen who were settled on royal land but were de-

prived of civil rights, and the part of the temple and privately-owned slaves who were provided with means of production by right of *peculium*, belonged to the same class, too.

The third class consisted of persons which constituted to a considerable extent the sector of compulsory or forced labour. The larger number of the slaves and *glebae adscripti*, who were deprived of property in means of production and engaged in productive labour, belonged to this class. A separate group of this class included the poorest strata of the citizens, viz., debtor-slaves and hired labourers who worked for economic reasons. Antagonism and struggle always occurred between the slaves and slave-owners. As is well known, in Rome by the end of the Republic slaves had turned out to be a formidable power, shaking the state with their great revolts. In Babylonia, class struggle also took place between the slaves and their masters, but the struggle was spontaneous and unorganized. The slaves objected to poor living conditions, and sometimes actively resisted their masters, defended themselves with weapons, and even killed their overseers. But mainly the slaves' protest was restricted to running away and trying to become free. Slaves who had attempted to escape or had been under suspicion of doing so were put in chains and forced to work in special workhouses with a prison régime.

The institution of slavery was taken for granted not only by the freemen but also by the slaves themselves who never demanded its abolition. This is the reason why the Babylonian literature presents no protest against the institution of slavery, or any condemnation of it. There were no organized slave revolts in Babylonia. This can easily be explained by the fact that few large handicraft workshops or latifundia based on slave labour existed. It is characteristic that the most striking examples of the slaves' class struggle have been recorded in the documents of the temple archives. The temple slaves had many more possibilities for joint action than did the slaves in private possession, since they often worked in relatively large groups.

Some Babylonian texts contain hints of social disturbances among the poorest sections of the free population, noting that the inhabitants of the country devoured each other like dogs, the stronger pillaged the weak, many persons broke into houses and captured fields which were the property of others.

In Soviet Orientalist literature the opinion is current that Ancient Near Eastern societies present, as a whole, the earliest stages of slave society. However, though slaves in the proper sense of the word appeared in Mesopotamia in the third millennium B. C., and in the second millennium B. C. they came to play a considerable part in production, nonetheless slavery never reached in Babylonia such a degree of development that one could speak about slave labour having the leading role in society. Slave labour was only one of several types of forced labour and, besides, not always the most considerable according to its role. In other words, the slaves constituted only a part of the dependent persons deprived of property in the means of production and exploited by extra-economic

means, i. e., by direct coercion. The problem whether the social structure of Lower Mesopotamia in the first millennium B. C. represents a quite specific way of development of the slave economy (by which the country *did* reach a rather high level of its evolution), or the same type of slave economy existed also in some other countries, is to be studied with the help of comparative historical investigations of various ancient societies.

At any rate, at present we have no sufficient grounds to speak about a tendency or a perspective of development of the slave-manned production in Babylonia of the VIIth—IVth centuries B. C. towards an inevitable, steady increase of slave labour in the main branches of the economy. That there was no predominance of slave labour in any branch of the Babylonian economics is not the main point; more important is that the labour of the free tillers of the ground (small farmers and tenants) was the basis of agriculture, and that free labour also dominated in handicraft. The reason was, that slave labour proved not to be effective, and required constant supervision. The slave tried his best, in every way possible, to avoid his job; he did not display initiative, and was not interested in the results of his labour, especially in the quality of his work. It was difficult to institute effective control over slaves, since the main type of rural economy were the small peasant households, and large handicraft workshops were almost non-existent. This explains why many slaves were allowed to have their own households, and to enjoy their possessions on the condition of payment of a fixed quit-rent to their masters. A large number of slaves were also used as agents of their masters, and for domestic service. But, as a whole, in the Neo-Babylonian period slavery evidently declined.

Of course, we should not draw the conclusion that slave labour was of no importance in the economy of the country. In the Ancient East the economics and the society itself were unthinkable without slavery which was an important part of the economic and social structure. However, slave labour was used, mainly, for the type of tasks which did not require either skill or extensive supervision, and in those cases when slaves could be employed all the year round, not for season-work alone. But even such use of slave labour played an important role in the ancient societies, since they gave the freemen the possibility to take upon themselves the more complicated processes of production. The existence of the slavery institutions left a profound imprint on the social structure, ideology, law and social psychology, and class antagonism obtained between the slaves and their masters in the most naked and typical form.

ADDENDA

- К стр. 7—12.* См. новые издания частноправовых документов: R. H. Sack, Amēl-Marduk 562—560 B. C., Kevelaer, 1972 (27 текстов времени Амел-Мардука); Staatliche Museen zu Berlin. Forschungen und Berichte, Bd 14, 1972, стр. 7—35 (21 текст времени Артаксеркса I и Дария II); ZA 61 (1971), стр. 255—259 (документ времени Камбиза). Всего издано 9340 юридических и хозяйственных документов нововавилонского и ахеменидского времени.
- К стр. 47—48.* О признаках рабства см.: I. J. Gelb, From Freedom to Slavery, — «Bayerische Akademie der Wissenschaften, Philosoph.-hist. Klasse. Abhandlungen». Neue Folge, Heft 75, 1972, стр. 81—92; И. М. Дьяконов, Рабы, илоты и крепостные в ранней древности, — ВДИ, 1973, № 4, стр. 3—29.
- К стр. 102* (документ Кг 203). Предложенная интерпретация подтверждается пока не изданным текстом из архива Мурашу CBS5212, согласно которому Мурашу сдавали арестованных ими лиц внаем (автографии и транслитерации неопубликованных документов архива Мурашу любезно предоставил в наше распоряжение сотрудник Мичиганского университета М. У. Столпер).
- К стр. 134.* Ср. перевод рабского имени Набу-шенишу-шузиз — «(бог) Набу, останови его ноги!».
- К стр. 155.* Среди неизданных текстов архива Мурашу сохранились ценные документы об арендаторской деятельности раба Рибата.
- К стр. 350 и сл.* Когда речь идет об иккару, слово *суту*, по-видимому, правильное будет перевести «побор», а не «арендная плата».
- К стр. 377—379.* См.: ANw, стр. 1049 s. v. sipru II.

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