MESOPOTAMIAN MERCHANTS

EPISODE 004
Our first three episodes have looked at trade and boating in ancient Mesopotamia, and today we’re going to home in on some more specific elements related to merchants and how they operated in ancient Mesopotamia and how their legal system gives us a window into how things must have run. Rather than tell you what we’re going to cover, let’s just get to it.

The Sumerian word for merchant was ‘damkara’ and the later Babylonian term was ‘tamkārum,’ but unfamiliar words like these have little meaning without some explanation, and when we hear the word ‘merchant’ we attach quite a few preconceptions to it. A good place to start then is with an idea that we’ve already seen in previous episodes: the idea that Mesopotamia was essentially devoid of many natural resources that became essential after the region began to transition toward urbanization. Because of that scarcity, merchants actually played a large role in their society. Whether for consumption or to use as an indication of social status, when the people of Sumer fed a demand for goods, they became the driving force behind Sumer’s growth into one of the first cultures to trade on a large scale. Merchants were the people responsible for satisfying that demand for goods, and we’ll get into the nitty-gritty details in a bit, but the bottom line is that merchants became the facilitators of long-distance trade because it was a very lucrative business.

That being said, I first need to address the historiographic perception of Mesopotamian societal structures as being under the exclusive control of the temple and the palace. For quite a long time, in scholarly circles it was assumed that state and religion dominated all and that the people, including the merchant class, were merely tools in the hands of their leaders. In looking back at the ancient dynastic power structures of that day, it can be quite easy to assume that modern man has it right and that the earliest civilizations were wholly totalitarian in comparison. That viewpoint really colored our perception of how merchants operated, and honestly, by taking a look at the types of records that have survived until today, it’s easy to see why historians made the assumption that the state was basically totalitarian. The main problem is that the overwhelming bulk of administrative and economic records from Mesopotamia are just that, administrative records, meaning that they were created by the temple or palace authorities as a way to account for the flow of goods into and out of the temple or palace in question.

Even though it may seem counterintuitive at first thought, this really shouldn’t surprise us. After all, aren’t the administrative records of the state kept for longer periods of time than
a private citizen or even a business person would keep their own records? If you’re in doubt, consider a modern state. I’m sure most of us in our lives have had or will have a frustrating experience with the bureaucratic record-keeping machine of the state, but the reality is that those records will still be sitting somewhere after we’re long gone, even when our own personal records are oftentimes lost while we’re still alive. I would suggest that the situation in Mesopotamia was no different, and that the abundance of state records that have been discovered in archaeological digs only give us a one-sided picture of the economy of ancient Sumer.

To see the other side of the picture, we are unfortunately forced to read between the lines of the ancient texts that have been discovered up to this point in history. By looking to the small amount of merchant records that have been discovered, and by considering the common practices of other industries in Mesopotamia, a plausible picture of the merchant class begins to emerge, one where they had a wide latitude to operate independently and were largely driven by profit motives even if the bulk of their trade and business still came from the power centers of the palace or the temple.

How do we know that merchants were interested in profits? It’s an important question, actually, because it’s very central to the opposing views of whether or not merchants functioned independently of the state. Our best evidence for common motivations among professional classes in ancient Mesopotamia can be found by looking at the practices of animal husbandry and fishing, as strange as that may sound. These two industries in particular give good examples of how the state would transact business with private individuals, with the basis of the transaction existing in the form of a capital loan with interest due at a specified point. The business of herding cattle is, to me, the best example of how merchant shipping would likely have worked.

In the case of cattle herding, the owner of the cattle would typically give a herder control of a defined number of cattle, and at the end of their agreed upon term, the herder was required to return the original number, in addition to a fixed percentage above the original number. Presumably this percentage was to have come from calves born into the herd. The important point though is that the herder was obliged to increase the size of the herd as much as possible because his profit was measured by whatever increase was left over after the original herd plus the fixed percentage had been returned to the owner. Another
point that translates to the merchant shipping context is the fact that the herder undertook a fairly large risk, in that, if the herd did not grow, all of his work would result in no profit at all. Fishing was structured in a similar manner. The state was seen as possessing all fishing rights, but those rights were exchanged in return for a specified quota of fish, the excess being treated as the fisherman’s profit margin. Again, there was a level of risk undertaken by the fisherman.

Both of these examples tell us that plenty of private individuals undertook business with the state institutions with an eye toward profit. In the case of merchants, it appears that they did the same thing, though there was an added component of credit involved, and the fact that many merchants were financed by private investors. Independent merchants conducting trade on a credit basis led to a complex network of trade that would be difficult to describe in detail. Add to that the reality that until later periods of Mesopotamian history there were disparate measurement systems among the city-states, and I think you start to get the picture that the merchant trade in ancient Mesopotamia was actually a complex system that could function apart from the state.

That’s not to say that the state didn’t play a large role though, as merchants and the temple or palace actually worked closely together, in most cases simply because it was to the benefit of both parties. From the merchant’s perspective, the state was an important, if not the most important customer, and a customer who could provide protection if necessary. From the ruler’s perspective, the merchant was the source of goods that couldn’t otherwise be obtained, the luxury goods we’ve discussed in previous episodes, but also the practical necessities of any growing empire, especially one where resources were scarce. A good example of this relationship between the merchant and the state can be seen in the texts that detail the trade of Ea-nāṣir, a merchant from Ur who was a wholesale importer of copper from Dilmun, a trade center of the Persian Gulf.

Ea-nāṣir conducted his business during the reign of Rim-Sin of Larsa, a king who ruled locally during the overarching reign of Hammurabi. Rim-Sin had left Larsa and led an invasion of Ur, after which he placed an order for a large amount of copper from the main copper merchant of Ur. What’s amazing to me is that Ea-nāṣir didn’t even live in Ur at the time, rather he kept a home in both Ur and in Dilmun, so when he received the order from Rim-Sin he shipped 18,000 kilos of copper up the Persian Gulf to Ur. Apparently, before Ea-
nāṣir had gone down to Dilmun, several private traders had invested their capital with Ea-nāṣir’s merchant business, asking him to purchase copper on their behalf and have it delivered back to Ur. The capital that was widely used in such situations was silver chunks, as coinage had not yet been invented, but investors also used fabrics, perfumes, and oils as capital if necessary. Anyway, Ea-nāṣir knew that he was guaranteed to profit by filling the copper order from the king, so all 18,000 kilos went straight to the palace. When the traders in Ur got word that none of the copper on the ships was sent to satisfy their investments, well, it’s safe to say that they were a little cross with Ea-nāṣir, sending a barrage of urgent messages back down to Dilmun asking why their copper hadn’t been sent.

A clay tablet letter addressed to Ea-nasir complaining that the wrong grade of copper ore has been delivered after a gulf voyage and about misdirection and delay of a further delivery.

Notable here is the way in which relations with the merchant were maintained by an invading king. To me, this demonstrates the reality that people realized the important role that the merchant played and went to lengths to maintain a good relationship with him. After all, even at the points where cities were at war with one another, the merchants from those cities still traded amongst one another and maintained the complex credit system that existed
in Mesopotamia. The other pertinent point here is simply a demonstration of something we’ve already seen: the merchants were independent by and large, and although they conducted business with private traders, the bulk of trade still went through the palace because that’s where the profit was to be made.

One more example of this dynamic at work, this one coming from the transactions of a merchant named Lu-Enlilla, another merchant from Ur who plied his trade during the Third Dynasty of Ur. Lu-Enlilla was part of a merchant-family and is referred to in ancient texts as a ‘sea-faring merchant.’ The two most revealing texts give us a picture of both ends of a trading expedition. One text is lists the goods that were given to Lu-Enlilla by the Temple of Nanna before he left Ur to trade in Magan on the temple’s behalf: 1,800 kilos of wool, 300 kilos of plant material, 600 kilos of fish, 1,500 litres of sesame oil, and an unspecified amount of hides and garments. The second text is a receipt that tells us what he obtained in Magan in exchange for all of the Mesopotamian goods he had brought south: 150 kilos of copper which were probably locally produced, along with many non-local items such as ivory, precious stones, and red ochre, items that originated in various locations across the Near East.

A few other facts about Lu-Enlilla, found in other texts, help round out the picture of the ancient merchant that he presents. Several text detail how he gave tithes at the temple upon returning with the goods he’d obtained in Magan. In one instance, the tithe consisted of 10 litres of onions and 20 litres of perfume; in another instance his tithe was a large amount of grain. Scholars have suggested that his tithe to the temple reflected a percentage of the personal profit that he had reaped through his transactions in Magan and a successful return journey, an interpretation that lends credence to our earlier discussion of profit motive as a basis of merchant activity in Mesopotamia. The other fact about Lu-Enlilla is a bit more intriguing, even if it doesn’t tell us quite as much, though it may. I previously said that Lu-Enlilla was part of a merchant-family, and apparently his family was well-connected with the royal family of Ur. As you can imagine, that likely provided them a leg up on the merchant competition, but it demonstrates that the state was quite powerful in ancient Mesopotamia and the closer your connection to it, the more well off you were. I know that I stressed earlier the fact that merchants weren’t completely controlled by the state, and I stick by that claim, but hopefully now the picture is more clear that they conducted business as individual merchants, but frequently gravitated toward transacting business with the most lucrative customers, the state and temple chief among them.
That then brings us to the last merchant-related point that I wanted to make, a point that gives us a glimpse at how the state sought to protect the merchants and foster the clean transaction of business, partially out of self-interest, but partially because higher levels of trade were beneficial for everyone in Mesopotamia, not just the state structures.

The main source of law that governed shipping and trade in Mesopotamia comes from, what else other than Hammurabi’s Code. Now there were law codes in existence before the famous Code of Hammurabi, the oldest extant text being the Law Code of Ur-Nammu, the king who founded the Third Dynasty of Ur, and even still, Ur-Nammu’s code was based on earlier codes that have not yet been discovered. The first code to specifically mention shipping and trade was Hammurabi’s Code, but the provisions regulating water-based trade are only a fraction of the entire Code. Measuring in at a Code of 282 distinct laws, Hammurabi’s Code deals with topics as diverse as slavery, the duties owed by workers, food and price controls, and perhaps the most well known, the criminal punishment principle later known by the Latin term lex talionis, which stands for the code’s gradations of punishment shown by the phrase “an eye for an eye; a tooth for a tooth.”

The law student in me wants to indulge in long and winding rabbit trail to talk about how even the earliest law codes show mankind’s recognition of of human life as having inherent worth, in addition to the innate sense of fairness and justice that existed as a basis for the ancient law codes. Now obviously our conceptions of justice and fairness have been refined in the millennia since, and issues like slavery have seen radical shifts, but I’m speaking on a very fundamental level. In the interest of keeping things focused though, I’ll not chase the rabbit. If your interested in pursuing a topic further, consider shooting me an email or joining the forum that’s connected to the MHP website. Back to business though.

Although there are dozens of provisions from Hammurabi’s Code that touch on business transactions and interest rates in some way, I’m going to narrow our focus down to the 9 laws that are directly related to shipping. Three of them relate to hiring or renting a boat. The cheapest boat to rent was the freight-boat which costed two and a half gerah per day. A ferryboat was three gerah per day, and a ship that could carry sixty gur of grain was one-sixth of a shekel per day. The shekel was a common unit of price in the ancient world, and estimates are that was measurement of silver weighing in at around eight and one-third
grams, though weights and measurements did vary over time and between different cities. A gerah was one-twentieth of a shekel, so we can deduce that with the relationship between prices and weights in ancient Mesopotamia, a freight-boat could carry the least, and that a sixty-gur boat was the largest standard size for a transport ship.

The next two laws work together by fixing a price to be charged for the construction of a ship, and then requiring the builder to guarantee the ship’s seaworthiness for a year’s time. The first law sets the price for a sixty-gur ship at two shekels, and it’s interesting to consider this price in connection with the daily rental prices we saw a moment ago: purchasing a ship outright would cost 12 times what it would cost to rent the same ship for one day. Just as in the modern world, there were numerous varying situations where it would make sense for one person to buy a ship while it made more sense for another to simply rent it. The second law in the complementary pair provides a guarantee of seaworthiness to those who decided to purchase a ship: “If a shipbuilder build a boat for some one, and do not make it tight, if during that same year that boat is sent away and suffers injury, the shipbuilder shall take the boat apart and put it together tight at his own expense. The tight boat he shall give to the boat owner.” Essentially then a ship buyer was given a one year warranty during which if the ship suffered damage, the builder was obligated to repair the ship. It isn’t explicit in the text, but the seems to imply that the warranty only stands if the ship is damaged because of a defect caused by the builder. The law carries the qualifier that if during the year following its completion the ship “suffers injury” because the shipbuilder “failed to make it tight,” then the shipbuilder is obligated to carry the cost of repairs, to “put it together tight” as the law calls it. We’re forced to read between the lines on this one, but it stands to reason that a law code with so many other provisions for fairness and justice would probably recognize that a builder shouldn’t be liable if the buyer wrecks the ship because of his own negligence. My reading of this law is that only construction defects are covered under the warranty, but I have to admit that I’m making a slight assumption.

A few other provisions tell us that sailors who rented boats were liable for any damage that they negligently caused. If only the boat was lost, then the sailor had to provide the owner with a replacement boat. If the boat had cargo on board and the cargo was lost, then the sailor was obligated to provide a replacement boat and to compensate the owner for the value of the cargo that was lost. Again, these provisions should sound familiar to us today
and they carry with them a sense of fairness, even if ancient Babylonia didn’t yet recognize the concept of consequential damages stemming from lost profits.

Another straightforward law concerned ship owners who hired sailors to serve as crew on board the ship. Sailors hired to work on a ship were to be paid six gur of grain per year.

The last shipping-related law that I want to touch on is perhaps the most interesting of the bunch and its one of what can be called the “rules of the road” even though there aren’t any actual roads involved. The text of the law reads: “If a merchantman run against a ferryboat, and wreck it, the master of the ship that was wrecked shall seek justice before God; the master of the merchantman, which wrecked the ferryboat, must compensate the owner for the boat and all that he ruined.” In my research, I’ve found two possible interpretations of this law that both seem plausible, so I’ll mention both of them. The first interpretation is that if two ships were involved in a collision, with one at anchor and the other under way, then the ship under way was responsible for the cost of repairs to the damaged ship in addition to, presumably, the repair of his own ship. The other interpretation that seemed plausible is worth mentioning because a lot of the shipping that took place in Mesopotamia was done via the rivers that pierced into the heart of the land. The nature of river shipping is that depending on which direction you were traveling, the stream would either be working with you or working against you. Thus, the other interpretation of this law is that the ship proceeding downstream was required to give way to the ship going upstream, and I wouldn’t at all be surprised if this were the correct view.

In his book *The Sea & Civilization* historian Lincoln Paine includes a helpful footnote to tell us that “rules of the road” were once so called because they governed navigation on a roadstead, or a narrow stretch of open water which ships would ride at anchor. He also points out that these earliest of shipping laws provided the basis of commercial and maritime law throughout the following millennia, but it was not until the emergence of the steam ship and engine-driven navigation that “rules of the road” for maritime shipping were given the force of law. In most maritime nations such rules were observed by custom out of necessity, but the globalization of trade and shipping led to the passage of navigation laws in the 1840s and today there are the International Regulations for Preventing Collisions at Sea, or COLREGS, which are also supplemented by national laws regulating inland waterways and
international laws that govern coastal waterways. Quite a lot to keep track of if you’re a ship captain today in comparison to ancient Mesopotamia.

Well, that does it for the fourth episode of the Maritime History Programme. I hope you’ll join me next time as we shift our geographic focus down to Egypt. We’ll also roll back the calendar to the mists of prehistory there and see how their society developed and how their maritime capabilities developed as part of the bigger picture. Our next six episodes will cover many specifics from Egypt, and I’ve really enjoyed putting them together, so I hope you’ll continue to tune in as we begin the chapter on Egypt, the Nile, the Red Sea, and on boats buried for the pharaohs.

Sources

- King, L.W., translator, Hammurabi’s Code of Laws. [link]
