

The Achaemenids bequeathed to their descendants the desire to achieve law and order. The chaos and lawlessness of the Islamic Republic is inherently contradictory to Iranian essence.

LAW AND ORDER IN THE ACHAEMENID MILITARY AND SOCIETY

The Achaemenid Dynasty (549-331 B.C.E.) that emerged from the union of the Persians and the Medes by its founder Cyrus the Great (576-529 B.C.E.) and ultimately ruled over 23 nations spread across approximately 3,000,000 square miles stretching from North Africa to Indus Valley¹ was based on law and order. With the influence of Zoroastrianism teaching tolerance and peace, the traditional Persian/Aryan laws, and the sheer size of the new empire, law and order was a natural byproduct. The following will examine the importance of law and order in the Achaemenid military and society.

The Persians gods present a strong case for the importance of law and order among the Achaemenids. The earliest records on the Persian gods associate them with social, military, and economic concepts. As early Zoroastrians, speaking the truth or *arta* and righteousness was taught at a young age.² Gods of contracts, oaths, hospitality, truth, and justice had the utmost respect among the Persians.³ According to Herodotus, Persians did not like debts because they believed it would lead one to lie if he owed.⁴ Laws, oaths, and a strong distaste for lies which were part of the Indo-European or Aryan traits stayed with the Persians long after their migration to the Iranian plateau and interactions with the indigenous cultures around 1000 B.C.E.⁵

Persian laws protected the common good of all citizens. They were not to be vile or shameful. Boys learned justice early on and those who unjustly accused another or were ungrateful were seriously punished. The Persians were taught moderation and to obey the laws.⁶ As adults, they signed up to be magistrates in the community. All Persians were able to achieve great honors or reach political office regardless of their background.⁷ Men had to conform to order in heaven and earth. They viewed military service as a supreme duty. They were supposed to serve unconditionally.⁸ Law and

¹ "The Forgotten Empire" Exhibition, The British Museum, London: UK (Sept. 2005-Jan. 2006), <http://www.thebritishmuseum.ac.uk/persia/home.htm>.

² Young, Jr., T. C., "Achaemenid Society and Culture," *History of Iran*, http://www.iranchamber.com/history/articles/achaemenid_society_culture.php, p. 1.

³ Frye, R. N., *The Heritage of Persia*, Costa Mesa, CA: Mazda Publishers, Inc. (1962), p. 26.

⁴ Herodotus, *The Histories*, trans. A. De Selincourt, rev. J. Marincola, London, UK: Penguin Group (1996), I:138.

⁵ Frye, pp. 112-3.

⁶ Xenophon, *The Education of Cyrus*, trans. W. Ambler, Ithaca, NY: Cornell Univ. Press (2001), I(2):23-5.

⁷ *Ibid.*, I(2):26-7.

⁸ Raaflaub, K. and N. Rosenstein, eds., *War and Society in the Ancient and Medieval Worlds: Asia, the Mediterranean, Europe, and Mesoamerica*, "The Achaemenid Empire" by P. Briant, Cambridge, MA: Harvard Univ. Press (1999), pp. 114-5.

order applied to military leaders and kings as well. According to Herodotus, even the kings were not allowed to put a man to death for an offense. Nobody was allowed to punish a servant by injury. Kings and leaders were to follow *arta* just as the rest of the community was expected to uphold it.⁹

According to Herodotus, Darius the Great (521-486 B.C.E.) viewed monarchy as the best political system because, in his opinion, the best, fairest, and most just champion of the people would look after the kingdom and its citizens. He felt that oligarchy and democracy opened the doors for corruption and deterioration of the State.¹⁰ Whether Herodotus had personal knowledge of the Great King's views on politics, his narrative is an indication that to the Persians (and as others perceived the Persians), an ideal king or leader had to be highly intelligent, decisive, a master of justice, and guarantor of civil order and peace.¹¹ His duties included protecting the land and people from enemy, famine, perjury, and rebellion.¹² A good king observed the laws of the empire even if in reality he could do as he pleased.¹³

Cyrus the Great, the founder of the Achaemenid Dynasty, set the tone for its grand strategy. Tolerance, law, and order were how the Persians were to conquer and rule the known world. Cyrus's famous [cylinder](#) is known as the first human rights charter. In his charter, Cyrus requested divine protection of land from falsehood. When his army marched into Babylon in 539 B.C.E., his military tactic to subdue the Babylonians was unique among his contemporaries. Cyrus's troops moved through the city undisturbed. He did not allow terror or desecration of local sanctuaries and claimed he would end misery.¹⁴ He returned objects stolen by the Babylonians to their rightful owners and did not allow confiscation of property without pay. At the King's expense, the captive Jews were freed to return to their homeland and rebuild their temple. He abolished slavery and promoted freedom of religion. He did not allow oppression or insult to others. He did not enforce monarchy on his subjects and declared safety throughout the empire as long as people followed law and order.¹⁵ Cyrus was very moral, fair, and an adamant follower of military discipline.¹⁶ The Babylonian documents attest to the continuation of religious rites as Cyrus marched through Babylon. Even the Greeks, the long-time enemies of the Persians, credited Cyrus with being "a worthy ruler and a law giver."¹⁷ Succession of kings was confirmed by the Grand Senate and the Popular Assembly. The acceptance of a king by the people was a key to maintenance of peace and order. The King was responsible for good governing and liable for its failure.

⁹ Herodotus, I:137.

¹⁰ Ibid., III:82.

¹¹ Briant, P., *From Cyrus to Alexander: A History of the Persian Empire*, trans. P. T. Daniels, Winona Lake, IN: Eisenbrauns (2002), p. 213.

¹² Raaflaub, pp. 11.

¹³ Xenophon, VIII(1):234.

¹⁴ Suren-Pahlav, S., ed., "Cyrus the Great's Cylinder: the First World Charter of the Human Rights," <http://www.peymanmeli.org/constitution/logo.asp>, pp. 1-2.

¹⁵ Ibid., pp. 3-4.

¹⁶ Brown, D. M. ed., *Persians: Masters of Empire*, Time-Life Books, Alexandria, VA: Time Life Inc. (1995), p. 55.

¹⁷ Ibid., pp. 58-9.

Each class in the society had its own laws and codes in addition to the general royal decree.¹⁸ Even the Jews wrote and established the rules of Torah as law around 515 B.C.E. It is fair to say that the Achaemenid era gave rise to modern Judaism.¹⁹

From the beginning, the Achaemenid kings were interested in integrating the native rules with the Persian laws. Both Cyrus and his son and successor Cambyses II did not want to bring disruption to existing ways. There are no Babylonian documents that claim political upheaval and chaos during Cyrus's rule. Most people continued to live their normal lives uninterrupted.²⁰ The Persians did not enforce their language, customs, or religion on others. Local political entities and nobility were integrated with the Persian ruler-ship. This political unity and cultural diversity of the Achaemenids was even observed in their architecture. Pasargadae and Persepolis royal complexes were built by different artists from all over the empire. The combination and integration of their art created the unique Achaemenid art which was inclusive, peaceful, powerful, and tolerant. In those cities, especially the spiritual center of the Achaemenids – Persepolis – all subject nations were represented in the reliefs and inscriptions which would have given their people a sense of belonging. Symbols of different nations were carved on the walls and stairways to show their paying homage to the Great King and his protection and respect for the different people in the empire.²¹ Herodotus states that no other nation is more adaptive to foreign ways than Persians.²² This characteristic helped with integration and tolerance as the Persians prepared to rule and manage different people.

The main problems facing the Achaemenid kings were quashing and preventing rebellions which disrupted law and order. The kings faced these challenges through an enormous and organized military as well as the doctrine of tolerance. The creation of an ideal state in which local elites participated in the management of the regions helped facilitate this goal.²³ Even in their treatment of subject people and local kings the Persians abided by law and order, and molded their military tactics to fit this scheme. Herodotus tells of the relationship between Cyrus and Croesus (r. 560-547 B.C.E.), the King of Lydia who was defeated by Cyrus in 547. After his capture, Cyrus freed Croesus from chains and eventually treated him as a respected and close advisor.²⁴ Cambyses and the deposed Egyptian King Psammenitus had a similar relationship. Cambyses allowed him to live at the royal court for a long time and was very well-treated. He may have even served as Egypt's governor under Persian control. Generally, the Achaemenid policy towards foreign royalty was to treat them with respect and honor. Some local royalties were even restored to their thrones under the Persian ruler-ship.²⁵

¹⁸ Bulsara, S. J., "The Law of the Ancient Persians," *The Laws of the Ancient Persians*, Bombay, 1937, http://www.iranchamber.com/history/articles/ancient_persians_laws1.php , pp. 2-3.

¹⁹ Frye, p. 135.

²⁰ Briant, pp. 70-1.

²¹ Afhami, K. and W. Gambke, *Persepolis, a Virtual Reconstruction*, <http://www.persepolis3D.com>, home page.

²² Herodotus, I:135.

²³ Briant, pp. 78-9.

²⁴ Herodotus, I:88-90.

²⁵ *Ibid.*, III:15-6.

As for captives, Cyrus laid out the policy that if people surrendered, then they would not be held captive. Life as usual would continue. If others were unjust to them, the Persians would defend them. If people were friendly, then they were treated as friends.²⁶ This was a different military and political strategy known at the time. According to Herodotus, in 480, when Spartans sent an embassy to Xerxes I (r. 485-465 B.C.E.) to ask for peace after the Persian invasion of mainland Greece, the King was encouraged by his advisors to kill the Spartan embassy in revenge for the Spartans having killed a Persian embassy sent to Sparta years ago by Darius I. Xerxes told his advisors that he would not break a sacred international law as the Spartans had done earlier. He did not want to be found guilty of the same international crime and to free the Spartans from their guilt for such an act. Instead, he treated the Spartan embassy with the respect they deserved and ensured their safety while they were a guest of the King.²⁷

The Achaemenids made a conscious effort not to rule by force. They sometimes forgave rebels²⁸ or deported them to new lands and enrolled them as ordinary subjects.²⁹ Part of their strategy in minimizing restless and unhappiness was to allow foreigners the chance at accumulating wealth. The Achaemenids knew peace and order promoted a healthy economy. They invested in agriculture and trade. Darius I standardized weights and promoted organized banking.³⁰

The Achaemenid kings publicly announced their commitment to law and order. Darius presented himself as a man of truth and justice and an enforcer of law and order.³¹ In his inscriptions, Darius tells of the importance for the king to uphold his word of honor and abide by and enforce the law of the land:

...whatever was said to them on my behalf day or night was done In these lands, a loyal man saw goodness. The one that was disloyal was punished ... these are the lands that respected my laws. Whatever was said to them on my behalf was done to them....

Inscriptions of Darius the Great at *Behistun*, col. 1, lines 18-26.³² Darius says kings must not lie:

... lies made them [rebellious kings] outlaws and they lied to people.... Now that you will become king from this moment on, strongly deter from lying

Inscriptions of Darius the Great at *Behistun*, col. 4, lines 31-9.³³ He also speaks of being a just king:

²⁶ Xenophon, IV(5):129.

²⁷ Herodotus, VII:136.

²⁸ Young, p. 3.

²⁹ Shahbazi, A. S., "The Achaemenid Imperial Army," *CAIS*, http://www.cais-soas.com/CAIS/History/hakhamaneshian/achaemenid_army.htm, p. 7.

³⁰ Young, p. 4.

³¹ Briant, p. 126.

³² Sharp, R. N., *The Inscriptions in Old Persian Cuneiform of the Achaemenian Emperors*, trans. Sheda Vasseghi, Tehran, Iran: Pazineh Publications (2003), p. 34.

... *I was just. I did not mistreat the weak or the strong....*

Inscriptions of Darius the Great at *Behistun*, col. 4, lines 59-66.³⁴ Darius asks AhuraMazda, the main Iranian god, for order and protection for his land:

... *may AhuraMazda protect this land from enemies, drought, lies. May enemies, drought, lies stay out of this land....*

Inscriptions of Darius the Great at Persepolis, *D Pd*, lines 1-24.³⁵ Briant translates Darius's use of the word "laws" as the King requiring loyalty and that the laws to which he is referring do not necessarily reflect judicial purposes. Briant believes that since Achaemenids did not force their own laws on others, then by using the word "laws," Darius meant "tradition," "loyalty," or "regulations."³⁶ This is certainly another way to interpret such a concept but given the other inscriptions of Darius, he clearly states that as the guarantor of the cosmic order, he is the protector of the weak and the strong equally. Even if the Persian laws were not imposed on other people, the kings were to follow the local laws and Darius's inscriptions serve a judicial purpose as well.

According to Olmstead, Darius spent much of his reign reorganizing the empire. The Persian term *dat* or laws was a new concept and referred to laws that brought about order. Around 520-519 B.C.E., Babylonian records tell us that at Darius's request, these laws were collected, revised, interpreted, and used in that region. Given the speed in which this "book" of laws was put together, it is safe to assume that something would have served as its source. That is, historically, ancient Near Eastern people such as the Sumerians and Babylonians had various laws regulating social, economic, and military conditions. Darius was able to gather these laws including the ancient Persian laws to create a unified royal code for the empire to follow.³⁷ The Babylonian records indicate that Cyrus paid homage to their law books. Olmstead believes Darius wanted his own law book. Unfortunately, even though there are no surviving copies of such a law book, Olmstead states that the different sources referring to such a book make a good case for it having existed.³⁸ Darius ordered his book of laws to be written in Aramaic, the then-official language of the empire, so when distributed, different people could read it. To Darius, evidence was important and the judges trying the cases had to be uncorrupted. What evidence remains from various sources is that Darius's laws addressed taxation, punishments for crimes, regulations of commerce, and the need for judges to refer to caselaw when arbitrating conflicts.³⁹ Olmstead clearly believes that the word *dat* or laws as used in Darius's inscriptions does refer to judicial matters. Briant on the other hand seems to minimize the importance of this view when analyzing Darius's intentions with

³³ Ibid., p. 67.

³⁴ Ibid., p. 70.

³⁵ Ibid., p. 81.

³⁶ Briant, pp. 510-11.

³⁷ Olmstead, A. T., *History of the Persian Empire*, Chicago, IL: The University of Chicago Press (1948), pp. 119-20.

³⁸ Ibid., pp. 121-2.

³⁹ Ibid., pp. 128-9.

his use of the word “laws.” He also contradicts himself by stating that Darius possessed great intellect and decisiveness which made him “a master of justice.” His ability to comprehend and make fair judgments allowed him to overcome anger and irrationality. Briant further states that this “relates to a highly monarchical conception of justice” and that “Darius is also guarantor and restorer of civil peace.”⁴⁰ If Briant characterizes Darius as a champion of law and order, then his interpretation of Darius’s use of the word “laws” in his inscriptions is contradictory.

Inscriptions of other Achaemenid kings continue to claim the importance of law and order. Darius’s son and successor Xerxes I followed his father’s footsteps in leaving inscriptions attesting to the importance of Persian ethics which promote order in the Empire and minimize civil wars:

... whatever was said to them on my behalf was done. My laws protect them....

Inscriptions of Xerxes I at Persepolis, *X Ph*, lines 1-28.⁴¹ Even Xerxes claimed that he would not make decisions based on anger, but would analyze the situation rationally before passing judgment

... I like the truth. I do not like lies. I do not like the weak to be mistreated by the strong. Nor do I like the strong being mistreated by the weak. I do not like a liar. I am not short-tempered. What comes in anger, I analyze. I control my wants.... If a man speaks ill of another, I do not believe it until they both have sworn. I like a man who does his best and award those who are loyal....

Cylinder of Xerxes I at Persepolis, lines 1-31.⁴² In other passages, Xerxes distinguished himself further from his predecessors by claiming he re-established order to the land, destroyed the temples of the devil-worshippers, and re-established order in other “businesses.” His inscriptions did not specifically name to what other “businesses” he was referring. But clearly, he wanted to leave the impression that he was even more of a “law-abiding” King than the great kings before him. The continuation of this policy is clear.⁴³

In Egypt, Darius ordered the collection and codification of their laws in 518 B.C.E.⁴⁴ It is believed he wanted to issue a common set of laws. The Persian laws were not imposed everywhere in that the royal edict recognized different people’s laws. There are no records that the imperial laws were forced on the people. Instead, when local laws were accepted, the Achaemenids added them to the royal laws.⁴⁵ In Egypt and other

⁴⁰ Briant, p. 213.

⁴¹ Sharp, p. 119.

⁴² Ibid., p. 123.

⁴³ Briant, p. 550.

⁴⁴ Ibid., p. 137.

⁴⁵ Ibid., pp. 510-1

places, the local kings or governors had to settle disputes.⁴⁶ If the Persian satraps were to settle the disputes, their judgment had to ultimately rely on Egyptian laws.⁴⁷

The kings even commissioned agents to bring about law and order in troubled regions. With the express permission of Artaxerxes I (r. 474-424 B.C.E.), Ezra was sent to Jerusalem in 458 as a scribe, who was knowledgeable of the Law of Moses and may have authored the *Book of Ezra*. Ezra carried a letter from the King and money for the Israelites to rebuild the splendor of their temple. Ezra's mission was viewed by both the Jews and the Persians as a legal mission ordered by the King. He was ordered to appoint judges to administer justice for all the people in that region. The King's order specifically stated that those who did not follow the Jewish laws which are viewed as part of the royal Persian laws would be punished. With this mission, "the king became the protector and guarantor of local customs ... [and] by returning harmony to Jerusalem, Ezra served the cause of the imperial order."⁴⁸ Once again in 445, when the King was advised of disorder in Jerusalem, he sent Nehemiah – possibly the author of the *Book of Nehemiah* -- on a similar mission. His specific orders were to restore law and order in that region. Nehemiah soon discovered that the root of the problems was the great difference between the rich and the poor which was causing severe economic hardship for those less fortunate. As the King's agent, Nehemiah brought about order to Jerusalem by re-establishing a better political and social setup.⁴⁹

Law and order filtered from Achaemenid society down to their military. The imperial army was made up of diverse masses with a common unity. The Persian elite received common education and commanded the troops. The troops used common armament and were exposed to military reviews and exercises. Even the non-Persian soldiers or *kardakes* were taught Persian military values to increase the unity and effectiveness of the army as a whole. The formation of an imperial hoplite infantry helped integrate other people with the Persians. This integration and tolerance increased order and loyalty between the troops and the king.⁵⁰

The organization of the army was also in perfect symmetry. The regiments were divided into 1000 men each divided into 100 men that were further divided into units of 10.⁵¹ This professional army or *spada* carried out various functions for the empire besides serving at wars. They manned garrisons throughout the regions to keep order and stop revolts. They had an excellent system of communication with couriers, who took packages and letters via numerous royal roads with speed and diligence. These couriers had the ability to carry news from city to city on the same day. The army also used mirror and fire signals for shorter distances. Fortified gates were placed at various check points at which the soldiers carried security duties for the empire.⁵² Strategically, the citadels and forts were under commanders who reported directly to the King. The

⁴⁶ Ibid., p. 474.

⁴⁷ Ibid., p. 510.

⁴⁸ Ibid., pp. 583-4.

⁴⁹ Ibid., pp. 584-6.

⁵⁰ Raaflaub, pp. 120-2.

⁵¹ Sekunda, N., *The Persian Army: 560-330 BC*, Oxford, UK: Osprey Publishing (1992), p. 5.

⁵² Shahbazi, p. 5.

soldiers stationed at these forts were directly paid by the imperial treasury⁵³ and veterans were settled in key areas to help keep local law and order.⁵⁴ The control of the King over the military stations and the troops minimized rebellions. Every year, the army was sent to various satrapies to patrol and help the local governors or satraps bring about peace and order if needed.⁵⁵ The satraps were responsible for local order,⁵⁶ and to facilitate this role, some of the tributes normally sent to the King's treasury were rerouted to the governors. This additional funding along with a Royal Secretary helped keep the governors organized and with the means to control their respective territories in accordance with the King's wishes.⁵⁷ Further, in order to maintain peace and minimize potential rebellions, the local authorities no longer trained their armies in military tactics. Instead they raised mercenaries from "free" regions that were on the King's payroll. This ensured that the satrapal troops remained loyal to the King that paid them and not to some nationalistic ideal or cause.⁵⁸ In addition to the army, there was a well-organized and efficient police force that knew the local court proceedings and helped maintain law and order in the cities.⁵⁹

The military preparation for battle was drawn in advance. If the troops were to obey the commanders unconditionally, they expected their leaders to make plans for them in advance so the campaign would follow an orderly fashion. The leaders had to plan when to lead the army on its march, how to prepare for different terrains, how to manage logistics, how to set up camp, and what to do in case of advance or retreat when in action.⁶⁰

The Achaemenid kings had spread spies across the empire to serve as their "eyes and ears" and report back with the latest information. These individuals helped with intelligence gathering which directly affected law and order across the empire.⁶¹ If the King heard that his wishes were not being followed in a given territory, he would immediately act on this news. Having such spies within ones inner circles kept the governors and local rulers in check as far as committing unlawful acts or organizing rebellions.⁶²

The kings also commissioned royal roads across the land between important cities manned by imperial army to provide safe travel for the people and replenishment for the postal service and the military. In order to cross these roads, people had to have permission to travel because they were closely watched.⁶³ These imperial roads had a political strategic function in that by controlling the roads, the King enforced territorial

⁵³ Sekunda, p. 20.

⁵⁴ Ibid., p. 53.

⁵⁵ Xenophon, VIII(6):266.

⁵⁶ Sekunda, pp. 19-20.

⁵⁷ Ibid., p. 20.

⁵⁸ Ibid., p. 23.

⁵⁹ Bulsara, p. 3.

⁶⁰ Xenophon, I(6):57-8.

⁶¹ Young, p. 3.

⁶² Briant, p. 364.

⁶³ Ibid.

law and order. The primary use of these roads was to bring about military and political organization and structure.⁶⁴ In accordance with the King's responsibility to maintain order and safety on these roads, caravans were usually escorted by armed guards. Even highway patrols were commissioned to monitor the passageways across the empire. The daily traffic on these roads comprised of couriers, armies, embassies, merchants, and travelers. When Persian control was weakened in a region at a given time, it became apparent from the roads as their safety was breached.⁶⁵

It is unfortunate that most of the Achaemenid records were destroyed by invaders and looters. When Alexander of Macedonia (356-323 B.C.E.) invaded Persia and reached Persepolis in 330 B.C.E., he burned down the royal complexes, murdered the unarmed inhabitants, and destroyed the imperial libraries that contained the Persian laws and records of the land. What survives are the reliefs and inscriptions commissioned by the kings and what foreigners, mostly their enemies, wrote about them. Sorting through foreign records about the Persians clearly shows biases and misunderstandings, but one of the issues that most foreign and Persian records seem to agree on is that the Achaemenids made law and order an inherent part of their grand strategy. This may have been a difficult and at times impossible goal during the course of almost 250 years, but it is apparent that the Achaemenid kings strived to reach peace and harmony by championing laws that protected everyone across the empire. Successfully creating and managing such a vast empire which was unique for its time is in of itself a legacy of such a policy.

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⁶⁴ Ibid., p. 376.

⁶⁵ Ibid., pp. 368-9.