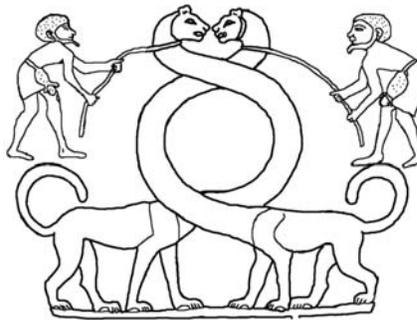


ISSN: 1667-9202

CUADERNOS DEL CENTRO DE ESTUDIOS DE  
HISTORIA DEL ANTIGUO ORIENTE

**ANTIGUO ORIENTE**



**Volumen 11**

2013

Pontificia Universidad Católica Argentina  
Facultad de Ciencias Sociales, Políticas y de la Comunicación  
Centro de Estudios de Historia del Antiguo Oriente

Ciudad Autónoma de Buenos Aires - Argentina

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# COVENANT AND INTERNATIONAL RELATIONS IN THE ANCIENT NEAR EAST: A PRELIMINARY EXPLORATION\*

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## **Summary: Covenant and International Relations in the Ancient Near East: A Preliminary Exploration**

To a great extent, ancient Near Eastern international relations operated within covenantal frameworks. In light of renewed interest in world history and the Near East in the discipline of International Relations, this article provides a preliminary exploration of the important practice of covenanting as an alternative account of balance-of-power dynamics. The notion, structure and diffusion of the covenant as a common practice have been discussed to great detail in other disciplines, such as, for example, Old Testament Studies. Dialogue with these studies will be pursued, but covenanting is here addressed also in some of its primary sources in light of the English School approach. As it turns out, the practice accounts for a number of peculiarities in alliance formation of the period. The preliminary findings are contrasted with alternative IR accounts of ancient Near Eastern power-balancing.

**Keywords:** Diplomacy in the ancient Near East – Covenants – English School IR – Balance of power

## **Resumen: Alianza y relaciones internacionales en el antiguo Cercano Oriente: Una exploración preliminar**

En gran medida, las relaciones internacionales del Cercano Oriente antiguo operaban dentro del marco de alianzas. A la luz del renovado interés en la historia mundial y del Cercano Oriente en la disciplina de las relaciones internacionales, este artículo proporciona una exploración preliminar de la práctica importante de las alianzas

\* I would like to thank Alex Aissaoui and an anonymous reviewer for their helpful comments and criticism. The usual disclaimers apply. A preliminary version of this paper was presented at the International Studies Association Convention (San Francisco, April 2012).

Article received: September 17<sup>th</sup> 2013; approved: October 24<sup>th</sup> 2013.

como una explicación alternativa de las dinámicas del equilibrio de poder. La noción, la estructura y la difusión de la alianza como una práctica común, han sido discutidas en gran detalle en otras disciplinas, tales como, por ejemplo, los estudios del Antiguo Testamento. Se continuará con el diálogo con estos estudios, aunque la alianza es aquí abordada también en algunas de sus fuentes primarias a la luz del enfoque de la Escuela Inglesa. Como resultado, la práctica explica una serie de peculiaridades en la formación de las alianzas de la época. Los resultados preliminares se contrastan con las explicaciones alternativas IR del equilibrio de poder del Cercano Oriente antiguo.

**Palabras clave:** Diplomacia en el antiguo Oriente Próximo – Pactos – Escuela Inglesa (RRII) – Equilibrio de poder

## INTRODUCTION

International relations in the ancient Near East operated to a great extent within an institutional framework of covenants. Covenants were treaties not only written, but also performed as solemn ceremonial oaths. In this article I provide a preliminary exploration of this theme in light of renewed interest in world history and the ancient Near East in the discipline of International Relations (IR). My suggestion is that balance-of-power explanations could be supplemented by this institutional account in order to make sense of stability in ancient Near Eastern systems of states. Covenants established dyadic arrangements of hierarchy or parity, but they had systemic implications. The institutionalised practice of covenanting relates to a number of peculiarities in the formation of alliances in those systems. It is symptomatic of international societies as defined by the English School of IR theory.

## STUDYING ANCIENT NEAR EASTERN DIPLOMACY

Over the last decade or so, the discipline of IR has been increasingly interested in world history and the systems of states in the ancient Near East. Adam Watson's *Evolution of International Society* has operated as a launching pad for several projects on the general relation between world history and IR.<sup>1</sup> Watson's tentative work contains a couple of studies on ancient Near Eastern systems—Sumer and Assyria.<sup>2</sup> His approach is comparative and sensitive to specificities, but one of the most constant elements across ancient systems of

<sup>1</sup> Watson 1992.

<sup>2</sup> Watson's view on Persia goes beyond the chronological scope here.

states, corroborating earlier English School theorising, is their hegemonic disposition legitimised by a shared culture.<sup>3</sup> Watson, of course, was not alone in stressing the hierarchical character of those systems. The literature on historical sociology, state formation, hegemonic stability and imperial overstretch placed similar emphases on the hierarchical character of certain types of stable international orders.<sup>4</sup> The main shortcoming of that literature (hence the added value of Watson's contribution) was the lack of an account of legitimacy and shared understandings as part of the interpretation of stability in cases that (according to mainstream balance-of-power theory) would appear to be counterintuitive at first glance—cases of hierarchical arrangements perceived as mutually advantageous on both sides.

A parallel literature combining IR theory and an in-depth analysis of historical cases has also emerged. Attempts have been made to test mainstream hypotheses on alliance formation and international stability against specific episodes in the context of ancient systems of states.<sup>5</sup> Most of them, however, do not concern the ancient Near East.<sup>6</sup> Stuart Kaufman and William Wohlforth's evaluation of balance-of-power theory in the case of Assyria is a welcome exception, not least because of their conclusion.<sup>7</sup> Facing Assyria's expansionist drive, other great powers most commonly adopted a "balancing" approach, but the "outcome" was "not a balanced system". In fact, balancing was "ineffective" and Assyria rose to prominence. The most rewarded behaviour in that configuration was not balancing, but "submission to Assyrian hegemonic power". There is "no doubt" that Assyria began to rise in an "anarchical system", yet managed to turn it into a "clearly unipolar" structure that remained stable for a long time, "nearly half the system's lifespan".<sup>8</sup> The Assyrian case is merely one example. While it is true that no imperial polity in the ancient Near East achieved the status of a fully unified *empire*, many of them did manage to establish localised hierarchical arrangements with other polities by means of *vassal* covenants—an institutionalisation not of the balance of power, but of a policy of bandwagoning.

Recently, a number of specialist studies on the operation of ancient Near Eastern systems of states have also appeared. Mario Liverani's seminal work based on careful analysis of primary sources looks at five centuries of inter-

<sup>3</sup> See Wight 1977; Bull and Watson 1984.

<sup>4</sup> Mann 2012; Gilpin 1983; Doyle 1986.

<sup>5</sup> Kaufman, Little and Wohlforth 2007.

<sup>6</sup> Wohlforth *et al.* 2007: 155–185.

<sup>7</sup> Kaufman and Wohlforth 2007: 22–46.

<sup>8</sup> Kaufman and Wohlforth 2007: 24, 42–44.

national relations (the Late Bronze age), a period of *balance* pre-dating the concentration of power under Assyria described by Kaufman and Wohlforth.<sup>9</sup> In the Amarna letters on the official dealings of Egypt with other kingdoms, we can find rich documentary evidence for part of the period studied by Liverani.<sup>10</sup> The Amarna system has been studied in depth by a joint team of practitioners, historians and IR scholars and the research findings have been published in a volume edited by Raymond Cohen and Raymond Westbrook. “The most remarkable feature of the Amarna system”, they say, “was its survival for more than two hundred years”, noting that the structure of that system was “multipolar”, while still allowing for a considerable degree of formal hierarchy.<sup>11</sup> Compared to those recent works, Watson’s papers on Sumer and Assyria are under-documented, too general and chronologically vague.<sup>12</sup> Another study of the ancient Near East in light of primary evidence and in dialogue with IR is Amanda Podany’s *Brotherhood of Kings*.<sup>13</sup> This beautifully written work includes both the Amarna age and the wider period of the Late Bronze age studied by Liverani. Chronologically, it goes beyond, focusing on earlier periods by also addressing more *hierarchical* developments in the Old Babylonian and Early Dynastic periods, including an account of the Akkadian Empire.

Not many students of IR have related the stability of hierarchical arrangements in ancient diplomacy to the institution of covenants, in the form of *suzerain* treaties or *parity* treaties.<sup>14</sup> To be sure, those undertaking interdisciplinary work like Liverani and Podany do highlight the role of suzerainty and parity covenants, and so does the team examining the Amarna letters in detail. Watson barely alludes to the covenant as an institution, and Kaufman and Wohlforth prefer to focus solely on material features of the Assyrian system of states. Historians of political thought David Bederman and Antony Black do more justice to the recurring theme of oaths taken in the form of covenants.<sup>15</sup> Because the covenant as an institution has been so influential in the historical formation of the Hebrew people, and so prominent in the Hebrew Scriptures, several Jewish scholars have stressed its relevance to our

<sup>9</sup> Liverani 2001.

<sup>10</sup> Cohen and Westbrook 2000a. For the primary sources, see Moran 1992.

<sup>11</sup> Cohen and Westbrook 2000b: 234.

<sup>12</sup> But theoretically invaluable. See Buzan and Little 2009: xix–xxx.

<sup>13</sup> Podany 2010.

<sup>14</sup> But see Lafont 2001 on the relevance of diplomatic practices and institutions in general.

<sup>15</sup> Bederman 2001; Black 2009.

understanding of political organisation. Michael Walzer focuses more on the historical and normative influence of the covenant in biblical political thought, whereas Daniel Elazar reinterprets contractualism and identifies a later Western “covenantal tradition” in continuity with the biblical approach.<sup>16</sup>

More relevant to this preliminary article, however, is the literature in Old Testament Studies on the context, literary structure and form criticism of covenants.<sup>17</sup> Many parallels have been identified between the biblical texts describing the relationship Yahweh has with Israel and the covenant diplomatic formulae of the ancient period.<sup>18</sup> Besides, the Old Testament describes covenants made between political leaders along similar lines.<sup>19</sup> This is widely acknowledged by theologians of many persuasions, as well as specialists in ancient languages, archaeologists and historians.<sup>20</sup> In spite of their primary interest in specific biblical passages and their context, these scholars have shed light on relevant aspects of the literary structure and ritual performance of covenant oaths. An accessible popular treatment of the topic has been provided by Delbert Hillers, but George Mendenhall’s contribution was the seminal work popularising the topic among the English-speaking audience.<sup>21</sup> Klaus Baltzer, D. J. McCarthy and Ernest Nicholson have also been influential in their introductions to both the topic itself and to the theological and exegetical debate derived from it.<sup>22</sup> Time and again these works posit a relation between the literary structure of covenant formulations and the relations of parity or suzerainty between both parties in a covenant treaty. I shall return to this point later.

## A SKETCH OF THE SYSTEMIC FEATURES

Contextual details are in order, and I seek to frame and arrange them in a way that makes sense to IR. I employ some of the categories suggested by Barry Buzan and Richard Little in continuity with Watson’s work. They combine

<sup>16</sup> Walzer 2012: 1–15; Elazar 1998; 1996.

<sup>17</sup> One of the earliest and most cited works is Korosec 1931.

<sup>18</sup> E.g. Exodus 19:3–6ff. See Muilenburg 1959: 351–357. I am merely pointing out the existence of this parallel, not advancing any theories or criticism about the biblical passages or their chronology.

<sup>19</sup> E.g. Genesis 21:23–24 (between Abraham and Abimelech); Genesis 31:43–54 (between Jacob and Laban). Other examples are 1Kings 5:26 (Solomon and Hiram of Tyre) and 1Kings 15:19 (Asa and Ben-Hadad). See Tucker 1965: 487–503.

<sup>20</sup> Crook 2005: 78–91; Davidson 1989: 323–347; Kline 1997; Weeks 2004.

<sup>21</sup> Hillers 1969; Mendenhall 1954: 49–76.

<sup>22</sup> Baltzer 1971; McCarthy 1972; Nicholson 1986.

mechanical and contrived features of international systems and illustrate how their framework of “levels”, “sectors” and “sources of behaviour” would apply to longer time-span studies.<sup>23</sup> This seems to be a natural starting point. First, there is the issue of chronological limits. This framework allows me to superficially cover centuries of international relations characterised by the covenantal way of making alliances.<sup>24</sup> Secondly, the theoretical approach allows for degrees of hierarchical arrangements between polities and was particularly designed to counter IR’s “anarcophile” tendencies.<sup>25</sup> Thirdly, unlike much of the mainstream literature, the combination of mechanical and contrived aspects highlights the relevance of shared understandings and norms without neglecting other structural features.<sup>26</sup> Watson’s theoretical spectrum of authority combined with the role of legitimacy in keeping international societies together is also evoked here in this brief sketch of international relations in the ancient Near East.<sup>27</sup> There is only so much I can do in a sketch, and the intention at this stage is to contextualise the discussion of types and examples of covenant treaties.

The phrase *Near East* describes the Fertile Crescent including the valley of the Nile, Mesopotamia and parts of Anatolia. It is most commonly employed in archaeology and ancient history without the intention of obtaining closure on absolute geographical limits. In terms of chronology, we face all sorts of problems related to multiple theories on how to date events in ancient history. A recent and popular chronology dates the “First Empires and Civilizations” between 3500–800 BC and “The Ancient World” between 800 BC and AD 450.<sup>28</sup> Buzan and Little refer to “The Ancient and Classical World”, noting the appearance of Sumerian written records around 3000 BC, preceded by settlements from around 3500 BC.<sup>29</sup> Podany dates the events in her study from 2500 to 1300 BC with the caveat that “all scholars use educated guesses”.<sup>30</sup> Liverani’s contribution partly overlaps but covers more of a later period, from 1600 to 1100 BC. With Podany and Liverani, Cohen and Westbrook locate the Amarna age between around 1400 and 1300 BC. Watson, as well as Kaufman and Wohlforth, go even further and provide an account of the later period of

<sup>23</sup> Buzan and Little 2000: 68–89.

<sup>24</sup> Buzan and Little 2000: 1–13, 30–32.

<sup>25</sup> Buzan and Little 2000: 21–22.

<sup>26</sup> Buzan and Little 2000: 41–48.

<sup>27</sup> Watson 1990: 99–109.

<sup>28</sup> Marriott 2012: 11–35.

<sup>29</sup> Buzan and Little 2000: 170–173.

<sup>30</sup> Podany 2010: xi.

Assyrian domination, 900–600 BC. Again, it is hard to be more precise in this sketch. I will emphasise the earlier periods between the extreme dates covered in this literature. During this period, the system expanded, interaction became more straightforward, processes and structures changed, but the institution of covenanting remained.

Nevertheless, given the regularity and intensity of interaction, we may speak of a series of systems of city-states encompassing the whole period. While city-states (of both simple and imperial varieties) were the predominant units shaping the ancient Near Eastern systems, we should not discount the potential of nomadic groups to cause aggressive damage or to support those city-states with their trade.<sup>31</sup> City-states were characterised by a central urban area surrounded by irrigated farmland.<sup>32</sup> From 3000 BC onwards a system of loose city-states emerged in Sumeria. Sargon of Akkad, many centuries later, was responsible for the initial success of the “imperial” variety of city-states, absorbing peripheral city-states in stable hierarchical arrangements with the core.<sup>33</sup> This type of political unit would prevail especially after the formation of Hammurabi’s empire in Babylonia (around 1700 BC).<sup>34</sup>

Buzan and Little suggest at least four different aspects or *sectors* worth mentioning in connection to the *interaction capacity, process* and *structure*. The military sector emphasises offensive and defensive capabilities and perceptions of other actors’ intentions. The political sector adds to the military. Both place heavy emphasis on the primary political units and their governments.<sup>35</sup> Buzan and Little lump these two sectors together in their description of durable patterns in the ancient world.<sup>36</sup> “Military forces tended to reflect the type of political economy from which they sprang, with nomadic peoples developing fast-moving light cavalry, and agrarian civilizations cultivating the arts of infantry and fortification”.<sup>37</sup> City-states were very centralised, and ruled by a king. In their hierarchical arrangements with peripheral city-states, imperial city-states would still leave local rule to the local king.

In terms of the economic sector, production and trade are the most relevant features when we look at the ancient Near East.<sup>38</sup> Nomadic groups and mer-

<sup>31</sup> See Crawford 1991: 10–11.

<sup>32</sup> Miles 2011: 3–15.

<sup>33</sup> Roux 1992: 145–160.

<sup>34</sup> Watson 1992: 28–32.

<sup>35</sup> Buzan and Little 2000: 73.

<sup>36</sup> Buzan and Little 2000: 216–219.

<sup>37</sup> Buzan and Little 2000: 218.

<sup>38</sup> Buzan and Little 2000: 73–74.

chants played a crucial role bringing luxury goods and raw materials from distant locations. Diplomatic gift exchanges between kings should not be completely framed as a merely political gesture and would also be a channel of trade in disguise.<sup>39</sup> Covenant treaties were extremely useful in military-political and, to a lesser extent, economic terms. They provided a stable and predictable environment for conflict and cooperation among city-states.

The societal sector is also pertinent to the study of covenants, and involves collective identity and transmission of ideas.<sup>40</sup> The notion of an “intertwined or parallel” relation between the “heavenly realm” and everyday life on earth was a shared cultural element.<sup>41</sup> With specific variations, the general perception was that the gods, each with their respective issue of jurisdiction, ruled divine and human affairs in some sort of assembly. Their decision-making was more or less coordinated by a more restricted pantheon of great gods, like Anu, Enlil (Sumer), Marduk (Babylonia), Ashur (Assyria) and El (Ugarit).<sup>42</sup> Human beings (and their city-states) existed to serve the gods in their task of organising the universe.<sup>43</sup> The gods delegated kingship to the heads of each city-state in order to advance political order and justice.<sup>44</sup> The gods were “primarily attached to specific geographic territories”, and each city-state would have a main patron god.<sup>45</sup> Reflecting the heavenly realm, the international system was seen primarily as a system of kings coordinated by powerful Great Kings. The decline of a Great King and his city-state would be interpreted as a change in the hierarchical configuration between the deities. This parallel between heaven and earth was reflected also in a familial metaphor in diplomatic language, another important cultural aspect shared across the ancient Near Eastern systems.<sup>46</sup> Kings in a relation of parity would see themselves as *brothers*. Kings in a hierarchical arrangement would relate as *father* and *son*.<sup>47</sup> The status attached to these familial labels was supposed to reflect the power relations between city-states, which, in turn, reflected the rotation

<sup>39</sup> And vice-versa. See Podany 2010: 102; she describes how Shamshi-Adad, king of Upper Mesopotamia during the Old Babylonian period, portrayed a trade exchange as a gift and tribute from a foreign king for purposes of internal propaganda.

<sup>40</sup> Buzan and Little 2000: 73.

<sup>41</sup> Walton 2006: 87.

<sup>42</sup> Walton 2006: 92–97.

<sup>43</sup> See Block 2000: 61, 82.

<sup>44</sup> Walton 2006: 137–138.

<sup>45</sup> Block 2000: 32.

<sup>46</sup> Podany 2010: 28–32.

<sup>47</sup> Beckman 2006: 281.

of arbiter-gods in the pantheon.<sup>48</sup> Great Kings indeed had more formal and *de facto* prerogatives. The language and structure in covenant treaties further reflects and crystallises these relations.

When we study a particular international system, the combination of these different sectors can provide a rich description of the interaction capacity of the political units, the processes in which they engage and the structures within which the system is embedded. *Interaction capacity* comprises the amount of interaction that could potentially take place. Geography and technology (both physical and social) are key considerations here.<sup>49</sup> Desert, mountains and limited technology on land, sea and rivers, made certain types of interaction difficult and cost-ineffective, but not impossible. Messengers, diplomacy (aided by script and a shared official language) and expeditions to demarcate borders were social technologies of that time relevant to the context of covenant treaties.<sup>50</sup>

*Process* adds to interaction capacity as another source of explanation for international behaviour. It consists of the interactions themselves, whether cooperative or adversarial. War was, of course, a recurring practice, but the highly developed system of diplomatic communications, gift exchanges and royal marriages, together with the practice of covenant oaths, kept warfare in check.<sup>51</sup> The practice of disciplining recalcitrant vassal-kings with military intervention and eventual deportation of the locals was not uncommon, but it was not cost-effective either. Great Kings would rather try to punish them first with a fine, and then with more concrete sanctions.<sup>52</sup> Processes of cooperation were also available with other types of political units. Merchant groups would get permission to settle for some time in a given city-state as a “trading diaspora” and operate as a channel for luxury and necessary goods.<sup>53</sup> There are records of attempts to establish trade and covenant treaties with merchant delegations.

<sup>48</sup> Watson 1992: 27–28.

<sup>49</sup> Buzan and Little 2000: 12.

<sup>50</sup> Buzan and Little 2000: 193–215.

<sup>51</sup> Liverani 2000: 15–27; Westbrook 2000: 28–41; Bederman 2001: Chap. 6.

<sup>52</sup> The episode recorded in the Old Testament book of 2Kings 18 illustrates the point that even at a later stage (when greater ‘interaction capacity’ was available to lower some of the costs) the initial preference was not for direct violent confrontation. Assyria’s Sennacherib challenges his vassal Hezekiah of Judah, who was seeking an alliance with Egypt, forbidden under Assyria’s terms. Sennacherib first requires tribute as a fine. Hezekiah persists in disobedience, so Sennacherib surrounds Jerusalem and sends his envoys to denounce Hezekiah in the local language, in an attempt to undermine his local authority, before going to battle. The episode is also recorded in the Assyrian Sennacherib Prism document.

<sup>53</sup> Podany 2010: 103–107.

Process can follow certain well-defined patterns, thus hinting at *structures* shaping and shoving them. “Structure focuses on the principles by which units are arranged into a system, how units are differentiated from each other, and how they stand in relation to each other in terms of relative capabilities”.<sup>54</sup> Gary Beckman provides a useful long-term portrait of the structural configuration of international systems in the ancient Near East. During the third millennium BC Sumer was extremely fragmented, despite sharing common norms and culture. It was a “polyadic” system. The second millennium was “bloc-imperial”, with a club of Great Powers operating as imperial city-states, “struggling with one another for dominance over minor states”. The system was “generally dominated at any one time by three or four large states, which competed among themselves for hegemony over the many smaller political units located in their interstices”.<sup>55</sup> One key point here is the hierarchical arrangement of an imperial city-state and its vassals. The central city-state would have direct control over its territory, but a radial relation of authority would develop from the centre to the periphery. *Dominion* could perhaps be the next ring of authority, whereby the imperial city-state would control both the ally’s foreign policy and some of its internal politics. *Hegemony*, or control over another city-state’s foreign policy while leaving its internal politics intact would constitute the outer ring.<sup>56</sup> Outside those rings of authority (i.e. outside the imperial system) one would find other political units, perhaps similar imperial cities, as rivals. Key imperial city-states of the period were: Egypt and Babylonia (more often), Mittanni, Hatti and Assyria. Finally, the first millennium was in general more centralised, an “oecumenical-imperial” age with the succession of hegemonies exercised by Assyria, Babylonia and the Archamenid Persians.<sup>57</sup> The intermediate period (bloc-imperial) is better documented in terms of covenant treaties.

## COVENANT TREATIES AND OATHS

Covenants were not only treaty texts, but also oaths performed in a solemn ceremony. At least two elements are generally present in these treaty texts: the stipulations and the oaths invoking deities as witnesses. Beckman provides a

<sup>54</sup> Buzan and Little 2000: 84.

<sup>55</sup> Beckman 2006: 279–281.

<sup>56</sup> For a theoretical framework, see Buzan and Little 2009: xxv–xxix; Watson 1990. For an application of this framework to ancient systems of states, see Buzan and Little 2000: 176–182.

<sup>57</sup> Beckman 2006: 279–280.

full list of the treaties available for research. There are only three from the third millennium BC (if we include the famous Stele of the Vultures), several from the second millennium (and most of them Hittite, some from Mari) and a good number from the first millennium (mostly involving Assyria).<sup>58</sup> They were written by scribes on clay, but occasionally on stone and metal.<sup>59</sup> Of course, besides these texts, one should not fail to notice a number of passages in the Hebrew Scriptures displaying similar features. Many schemes have been suggested to summarise the most recurring points of covenant treaty texts.<sup>60</sup> The important conclusion is that they are highly stylised and contain clearly discernible sections, which may be omitted in any combination at times—except, of course, for the substance of the treaties (stipulations and oaths).<sup>61</sup> It also matters whether a treaty is *symmetrical* or *hierarchical*—or, rather, a parity covenant or a suzerain-vassal covenant.

The first section is a *preamble* introducing the parties and perhaps additional remarks on the occasion of the treaty. A *parity* formula would carefully stress similar ranks in the description of both parties. Thus the well known Treaty of Kadesh between Hattusili III (Hatti) and Ramses II (Egypt): “The treaty which Ramses, Beloved of Amon, Great King, King of Egypt, Hero, concluded on a tablet of silver with Hattusili, Great King, King of Hatti, his brother, in order to establish great peace and great brotherhood between them forever”.<sup>62</sup> A shorter example is the fragment of a parity treaty between Zidanta II (Hatti) and Pilliya of Kizzuwatna: “The Sun, Great King Zidanta, King of Hatti, and Pilliya, King of Kizzuwatna have made a (peace) treaty”.<sup>63</sup> Symmetry was very important in the recognition of parity. Kings would call each other *brothers* and highlight their status for mutual recognition as peers.

<sup>58</sup> Beckman 2006: Appendix. See also the excellent compilation made by Kitchen and Lawrence 2012.

<sup>59</sup> Charpin 2010: 26–27.

<sup>60</sup> See, for example Mendenhall 1954: 58–61; McCarthy 1972: 12; Beckman 2006: 284–286. In the next few pages I quote a number of primary sources, citing other available English translations. Recent translations are to be preferred where differences are substantial.

<sup>61</sup> Recent readings based on a larger corpus of evidence further confirm the stylized character of covenants. See Kitchen and Lawrence 2012 Vol. 1: xxii–xxv.

<sup>62</sup> Beckman 1996: 91. Beckman warns the reader about some issues with the sources, since the treaty is extant in many versions and more than one language. For another (less accurate) translation of the full passage, see Pritchard 1969: 199–201. For a recent analysis, see Bryce 2006: 1–11.

<sup>63</sup> Adapted from Otten 1951: 129. Beckman could have provided a more accurate translation, but he deliberately omits this treaty from his compilation due to its “relatively poor state of preservation”. Beckman 1996: 11.

We read, for instance, in a letter: “Hattusili, Great King, King of Hatti: Say to Kadashman-Enlil, Great King, King of Babylonia, my brother”.<sup>64</sup> Compare with the *vassal treaty* between Mursili II (Hatti) and Duppi-Tehshup (Amurru): “Thus says My Majesty, Mursili, Great King of Hatti, Hero, Beloved of the Storm-god; son of Suppiluliuma, Great King, King of Hatti, Hero”.<sup>65</sup> Or see the short prologue of another treaty involving Suppiluliuma I himself (Hatti) and Tette (Nuhashshi, near Aleppo): “Thus says My Majesty, Suppiluliuma, Great King, King of Hatti, Hero”.<sup>66</sup> The asymmetrical character is stressed by the fact that the “Great King” or “Majesty” (“Sun” in earlier translations) is magnanimously allowing for a treaty covenant to be performed. The vassal-king’s name is often omitted in this section. The suzerain-vassal treaty, then, is analogous to a royal grant or domestic decree.<sup>67</sup> It contains the words of the Great King which the vassal thankfully accepts.

A second recurring section is the *historical prologue*, narrating some of the background to that particular treaty. Again from the (parity) Treaty of Kadesh:

*As far as the relations of the Great King, King of Egypt, and the Great King, King of Hatti, are concerned, from the beginning of time and forever by means of a treaty the god has not allowed the making of war between them. Ramses, Beloved of Amon, Great King, King of Egypt, is doing this in order to bring about the relationship which the Sun-god and the Storm-god established for Egypt with Hatti in accordance with their relationship from the beginning of time, so that for eternity he might not permit the making of war between them.*<sup>68</sup>

Compare with the prologue of the suzerain-vassal treaty between Suppiluliuma I (Hatti) and Niqmaddu II (Ugarit), where the vassal appears more passive and helpless and the suzerain comes to his rescue:

<sup>64</sup> Beckman 1996: 133. For an earlier translation of the full letter, see Luckenbill 1921: 200ff. Notice how the knowledge of the original language has evolved in only a few decades of scholarship.

<sup>65</sup> Beckman 1996: 55. For an earlier translation of the full passage, see Pritchard 1969: 203–205.

<sup>66</sup> Beckman 1996: 50.

<sup>67</sup> Weinfeld 1970; Knoppers 1996. These authors focus on this specific genre of “domestic” policy document.

<sup>68</sup> Beckman 1996: 92; Pritchard 1969: 199–201. The latter suggests a different rendering, perhaps with more weight on a different source.

*When Itur-Addu, king of the land of Mukish; Addu-nirari, king of the land of Nuhashshi; and Aki-Teshshup, king of Niya were hostile to the authority of His Majesty, the Great King, their lord; assembled their troops; captured cities in the interior of the land of Ugarit; oppressed the land of Ugarit; carried off subjects of Niqmaddu, king of the land of Ugarit, as civilian captives; and devastated the land of Ugarit; Niqmaddu, king of the land of Ugarit, turned to Suppiluliuma, Great King, writing: "May Your Majesty, Great King, my lord, save me from the hand of my enemy! I am the subject of Your Majesty, Great King, my lord. To my lord's enemy I am hostile, and with my lord's friend I am at peace. The kings are oppressing me." The Great King heard these words of Niqmaddu, and Suppiluliuma, Great King, dispatched princes and noblemen with infantry and chariotry to the land of Ugarit. And they chased the enemy troops out of the land of Ugarit.<sup>69</sup>*

Here the Great King reminds his vassal that he is "the lord" and "His Majesty". He is the deliverer of his kingdom and therefore a great debt of gratitude is owed. This contrasts with the parity prologue in which both sides are actively pursuing to cooperate and interact "from the beginning of time", and perhaps they had a history of conflict that is now to be resolved.

The historical prologue, however, can be skipped and the treaty may proceed straightaway to the core sections. Always present, the *stipulations* inform each party of what they were supposed to do. It tells us what substantive agreements are made official by that particular covenant oath. A suzerain-vassal treaty between Suppiluliuma and Shattiwaza (Mittanni) recognises the latter's right to the throne of the satellite state, and includes a royal marriage as part of the stipulations, with a condition:

*Prince Shattiwaza shall be king in the land of Mittanni, and the daughter of the King of Hatti shall be queen in the land of Mittanni. Concubines will be allowed for you, Shattiwaza, but no other woman shall be greater than my daughter.<sup>70</sup>*

<sup>69</sup> Beckman 1996: 30; Baltzer 1971: 187.

<sup>70</sup> Beckman, 1996: 40; Luckenbill 1921: 166. The earlier rendering is good enough to make the point.

This suggests interference in domestic affairs, characterising a hierarchical relation of dominion according to the theoretical scheme presented before. A common type of clause concerns the suzerain's control over the vassal's foreign policy. Suzerain kings used this to demand active engagement from their subordinates and avoid freeriding. Subordinates, in turn, benefitted from the promise of protection. In parity treaties, stipulations are symmetrical and this is reflected in a mirror-like textual structure, which we can see in this treaty between Idrimi (Alalakh) and Pilliya (Kizzuwatna):

*When Pilliya and Idrimi took an oath by the gods and made this binding agreement between themselves: they will always return their respective fugitives (...) If Idrimi seizes a fugitive of Pilliya, he will return him to Pilliya, and if Pilliya seizes a fugitive of Idrimi, he will return to Idrimi.<sup>71</sup>*

As far as we can tell, some treaties are unequal and still present a mirrored structure. The treaty between Ebla and Abarsal, regulating a number of things from trade to migration, is one of the most ancient examples:

*If someone from the border of Abarsal tries to take the place of (a subject of) Ebla; if he himself, from the border of Abarsal, is (a subject of) Abarsal, he shall die. If someone from the border of Ebla tries to take the place of (a subject of) Abarsal; if he himself, from the border of Ebla, is (a subject of) Ebla, he shall die (...). As concerns the merchants of Ebla, Abarsal will let them come back (safely). As concerns the merchants of Abarsal, Ebla will let them come back (safely).<sup>72</sup>*

Most of the other stipulations seem to burden Abarsal much more than Ebla, hence its unequal character. However, promises and stipulations in the ancient Near East would be unilaterally made by each side on separate documents, and then exchanged. Perhaps there are reciprocal promises on Ebla's part that may be missing. Going beyond this and calling it a parity treaty would be to speculate too much. In any case, stipulations are substantive clauses of the treaty. We may say they are the content of the treaty. They tell us what is at stake.

<sup>71</sup> Pritchard 2011: 210.

<sup>72</sup> Milano 1995: 1228; Cooper 2003: 245.

A fourth section is definitely not a universal feature in the ancient Near Eastern treaties, but frequently appears in Hittite texts. It contains *provisions for deposit* of the tablet in temples and perhaps public reading to the court or the wider population:

*A duplicate of this tablet has been deposited before the Sun-goddess of Arinna, because the Sun-goddess of Arinna regulates kingship and queenship. In the Mittanni land (a duplicate) has been deposited before Tessub [Beckman: the Storm-god], the lord of the kurinnu [shrine] of Kahat. At regular intervals [Beckman: repeatedly, for ever and ever] shall they read it in the presence of the king of the Mittanni land and in the presence of the sons of the Hurri country.*<sup>73</sup>

This passage, taken from the treaty between Suppiluliuma I and Shattiwaza is instructive. Despite the asymmetrical and hierarchical character of the treaty, both parties are still required to remember it. Again, both sides benefitted from the procedure. “Since it was not only the vassal king, but his entire state which was bound by the treaty”, says Mendenhall, “periodic public reading served a double purpose: first, to familiarize the entire populace with the obligations to the great king; and second, to increase the respect for the vassal king by describing the close and warm relationship with the mighty and majestic Emperor which he enjoyed”.<sup>74</sup>

Also markedly present in all treaties is the *oath*, containing a series of names of deities as witnesses. The deities were above even the Great King—even hierarchical covenant forms make the Great King subject to the gods mentioned in the oath. Some Assyrian treaties may be seen as a partial exception, in that only the gods of Assyria are mentioned. The oaths, calling upon the deities as witnesses in this manner, characterise a crucial distinction between covenants and other contracts of the period. Contracts were not sworn utterances, but oral agreements witnessed in court. Kings are only before the heavenly court. Only the gods could witness covenants, which were solemnly sworn.<sup>75</sup>

<sup>73</sup> Hillers 1969: 35, with some of the spelling changed. This translation is very similar to that provided in Beckman 1996: 42; contrast with Luckenbill 1921: 168–169.

<sup>74</sup> Mendenhall 1954: 60.

<sup>75</sup> Tucker 1965: 500–503.

There are punishments and possibly rewards depending on how the treaty covenant is enforced. The gods often play the role of not only witnesses but also guarantors of the treaty. The striking feature in any case is that the *sanc-tions* explicitly contained in the treaties are not military or economic—they are religious. They involve curses and blessings from the gods. A short combination of threatened curses and promised blessings can be found in the treaty between Mursili II and Tuppi-Teshshup, already mentioned above:

*All the words of the treaty and oath which are written on this tablet—if Tuppi-Teshshup does not observe these words of the treaty and of the oath, then these oath gods shall destroy Tuppi-Teshshup, together with his person, his wife, his son, his grandsons, his household, his city, his land, and together with his possessions. But if Tuppi-Teshshup observes these words of the treaty and of the oath which are written on this tablet, then these oath gods shall protect Tuppi-Teshshup, together with his person, his wife, his son, his grandsons, his city, his land, his household, his subjects, and together with his possessions.*<sup>76</sup>

A more elaborate list of curses is contained in a much later treaty between Esarhaddon (Assyria) and Baal (Tyre):

*May Ninlil, who resides in Nineveh, “tie you to” a swift dagger. May Ishtar, who resides in Arbela, no grant you mercy and forgiveness. May Gula, the great physician, put illness and weariness in your hearts, an unhealing sore in your body, bathe in your own blood as if in water. May the seven gods, the warrior gods, cause your downfall with their fierce weapons. May Bethel and Anath-Bethel deliver you to a man-eating lion. May the great gods of heaven and earth, the gods of Assyria, the gods of Akkad, and the gods of Eber-nari curse you with an indissoluble curse.*<sup>77</sup>

The list of curses and sometimes blessings should not be taken lightly. To the contrary, “the authority of these agreements rested on the oath-gods and their

<sup>76</sup> Beckman 1996: 59; Pritchard 1969: 205.

<sup>77</sup> Pritchard 2011: 534.

threats of retribution in case of violation”, and “these oaths were indeed felt to be effective”.<sup>78</sup>

A covenant treaty, however, was not ratified in writing. In fact, the covenant itself is not a piece of text. The text represented and reminded the monarchs of the covenant, but it was the actual ceremonial event of the oath that made the treaty binding.<sup>79</sup> The specifics of the ceremony depended on the case, but it could involve animal sacrifice, or some other symbolic dedication of animals to the deities.<sup>80</sup> In the Stele of the Vultures, for example, the oath is performed and two doves are sacrificed to be “eaten for Enlil” as part of the ritual.<sup>81</sup> Sometimes, especially at later periods, cutting up an animal would be symbolic of what could happen to the king who violated the agreement:

*This ram was not taken from its flock for sacrifice (...) if Mati'ilu (shall violate) the covenant and oath to the gods, then, as this ram, which was taken from its flock and to its flock will not return, and at the head of its flock shall not stand, so Mati'ilu with his sons (ministers), the men of his city, shall be taken from their city, and to his city he shall not return, and at the head of his city he shall not stand (...) if he who is specified by name shall violate this covenant (...) as the head of this ram shall be struck off so shall his head be struck off.*<sup>82</sup>

This passage, describing the oath ceremony of a treaty between Ashur-nerari V (Assyria) and Mati'ilu (Arpad), hints also at the important notion of being in danger if one commits perjury.

For thousands of years the institutionalised practice of covenanting was a primordial element of ancient diplomacy in the Near East. As I have sought to indicate with many examples cutting across the centuries of Antiquity and illustrating a range of geopolitical configurations, it was a very particular pattern of diplomatic relations. The long duration of this institution, its contribution to predictability and stability of expectations in ancient systems of states,

<sup>78</sup> Beckman 1996: 288.

<sup>79</sup> Beckman 1996: 295.

<sup>80</sup> Hillers 1969: 40. However, some think the sacrificial aspect is “highly conjectural”; Weeks 2004: 18.

<sup>81</sup> Weinfeld 1970: 197.

<sup>82</sup> Weinfeld 1970: 198.

as well as its occurrence within a shared cultural framework make covenants a very suitable topic to students of world politics.<sup>83</sup> Yet, covenants have been almost completely ignored from historical accounts in IR. It is time to study them in depth, following the example set by historians and legal scholars. Before concluding, I would like to make a number of points about the relevance of covenants for IR from a theoretical and analytical perspective. In contrast with mainstream balance-of-power or even mainstream “hierarchical” views of world politics, I sketch a brief account of covenants as part of a wider “international society”.

### AN INTERNATIONAL SOCIETY?

Under the assumption of conventional balance-of-power theory, one would expect the opposite of a succession of hegemonies in ancient Near Eastern systems of states, yet we see hegemony more as a rule than an exception. Even the Amarna Age, generally seen as “balanced”, follows this alternative pattern. In the well-documented Amarna archives we find “no attempt on anyone’s part to use force or the threat of force, as balance of power logic entails (...). Surprisingly, in modern terms, the major powers did not try to balance each other by means of alliances”. In their alliance formation, smaller units in those systems opted consistently for bandwagoning strategies, and the Great Kings seemed more concerned with status and prestige “rather than (...) in a complex regulation of the balance of power”.<sup>84</sup>

Under different assumptions, however, international relations would indeed be expected to be hierarchical (to a certain extent) for most part of the time and the information on the ancient Near East gathered from primary and secondary sources should come as no surprise. Still, why would the smaller units in the system consistently opt for being under hegemonic influence instead of forming counter-hegemonic alliances pressing for a more independent existence? The question has been answered with reference to *mechanical* and *contrived* categories. Mechanically speaking, we could look at what either side of a hierarchical dyad would gain from the arrangement and come to the conclusion that both would benefit from self-restraint. The hegemon spread the “costs of empire” while the subordinate gained protection and perhaps additional trade-related advantages. This explanation has been pursued more than

<sup>83</sup> Needless to say, this challenges a more “Hobbesian” view of the period. See, for example, the introductory comments in Bryce 2006: 1–2.

<sup>84</sup> Ragionieri 2000: 50–51.

once for other periods in history.<sup>85</sup> Moreover, we could look at the limited “interaction capacity” of the city-states and conclude that the available technology could not handle the constant and rapid flow of information required by a balance-of-power mechanism.<sup>86</sup>

In terms of contrived action, there is no evidence of practitioners being persuaded that the balance-of-power could be a useful tool of statecraft. Rodolfo Ragonieri’s full examination of the Amarna correspondence confirms the point.<sup>87</sup> However, as my analysis of the assumptions and practices of covenanting seem to indicate, there is some evidence of shared norms, values and notions of legitimacy lending stability to hierarchical arrangements.<sup>88</sup> We may thus speak of an “international society” in which “a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions”.<sup>89</sup> This society operated at a more “reciprocal” level between the Great Kings, but was certainly “hierarchical” within each “imperial city-state” system.<sup>90</sup> The common assumption that earthly kingship had to reflect the hierarchical division in the heavenly realm between greater deities and lesser gods certainly made it easier for subordinates to accept their position.<sup>91</sup> This principle is confirmed, for example, by “transition” cases in which a formerly powerful kingdom has to accept its new role in the “brotherhood of kings” with fewer prerogatives. Sometimes this “transition” would even be reflected in “hybrid” covenant treaty forms.<sup>92</sup>

Watson’s studies on Sumer and Assyria explicitly relate kingship and polytheism to the principles of legitimacy in ancient international societies. Black has analysed the political thought of the period and summarised the parallels between “heavenly” politics, “domestic” politics and “international” politics in the following statement: “When someone rose to be king, it was because

<sup>85</sup> For recent attempts, see Escudé 2009; Lake 2009. Hobson 2012 has attempted to show that in fact most international political theories in modernity have drawn on hierarchical assumptions.

<sup>86</sup> Ragonieri 2000: 51.

<sup>87</sup> Ragonieri 2000: 51.

<sup>88</sup> See Watson 1992: 120–132; Weeks 2004: 11–12. Following different methods, both authors allude to fear, sense of duty and political utility as possible sources of international order and enforcement.

<sup>89</sup> Bull 1977: 13.

<sup>90</sup> Liverani 2000.

<sup>91</sup> Bederman 2001: 23–31.

<sup>92</sup> Liverani 2004: 53–81.

he had the favour of the gods. When one city-state conquered others, it was because its god had been singled out at the assembly of gods”.<sup>93</sup> A more detailed case has been made for the portrayal of the ancient Near Eastern system of Amarna as a proto-international society. Ragionieri argued against the balance-of-power as an institution, but diplomacy and war were certainly patterned to pursue the “common goals” of an international society.<sup>94</sup> He defined the shared interests of the Great Kings and of the vassal-kings as “maintenance of domestic stability”, and the mutual recognition of right to rule and rank as the primary construction of legitimate participation in that society. He claims that states “were thought of as synonymous with the person of the ruler” and, as a conclusion, there was no clear distinction between domestic and international realms and, by implication, no international society in the strictest sense.<sup>95</sup> This view is a relevant attempt to make sense of the evidence in light of contemporary IR theory, but it has to be corrected.

First, Ragionieri misses the very important point that, in the common perception of the period, “the king stood outside society and delivered justice to it.” The “language and concepts” employed then to refer to political realities stipulate “that the gods had established not just individual rulers but an *institution*, with specific functions, which would outlast individual rulers”.<sup>96</sup> My preliminary findings on the practice of covenanting seem to corroborate the distinction between king and country. It is true that the covenants were personal, but the king is above any other individual—he acts as the covenant-head or *mediator* of the city-state. The performance of a covenant oath and the literary structure of covenant treaties markedly differentiate from private contracts before courts, in that kings, regardless of a parity or hierarchical situation, perceive themselves as being before the gods.

Secondly, Ragionieri suggests that the Amarna system was the first proto-society in history, a statement denied by the fact that the highly institutionalised practice of covenanting was already present many centuries before.<sup>97</sup> In my view, we need to be open to the hypothesis that covenanting had been embedded in pre-existent international societies. Further study would require

<sup>93</sup> Black 2009: 39.

<sup>94</sup> War and diplomacy can, and often do, go together in an international society. Discussing the Sumerian city-states, Paul Kriwaczek describes “a scene of almost incessant strife”, but does not deny that “the contenders for Sumerian superiority were all aware, even proud, of sharing a common culture and a common history.” The author then proceeds to a brief description of alliance formation during the third millennium BC; Kriwaczek 2010: 77–79.

<sup>95</sup> Ragionieri 2000: 46–52; see also Cohen 1996: 11–28.

<sup>96</sup> Black 2009: 36–38.

<sup>97</sup> Ragionieri 2000: 42–46.

looking at other primary sources (as I have done by quoting Hittite treaties at length in this preliminary exploration) beside the Amarna letters.

Finally, although domestic stability was certainly a shared interest of that society, we also need to add to the list those interests related to the practitioners' perception of their role. "Each city-state was regarded as the estate of a particular deity", says Black. "If the gods were to get the sustenance and reverence they wanted from earth, there had to be order in society and the people must be governed. The human king was the god's estate manager (*ensi*), employed by the god to look after the land and its people, for the god's and the people's well-being".<sup>98</sup> Covenants were not only ways of crystallising "domestic stability" (for they implied mutual acknowledgement of legitimate rule), but also means of keeping the "estate manager" of a locality "in charge", reflecting as far as possible the desire of the gods. And, of course, they would codify and formalise any hierarchy between Great Kings and vassal-kings, further reflecting the situation in the "heavenly realms". Take, as evidence, the language of Sun (Majesty), Great King and the metaphors of brother, father and son contained in the covenant treaties.

The stability and order produced by that international society, therefore, as well as its specific rules of "reciprocity" and "hierarchy" and institutions can add further explanations for the systemic patterns observed in the ancient Near East. Oath ceremonies as part of covenant treaties would reproduce the whole system of rules and norms each time they were performed. The regular reading of covenant tablets, before the king's court or to a wider audience, would further contribute to the social construction of that international society. Were these rules followed? Were agreements kept? It would appear so. Why?

*Ancient people conceived of three different kinds of sanctions applicable in international relations (...). The first was divine sanction, based on a fear of direct punishment by the god or gods invoked in an international undertaking (...). Secondly, there was a social sanction enforced through the rituals, institutions and political legitimacy of the ancient State, and manifested by a fear that the national god or gods would abandon that State to its enemies (...). The third was an intellectual sanction, developed through legal argumentation and rhetoric, motivated by fear of being deprived of a moral right and freedom of action.<sup>99</sup>*

<sup>98</sup> Black 2009: 36.

<sup>99</sup> Bederman 2001: 50–51.

We have seen much about the first point (divine sanctions) in this study. Further research on the topic should account for the content and meaning of the curse lists in the treaties in order to shed light on the second point, the divine threat to abandon a covenant-breaking land.<sup>100</sup> On the third and last point—moral right—we have the Amarna letters suggesting that the metaphor of brotherhood shared by the practitioners in that system “was not an empty formula but a solemn bond entailing far-reaching political consequences”.<sup>101</sup> Official correspondence of the period serves as the best evidence here. Hence, future analysis of this final aspect of enforcement will require research on sources other than treaties.

### FINAL REMARKS

In this article I have provided a preliminary exploration of covenanting as an institution of ancient Near Eastern international society. Covenant oaths were embedded in a wider normative, cultural and religious context. The shared belief that the gods would punish treaty violations can be a starting-point to explain *good faith* and the durability of a stable international society over that long period. It would answer why small political units could trust bandwagging as a strategy of survival in the long run. My suggestion, only tentative at this point, is that balance-of-power explanations could be supplemented by an international society account in order to make sense of stability in those ancient systems of states. Covenants established dyadic arrangements of hierarchy or parity, but they had systemic implications: the Great King’s vassals could not fight each other or join another Great King. The notion of brotherhood of kings and the details of oath curses should provide further insight into the long institutional life of covenants in ancient international relations. My suspicion is that even an English School theoretical framework that places social and cultural features at the centre, focusing on rules, norms and shared interests, would have to be adjusted to make room for the fiduciary aspect. *Religion*, in the case presented here, should be distinguished from mere *culture* and *shared values*. It is the realm of *ultimate trust*. Erasing religion from the account, or reducing it to another category, would dilute its dramatic background presence keeping things together in ancient Near Eastern international society.

<sup>100</sup> A similar suggestion may be found in Lafont 2001: 44.

<sup>101</sup> Cohen 1996: 16.

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