

habitants primitifs de la jungle sont des prêtres chez Birhor, comme nous l'avons déjà dit, de même que chez les Gonda et chez les Oraon.

Il résulte de ces données que la vie des ermites dont parlent les sources ne différerait pas de la vie des tribus cueilleuses en territoire de l'Inde.

Bien que, tout seul, le problème de la vie des ermites ne soit pas de grande importance, il est quand même l'un des fils conducteurs qui nous introduisent à l'essentiel du problème compliqué qu'est la genèse de la civilisation de l'Inde. Il nous montre que la civilisation de l'Inde se compose des éléments les plus primitifs du substrat pré-aryen. Il nous permet d'observer comment ces éléments furent transformés selon l'esprit brahmanique, de sorte qu'on a l'impression qu'il y s'agit du brahmanisme le plus authentique. Ce qui nous donne à penser c'est la coïncidence entre l'établissement de ces tribus sur l'espace de Chota-Nagpur au territoire de l'ancienne Magadha inclusivement et le fait que la tradition indienne localise justement sur ce territoire les ermitages (*āśrama*) de Rṣyaśringa, de Bhṛgu et de Durvasa (vide N. Dey, *Geographical Dictionary*, London 1927, carte). In nous semble que nous avons affaire à l'un des indices attestant que c'est là qu'il faut chercher la genèse de l'ascétisme indien.

CZESŁAW SRZEDNICKI

EARLY INTERNATIONAL LAW DOCUMENTS CONCERNING THE PROTECTION OF MERCHANTS

At the origin of the development of modern international law in Europe, there can be found confirmation of the law protection of merchant profession in treaties, as well in scientific elaborations.

Some authors reach so far in their considerations that they think that even during a war between two states, merchants and their goods should be spared, regardless of the country of their origin¹.

But those were not only theoretical considerations. The fact that merchants enjoyed a privileged status, is confirmed among others by so called military articles².

Moreover, a number of international treaties and conventions concluded among monarchs did relate to the protection of commerce, merchants and their goods³. As early as in the 1214 the

¹ A. Gentilis, *De iure belli libri tres* — Text 1612, ed. Carnegie 1933. C. Bynkershoek, *Questionum iuris publici libri duo*, 1731 ed. Carnegie 1930.

² E. g. in *Króla Augusta II artykuły wojskowe z dnia 22 lutego 1698* (Military articles of the king August II of 22 February 1698) art. XVIII says: „Ważyc się nikt nie ma ... ludziom prowianty i towary dowożącym cokolwiek gwałtownie brać“ („Nobody is permitted ... to take away whatever by force, from the people that supply provisions and goods“). S. Kutrzeba, *Polskie Ustawy i Artykuły Wojskowe od XV do XVIII wieku*. Kraków 1937, p. 295.

³ E. Hertslet, Sir, *Treaties and Conventions between Great Britain and Foreign Powers so far as they relate to Commerce and Navigation*, (1354—1921).

IV Lateran Council recommended the protection of merchants in its resolutions.

A question arises if also in ancient times, merchants enjoyed a similar favoured status on the territory of a foreign country and whether it was regulated by certain agreements. Thanks to archeological excavations and publishing some documents obtained from them, the situation of merchants in antiquity can be better known ⁴.

In this article I shall consider this problem in brief, in the light of international documents from the second half of II Millenary B. C., derived from archives of Boghazköi, Ras Shamra and Tell-el-Amarna.

Attention should be directed to the fact that commercial relations in the Ancient Near East were very extensive. Mesopotamia being mainly an agricultural land, it imported from the West indispensable raw materials for its economics, such as building stone, timber (cedars), and since the second half of the II Millenary B. C. — iron from Anatolia. Other metals were imported from the East and gold from Egypt. On the other hand as an agricultural land, it was an exporter of such products.

As early as in 17th century B.C., Hammurabi grants privileged status to merchants in his jurisdiction ⁵, while in the earlier law code by Bilalama of Eshnunna, which is older by three centuries, this status is not so favoured. Probably it was due to the fact that the extent of commercial exchange was then smaller, as well considering that in the course of time, merchants also took over other functions, e.g. mediation in transferring some information of economical and political character and ransoming inhabitants that had been taken prisoners during wars ⁶.

This special status of merchants is reflected in treaties, corre-

⁴ B. Landsberger, *Assyrische Handelskolonien in Kleinasien aus dem 3 Jahrtausend*. „Der alte Orient“, 24/1925.

W. F. Leemans, *The Old-Babylonian Merchant. His Business and his Social Position*, 1950.

⁵ § 40 *The Code of Hammurabi*, ed. J. Klima, *Prawa Hammurabięo*, Warszawa 1957.

⁶ §§ 32, 280 and 281 *The Code of Hammurabi*, ed. *op. cit.*

spondence and other international documents from the second half of the II Millenary B. C.

As a rule, it is confirmed that merchants enjoyed legal protection on the territory of a foreign state, and on the contrary, some restrictions of their freedom were also regulated by treaties.

The security of merchants' lives and goods is the subject of the treaty concluded between Carchemish and Ugarit ⁷. Both the negotiating parties agreed to pay damages in case of merchants' homicide and forfeiture of merchants' property. Those treaties were respected, which is proved by royal verdicts in cases of occurring murders of merchants. Those verdicts confirm payment of indemnity ⁸.

In the correspondence from Tell-el-Amarna archives there is a letter of the king of Babylonia intervening and demanding damages and punishment of those responsible for homicides and robbing of Babylonian merchants on the territory of Kinahhland, being under the authorities of Egypt ⁹. Likewise, the king of Cyprus (Alashiya) intervenes with the Pharaoh (Amenophis IV?) in the matter of the retaining of his merchants together with a ship in one of Egyptian harbours ¹⁰. The above mentioned Babylonian intervention was not the only one. From a letter of Hattusilis III to the king of Babylonia Kadashman Enlil, we learn that the latter intervened with the king of Hatti in the matter of the murder of Babylonian merchants on the territory of Syria ¹¹.

Among international documents from that period, we are in possession of such ones, the contents of which was the curtailing of this privileged status of merchants. Among some international documents from Ugarit, we possess the edict of the Hittite king Hattusilis III establishing „modus vivendi“ of Hittite merchants from the town Ura, on the territory of Ugarit ¹².

⁷ J. Nougayrol, *Textes accadiens des Archives Sud (Archives internationales) Le Palais royal d'Ugarit IV* — Paris 1956, p. 154.

⁸ J. Nougayrol, *op. cit.*, p. 106, 169, 172.

⁹ J. Knudtzon, *Die El-Amarna Tafeln*, Leipzig 1915. „Vorderasiatische Bibliothek“. Erster Teil, p. 87.

¹⁰ J. Knudtzon, *op. cit.*, p. 297, 299.

¹¹ *Keilschrifttexte aus Boghazkoi*, Leipzig 1916; I, 10, rev. 14—15.

¹² J. Nougayrol, *op. cit.*, p. 103.

This edict confines the stay period of Hittite merchants in Ugarit to the summer time only, it also regulates some property questions of those merchants.

Another document restricting merchants is the treaty concluded between the Hittite king Tudhalijas IV and Istarmuwa from Amurru¹³. This treaty forbids not only to keep commercial relations between Amurru and Assyria; in case Assyrian merchants crossed the territory of Amurru, they are to be seized and given to the Hittite king¹⁴. This treaty established some sort of blockade of Assyria¹⁵.

These several cited examples prove that also in ancient times merchants were granted status protected among others by treaties. Grounds for this legal protection of merchants can be sought in economic factors, for all the states and towns of this area were interested in the protection of commercial exchange.

¹³ O. Szemerényi, *Vertrag des Hethiterkönigs Tudhaliya IV mit Istarmuwa von Amurru. Oriens Antiquus*. „Acta Soc. Hung. Orient.“, 9, Budapest 1945.

¹⁴ O. Szemerényi, *op. cit.*, p. 17.

¹⁵ O. Szemerényi, *op. cit.*, p. 17.

STANISŁAW STACHOWSKI

EIN TÜRKISCHES WÖRTERVERZEICHNIS AUS DEM J. 1688

Im Jahre 1688 wurde in Bologna ein Werk von Giuseppe Miselli, *Il Burattino veridico overo Istruzione generale per chi viaggia* herausgegeben. Das war eine Art Reiseführer durch ganzes damaliges Europa. Das Buch zählt 440 Seiten und besteht aus 82 Kapiteln. Das 13-e Kapitel umfasst *Notizia d'alcune parole più necessarie per chi viaggia, in varie lingue di Europa*. In diesem Kapitel führt der Verfasser 129 Wörter in sechs Hauptsprachen von Europa (Italienisch, Französisch, Spanisch, Deutsch, Polnisch und Türkisch) an, die seiner Meinung nach am nötigsten an jeder Reise sind. Diese Wörter sind auf den Seiten 227—245 gegeben.

Hier möchte ich diese Wörter veröffentlichen, um sie den Turkologen zugänglich zu machen. Alle Wörter führe ich in alphabetischer Ordnung an, und nachher gebe ich eine kurze Beschreibung der Lauterscheinungen, die in diesem knappen Material vorkommen.

I. Wörterverzeichnis

ahale (ahalè) — luogo comune (237).

ahça (ahcià) — moneta (229); *ahça deşmek* (ahcià desfemech) — cambiar la moneta (229).

akçam kayır (akciàm kair) — buona fera (231).

akır (achir) — ftalla (243).

altı (alti) — fei (239).

aşçe (afce) — mineftra (233).

at — cauallo (243).