

CITIES AND NATIONS OF ANCIENT SYRIA

*An Essay on Political Institutions
with Special Reference to the Israelite Kingdoms*

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P R E F A C E

This book has grown out of a doctoral dissertation submitted in October 1958 to the Facoltà di Lettere of the Università Cattolica del Sacro Cuore, Milan. The title of the dissertation was: *Studi sull'ordinamento politico dei regni d'Israele e di Giuda*. The dissertation was accepted and publication was recommended. Part of it was published in 1959 in the magazine *Bibbia e Oriente* under the title: *Da Saul a David*. The rest is embodied in this book which, however, is different in scope from the original dissertation. During the years spent in Chicago (especially in the summers of 1961 and 1963) I have been able to include a larger amount of material and to elaborate afresh the presentation. A comparison between the title of 1958 and the present title will show the shift in emphasis which has occurred in the meantime.

I am deeply aware of all that I owe to my teacher, Padre Giovanni Rinaldi, C. R. S.: his educational approach has been to call me his friend, and this more than anything has given him a true pupil. He has always stimulated my interest, has trained me in the use of method and, while showing a path to follow, has taught me to walk it on my own.

I would also like to thank my other teachers, those whom I have left in Milan and those whom I have found in Chicago. I know it is a privilege to have been at their school, as I know that the echo of their voices will always resound clear in me. The greatest inspiration during my University years has come from Mons. Luigi Villa: his influence, while reaching far beyond the academic level, has been decisive for my scientific formation as well; for everything I would like him to find here my expression of gratitude, however inadequate it might be.

PREFACE

Of those who have directly contributed to the manuscript I am particularly indebted to Prof. Ignace J. Gelb, who has always shown the warmest interest in the subject of my research and in its progress. Others who have also helped with their criticism and suggestions are Dr. Umberto Allegretti, Miss Pirhiya Beck, Prof. Thorkild Jacobsen, Prof. John L. McKenzie, S. J., Prof. William L. Moran, S. J., and Prof. Michael B. Rowton.

In editing the manuscript I have been fortunate in having the help of Prof. John A. Brinkman, who has very generously shared with me much of his time and all of his talent.

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I am very grateful to Prof. Sabatino Moscati for having accepted my work among the publications of the Istituto di Studi del Vicino Oriente. I consider this a special honor, since Prof. Moscati himself and his school have contributed so much to the field with which the present book is concerned.

A lavoro terminato, provo una gran gioia nel poterlo dedicare a mio padre. È un modo di esprimergli la mia commossa gratitudine per l'aiuto con cui ha reso possibile i miei anni universitari in patria e all'estero, e per l'affetto profondo con cui ha sempre seguito la mia formazione di uomo e di studioso.

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La repentina scomparsa di mio padre, il 5 maggio 1965, ha bruscamente mutato la gioia in dolore. Si è spenta così la mia speranza di potergli presentare queste pagine, come sono svaniti tanti progetti e desideri di cui erano così ricchi la sua mente e il suo cuore, e che si è portato per sempre via con sé.

ABBREVIATIONS

- AASOR** = *Annals of the American Schools of Oriental Research.*
AHw = W. VON SODEN, *Akkadisches Handwörterbuch*, Wiesbaden 1959.
Al. T. = D. J. WISEMAN, *The Alalakh Tablets*, London 1953; texts from level VII are preceded by an asterisk.
ANET² = J. B. PRITCHARD (ed.), *Ancient Near Eastern Texts Relating to the Old Testament*, Princeton 1955².
ARAB = D. D. LUCKENBILL, *Ancient Records of Assyria and Babylonia*, Chicago 1926-27.
ARM = A. PARROT and G. DOSSIN (eds.), *Archives Royales de Mari*, Paris 1946—.
ARMT = A. PARROT and G. DOSSIN (eds.), *Archives Royales de Mari*, Translation, Paris 1950—.
Ar. Or. = *Archiv Orientální.*
BASOR = *Bulletin of the American Schools of Oriental Research.*
Bib. e Or. = *Bibbia e Oriente.*
Bibl. Arch. = *The Biblical Archaeologist.*
BO = *Bibliotheca Orientalis.*
CAD = A. L. OPPENHEIM (ed.), *The Assyrian Dictionary of the Oriental Institute of the University of Chicago*, Chicago-Glückstadt 1956—.
CAH² = I. E. S. EDWARDS, C. J. GADD, and N. G. L. HAMMOND (eds.), *The Cambridge Ancient History*, vols. I-II, Cambridge 1961²—.
CBQ = *The Catholic Biblical Quarterly.*
Dalla tribù allo stato = *Atti del convegno internazionale sul tema: Dalla tribù allo stato*, in *Accademia Nazionale dei Lincei: Problemi attuali di scienza e di cultura*, quaderno n. 54, Roma 1962.
DBS = H. CAZELLES et al. (ed.), *Supplément au Dictionnaire de la Bible*, Paris 1928—.
EA = J. A. KNUDTZON, *Die El-Amarna-Tafeln*, Leipzig 1915 (reprint Aalen 1964); a number after this abbreviation refers to the text number.
FuF = *Forschungen und Fortschritte.*
IEJ = *Israel Exploration Journal.*
JAOS = *Journal of the American Oriental Society.*
JBL = *Journal of Biblical Literature.*
JCS = *Journal of Cuneiform Studies.*

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- JESHO* = *Journal of the Economic and Social History of the Orient.*
JNES = *Journal of Near Eastern Studies.*
JQR = *Jewish Quarterly Review.*
JSS = *Journal of Semitic Studies.*
JTS = *The Journal of Theological Studies.*
KAI = H. DONNER and W. RÖLLIG, *Kanaanäische und Aramäische Inschriften*, vols. I-II, Wiesbaden 1962-64.
KS = A. ALT, *Kleine Schriften zur Geschichte des Volkes Israel*, vols. I-III, München 1953-59.
MDOG = *Mitteilungen der Deutschen Orient-Gesellschaft zu Berlin.*
MIO = *Mitteilungen des Instituts für Orientalforschung.*
MRS = CL. F.-A. SCHAEFFER (ed.), *Mission de Ras Shamra*, Paris 1936—.
Or. = *Orientalia.*
Oud. Stud. = *Oudtestamentische Studiën.*
PEQ = *Palestine Exploration Quarterly.*
PJB = *Palästinajahrbuch.*
RA = *Revue d'Assyriologie et d'Archéologie Orientale.*
RANL = *Rendiconti dell'Accademia Nazionale dei Lincei.*
RGG² = H. GUNKEL and L. ZSCHARNACK (eds.), *Die Religion in Geschichte und Gegenwart*, Tübingen 1927-31.
RHA = *Revue Hittite et Asianique.*
RHPR = *Revue d'Histoire et de Philosophie Religieuse.*
RSO = *Rivista degli Studi Orientali.*
RVG = M. EBERT (ed.), *Reallexikon der Vorgeschichte*, Berlin 1924-32.
TLZ = *Theologische Literaturzeitung.*
TZ = *Theologische Zeitschrift.*
VAB = *Vorderasiatische Bibliothek* (vol. II = EA).
VT = *Vetus Testamentum.*
WO = *Die Welt des Orients.*
ZAW = *Zeitschrift für die Alttestamentliche Wissenschaft.*
ZDMG = *Zeitschrift der Deutschen Morgenländischen Gesellschaft.*
ZDPV = *Zeitschrift des Deutschen Palästina-Vereins.*
ZTK = *Zeitschrift für Theologie und Kirche.*

INTRODUCTION

1. SUBJECT OF THE BOOK

The study of ancient Syria ¹⁾ has attracted more and more attention in recent years. Primary source material has become available in ever increasing amounts, and significant new avenues of approach have been opened. Among the people who lived in ancient Syria, the Israelites are still the best known, and of the ancient literary texts, the Old Testament will always be the most studied. But new people and new cultural traditions emerge more and more from obliteration, inviting us not to consider Israel and its religion in a vacuum. Especially for certain areas of study, such as political institutions, the historian must focus on the whole of Syria, in order to understand more fully the particular nature of local phenomena. As it is often the case, in order to focus sharply on any given data, we must focus on it from not too close a position. This is then the position taken in this book. Israel is considered as part of a larger whole, and if a good part of the material is drawn from the Old Testament, it is approached from a perspective which emphatically takes into account all of Syria.

"Syria" is meant here in a broad sense. The area to which it refers includes the coast of the Mediterranean from Alexandretta (Iskenderon) to Gaza, the basins of the Orontes and of the Jordan, the ranges of mountains which run parallel to the sea and the fringe of oases at the border of

¹⁾ Syria is here used in a broad sense including Palestine. For a definition and description of the geographical area see the next paragraph. The chronological characterization "ancient" Syria refers, throughout this book, to the period which extends roughly from 2000 B.C. to 600 B.C.

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the Syrian desert. This area is occupied today mainly by the states of Syria, Lebanon, Jordan, and Israel. Several reasons have been adduced by other authors for such a broad meaning of the term, from the point of view of ancient ²⁾ and modern history ³⁾, from the point of view of history of art ⁴⁾ and from the point of view of geography ⁵⁾. However, it must be stressed that there is no consensus in this matter, and many scholars prefer to limit the range of meaning of the term, which would then include only the northern parts of the geographical area just described. From the viewpoint of political institutions, it is convenient to use a term which covers the entire area. The term Palestine will still be used with reference to the southern part of our area. The ambiguity which results from the double sense of the term Syria is unfortunate, especially since it is necessary to include the term in the title. But the ambiguity is already present in our studies, and for the time being it can only be eased by explanatory statements in the introductions ⁶⁾.

* * *

In general descriptions of the culture of the ancient Near East, the history of Syria usually suffers from a comparison with Egypt, Anatolia, and Mesopotamia. With a few exceptions, most notably the religion of Israel, Syrian culture is described in negative terms, as if it were made up only of

²⁾ S. MOSCATI, *I predecessori d'Israele*, Roma 1956, pp. 127-130.

³⁾ P. K. HITT, *History of Syria Including Lebanon and Palestine*, New York 1951, pp. 57-59. See also the notion of Syriac civilization throughout A. J. TOYNBEE's *A Study of History*.

⁴⁾ P. MATTHIAE, *Ars Syra*, Roma 1962, pp. 15-16.

⁵⁾ G. B. CRESSEY, *Crossroads: Land and Life in Southwest Asia*, Chicago 1960, pp. 409-416; this author uses the term "Levant".

⁶⁾ It may be noted how the term is used with different meaning in the titles of two recent publications of the Istituto di Studi del Vicino Oriente: P. MATTHIAE, *op. cit.*, uses the term in a broad sense, whereas F. MICHELINI TOCCI, *La Siria nell'età di Mari*, Roma 1960, pp. 15-16, uses the term to refer to the northern area only.

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something less than what is found in the other cultures. In the field of political institutions, what most impresses the historian is the lack of political unity over the entire area, and the presence instead of many small political units, often at war with each other and even more often at the mercy of greater political powers from neighboring regions. It is possible, however, to describe in a more positive way the nature of these minor political units. If one tries to divide them into structural types, there appear to be two major categories. The terms which are currently in use for these categories are "city-state" on one hand, and "national state" on the other. These terms are frequently found in the literature, their meaning is taken for granted and the nature of the structures to which they refer is considered self-evident. In reality, a description of these structures has never been attempted, so that the meaning of the terms is at best vague, at least with reference to ancient Syria. The first purpose of our study will therefore be to fill in the picture which is presupposed by the terms and to verify the correctness of the terms themselves. The result of the research bears out that the recognition of two major categories is essentially accurate, save for the qualification that the city-state is really part of a larger category — the "territorial state". Anticipating the elaboration which will be given in the first two chapters, we can point out here the main differences between the national state and the territorial state, and then add a few words about the two categories into which the territorial state should further be subdivided.

A territorial state is one where the people identify themselves as dwellers of a given territory. A national state, on the other hand, is one where the people are aware of their identity as a group on the basis of other factors than simply contiguity within the same territory. What are these factors? First of all, the conception of *kin relationship* among the members of the group: the people conceive of themselves as descendants from a common ancestor, and they trace their history back to him. This ancestor may have come from a territory other than the one where the people live at any

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given time of their history: thus their *history* is only accidentally the history of a country; primarily, it is the history of a people. The reverse is obviously true in the case of a territorial state. It is further characteristic for the people of a national state that they have a special *name* as a people, whereas the people of a territorial state take their name from the territory; it should also be noted that the official name of the state is, in the first case, the name of the people (e. g., Israel), in the second case the name of the territory (e. g., Amurru, Ugarit). In the territorial state the only attested type of *government* is dynastic monarchy, whereas the national state is at first a tribal league with no stable succession in the organs of central authority, and only at a later stage is dynastic monarchy introduced. These are the major elements in which the national and territorial state differ from each other, and they seem substantial enough to justify a clear distinction between the two types. It should be noted that the two terms are not exclusive, for, obviously, a national state *is* territorial, in that its sovereignty is limited by definite territorial boundaries. The choice of the terms is, therefore, a matter of emphasis, rather than one of opposition.

The territorial state can be further subdivided into two types: the city-state and the expanded territorial state. The city-state is a territorial state the territory of which is limited to a single city and its surroundings (hinterland); the hinterland can be of a considerable size and have many villages and towns, but it does not include other cities. "City" is meant here in the sense of an urban nucleus powerful enough to constitute an independent state; thus "city" is different from "town" not only in terms of size, but also in terms of political potentiality. If a city-state A comes under the influence of a city-state B, A is not incorporated in the territory of B; rather A remains a city-state by itself, and only becomes the vassal of B. In a city-state there is then only one city, and that city is the state (rather than simply the capital). An expanded territorial state, on the other hand, may include many cities: even if these have actually been, at any previous time, independent city-states, they are incorporated in the

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territory of the expanded territorial state, rather than becoming vassal city-states. The expanded territorial state shows a tendency to enlarge itself which is not as evident in the city-state. The adjective "expanded", however, is meant here in a qualitative, rather than in a quantitative, sense: an expanded territorial state may be quite large in size, but what matters from a structural point of view is the fact that it is not as city centered as the city-state, and that it may include more than one city. There are also other factors which seem to indicate that the whole structure of the expanded territorial state is different from that of the city-state, and they will be discussed in the first chapter. However, our documentation on the expanded territorial state is rather limited so that we will focus mainly on the city-state.

* * *

The first two chapters are an attempt to delineate the two major categories of ancient Syrian political structures. The final two chapters deal with specific problems.

The third chapter will discuss cases of "personal union" of two or more states under one ruler. The states are not combined into a single political unit ("real union"), but are temporarily juxtaposed in a union under the *person* of their common ruler ("personal union"). My interest in this problem is twofold. On the one hand the existence of several instances of personal union seems to indicate an important rule of ancient Syrian political life: political units tended to keep their identity, and, under certain circumstances, did not exhibit any tendency to political expansion. This may serve as a partial explanation for the lack of political integration throughout the history of ancient Syria. The second reason for my interest lies in the fact that the problem of "personal union" is related to the problem of the relationship between the city-state and the national state. According to a recent theory, the principle of personal union may, in some cases,

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have acted as a "formula" aimed at resolving the tension between old and new political institutions (city-state vs. national state). The theory just mentioned refers especially to the pairs Jerusalem/Judah and Samaria/Israel, and is presented in detail in the third chapter. My own position on this problem is conditioned by my understanding of the political nature of the Israelite kingdoms, and therefore, will be found at the end of the last chapter.

The final chapter deals with the Israelite kingdoms. There I try to assess their political nature by referring to results obtained in the previous stages of the discussion. The attention paid to these kingdoms is justified in more than one way. One reason is the quality and quantity of the sources, another is the general interest of historians and biblical scholars. Much has been written on this topic; however most of the previous research has concentrated on the religious nature of the kingship, whereas here the emphasis is placed on the political nature of the kingdoms. Within the broader perspective of the political institutions of ancient Syria, Israel as a national state gains a richer significance, and the aspects of political expansion and integration can be more easily assessed.

* * *

The preceding pages have sketched very briefly what the content of the book is going to be, and this must have made clear what are the limits which I have set to my research. This is not a handbook on the political institutions of ancient Syria, but only an essay. I have tried to analyze some of the phenomena in some of their aspects: I have not attempted a complete description of the material from all possible points of view. I have referred to the sources whenever necessary: I have not tried to put together a systematic catalogue of all the available evidence. Very much indeed has been left out, only a few focal points have been selected. The reader would be disappointed, therefore, were he to look for a com-

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prehensive institutional history of ancient Syria⁷⁾: he will only be offered some lines of thought which might hopefully be used, eventually, for such a more exhaustive task.

2. QUESTIONS OF METHOD AND TERMINOLOGY

The meaning of such terms as "city-state" and "national state" is often taken for granted, even though a precise definition of these entities in political terms is certainly not self-evident. In fact, it can be said that the entire field of political institutions has been somewhat neglected in the study of the ancient Near East. The sources have naturally led most scholars to concentrate on the aspects of literature and religion. But it should be added that the documentation is not so limited as to make it impossible to identify and

⁷⁾ A. ALT was expected to write such a history for the *Handbuch der Altertumswissenschaft* of Munich, but this has been made impossible by his death. Nothing else of the kind is available at the moment, except for occasional remarks in general histories of Ancient Syria, for which see especially ED. MEYER, *Geschichte des Altertums*, vol. II 1/2, Stuttgart 1928-31² (reprinted 1953); A. T. OLMSTEAD, *History of Palestine and Syria to the Macedonian Conquest*, New York 1931; A. ALT, *Völker und Staaten Syriens im frühen Altertum* (1936), in KS III, pp. 20-48; Id., *Der Rhythmus der Geschichte Syriens and Palästinas* (1944), in KS III, pp. 1-19; P. K. HITTI, *op. cit.*; W. F. ALBRIGHT, *Syrien, Phönizien und Palästina vom Beginn der Sesshaftigkeit zur Eroberung durch die Achämeniden*, in F. VALJAVEC (ed.), *Historia Mundi*, vol. II, Bern 1953, pp. 331-367 and 629-630; S. MOSCATI, *Siria antica*, in G. TUCCI (ed.), *Le Civiltà dell'Oriente*, vol. I: *Storia*, Roma 1956, pp. 59-91; A. JIRKU, *Die Welt der Bibel: fünf Jahrtausende in Palästina-Syrien*, Stuttgart 1957; S. MOSCATI, *Le antiche civiltà semitiche*, Bari 1958², pp. 107-233; A. JIRKU, *Geschichte Palästina-Syriens im orientalischen Altertum*, Aalen 1963; M. LIVERANI, *Introduzione alla storia dell'Asia Anteriore antica*, Roma 1963; J. GRAY, *The Canaanites*, New York 1964. A general history of the ancient Near East which gives special attention to institutions is A. MORET and G. DAVY, *Des clans aux empires: l'organisation sociale chez les primitifs et dans l'Orient ancien*, Paris 1923.

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describe the essential types of political institutions. For ancient Syria this is particularly true in view of recent discoveries of royal archives at Ras Shamra and Tell Atchana.

The paucity of significant groundwork in the field hampers our research. The difficulties encountered concern both the method to be employed and the basic terminology to be used in describing the various political phenomena. Because of the lack of attention to the field of political institutions in ancient Near Eastern history, the students of law and of social institutions have been unable to give any interpretation of our material ⁸⁾.

⁸⁾ With few exceptions, most notable among which is M. WEBER, especially in his work *Das antike Judentum, in Gesammelte Aufsätze zur Religions-soziologie*, vol. III, Tübingen 1921. In recent times, one contribution stands out in a particular way: it is the collection of papers and discussions embodied in C. H. KRAELING and R. M. ADAMS (eds.), *City Invincible, A Symposium on Urbanization and Cultural Development in the Ancient Near East Held at the Oriental Institute of the University of Chicago*, Chicago 1960. Calling on specialists in different disciplines, an attempt was made at favoring a constructive dialogue among them. The material presented by R. M. ADAMS in his paper (*op. cit.*, pp. 24-34) is discussed and elaborated more in detail in his doctoral dissertation entitled: *Level and Trend in Early Sumerian Civilization*, University of Chicago, Department of Anthropology, 1956 (unpublished); see now also, by the same author, *Land behind Baghdad*, Chicago 1965; the material presented by T. JACOBSEN should be studied against the background of his article *Early Political Development in Mesopotamia*, in *ZA* 52 (1957) pp. 91-140; A. L. OPPENHEIM's observations are now expanded in his book *Ancient Mesopotamia*, Chicago 1964. A similar sensitivity is present in several of W. F. ALBRIGHT's writings, see esp. in *History, Archaeology and Christian Humanism*, New York 1964, pp. 177-194.

For general indications on political institutions and especially on the notion of state see: E. M. SALT, *Political Institutions. A Preface*, New York 1938; G. BALLADORE PALLIERI, *Diritto costituzionale*, Milano 1957⁵, pp. 3-51; Id., *Dottrina dello stato*, Padova 1958; G. DEL VECCHIO, *Studi sullo stato*, Milano 1958, especially pp. 1-96.

For more specific reference to ancient times (outside the Near East) and for ethnological and sociological considerations see: H. S. MAINE, *Ancient Law*, New York 1864²; ED. MEYER, *Geschichte des Altertums*, vol. I/1: *Einleitung: Elemente der Anthropologie*, Stuttgart 1910³, pp. 3-86; M. WEBER, *Gesammelte Aufsätze zur Sozial- und*

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Yet the systematic research which has been carried on from an institutional point of view cannot be ignored, for it provides the necessary framework for the analysis of political institutions in general. It is only on such a basis that the difficulties involved in method and terminology can be soundly approached, if not fully resolved.

As for method, one procedure has proved of great help in my research: the analysis and characterization of the state in terms of three elements — government, people, territory. This distinction, which is customary in the field of law and political science, is certainly fruitful in a heuristic function, for it provides a workable frame of reference both for research and for presentation of the material.

Matters of terminology are more important than they may appear at first. Unreflective usage of modern terms to clarify the phenomena of the ancient world is often based on an inadequate analysis of the institutions themselves. This creates a general distrust towards the use of modern categories in describing ancient institutions. Such a distrust is in turn increased by the fact that the ancient languages, at least in the area and period under consideration here, had not

Wirtschaftsgeschichte, Tübingen 1924, pp. 1-311; R. H. LOWIE, *The Origin of the State*, New York 1927; G. H. SABINE, *State*, in *Encyclopaedia of Social Sciences*, vol. XIV, New York 1935, pp. 328-332; M. FORTES and E. E. EVANS-PRITCHARD, *African Political Systems*, London 1940; W. NIPPOLD, *Ueber die Anfänge des Staatsleben bei Naturvölkern*, in *Zeits. für Ethnologie* 81 (1956) pp.1-21; W. KOPPERS, *Die ältesten Formen des Staates und das Verständlichwerden des hohen Alters der Menschheit in universalgeschichtlicher (ethnologischer und prähistorischer) Schau*, in *Anthropos* 56 (1961) pp. 1-13; L. MAIR, *Primitive Government*, Harmondsworth 1962; V. BEONIO-BROCCHIERI, *Posizione logica del rapporto "tribù-stato"*, in *Dalla tribù allo stato*, pp. 25-39. Political scientists of the last century seem to have paid more attention to the institutions of the Israelites and other Near Eastern peoples; see e. g. M. TAILLIAR, *Essai sur l'histoire des institutions des principaux peuples: étude sur les anciennes théocraties*, Douai 1843; CH. LETOURNEAU, *L'évolution politique dans les diverses races humaines*, Paris 1890, especially pp. 138-151 and 224-251. Today, however, the documentation of these scholars is completely outdated.

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developed concise political terminology. But this should not be considered an insurmountable obstacle; otherwise we would deny the possibility of using modern terminology and classification in many other types of analysis, where such procedures have already proved successful. To give one example, language can properly be described on the basis of modern linguistic analysis, however foreign this may have been to the ancient mind. Now terms like "state" and "political structure" are certainly no less adequate and productive than terms like "verb" or "morpheme", provided we keep in mind the analogous character of this usage. The same is true of the juridical order, of which the ancients were certainly aware, even though they did not produce any juridical doctrine of a theoretical nature⁹⁾.

Granted, then, that modern terminology is admissible in so far as it is consciously regulated, we have to discuss here some modern terms which will be employed in the research.

The range of meaning for the term "state" is debated. While anthropologists have no difficulty in using this term to refer to political units of a very simple structure, jurists and political scientists would limit the term to states like those of modern Europe. This usage is based on the fact that the modern state has some very peculiar features which distinguish it from any other political entity of the past, and also on the fact that the term "state", in its present political sense, has been in use only since the Renaissance. This limited range of meaning for the term "state" is an advantage in certain contexts, when the emphasis of discussion is placed on modern political units, as contrasted, for example, with the medieval empires or the Greek *polis*. It does not follow, however, that a wider range of meaning for the same term is impossible: if nothing else, there are basic analogies between ancient and modern political units such as the organization of defense in the face of external dangers or the pre-

⁹⁾ See on the subject the remarks of E. VOLTERRA, *Les rapports droit romain - droits de l'Orient*, in *Revue Internationale des Droits de l'Antiquité*, ser. III, 2 (1955) pp. 147-153.

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servation of the internal juridical order. Following the example of anthropologists, the term "state" will be used in this book in its wider meaning. There is, however, a limit even to this broader meaning of the term "state". Some anthropologists set the limit where centralized governmental authority stops: political systems which lack this type of authority are called "stateless societies"¹⁰⁾. Of the political units to be considered in this book, there is one case which comes close to the dividing line between states and stateless societies, namely tribal leagues as in early Israel. My position on this subject differs from that of many scholars, for I tend to consider these leagues as states, even though I am aware that the evidence is not fully persuasive. From this viewpoint, then, the present book will be concerned only with societies which are organized as states.

The distinction between territorial and national states is a well established one¹¹⁾. The notion of territory can be considered as self-explanatory, but something should be said about the concept of nation¹²⁾. The nation is a human group characterized by a certain homogeneity. Such a homogeneity is due to several factors, which may be grouped under two headings. (1) In the first place there is consanguinity, either real or assumed. The ancients were keenly aware of this factor, as is shown by the significance which genealogies had for them. Assimilation of heterogeneous elements was provided for in several ways, which proves that actual blood ties were not

¹⁰⁾ M. FORTES and E. E. EVANS-PRITCHARD, *op. cit.*, p. 5.

¹¹⁾ See especially H. S. MAINE, *op. cit.*, ch. V. Maine was the first to distinguish sharply between the tribal group, based on consanguinity, and the territorial state, based on local contiguity. It should be noted that he considered the territorial state as a later development, and as the first real political organization.

¹²⁾ The term "people" is used here to refer to a body of persons united under a common government independently from whether or not they exhibit any degree of national homogeneity. Similarly, but for some difference in terminology, I. J. GELB, *Hurrians and Sumerians*, Chicago 1944, pp. v-vi; *Id.*, in an oral contribution to *City Invincible*, *cit.*, pp. 74-79 and 315-319.

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of decisive importance. It then follows that among the ancients strictly racial criteria were not operative, so that no such criteria should be used in describing ancient nations¹³⁾. As a matter of fact, we do not know that the assimilation of heterogeneous elements has ever been limited by somatic categories, which seem to have played no great role in the interaction of the various people of ancient southwestern Asia. (2) Other factors that can be considered in describing a nation can be discussed under the same heading, since they all give evidence of a spiritual affinity among the members of the human group. These are ties of religion, language, and historical traditions. Religious affinity had a concrete form — as far as ancient Syria was concerned — in the acknowledgement, by a human group, of a specific god who was linked to that group and to that one only. Unity of language does not exclude dialectal varieties or even different languages used in subordination to the language chiefly characteristic of the national group. In the case of ancient Syria, however, the factor of linguistic unity cannot easily be employed in trying to distinguish national groups, since the pertinent documentation is not sufficiently precise and since it appears that in some cases different national groups were using the same language. It is rather of fundamental importance for our research to discuss group unity based on historical traditions: these traditions, the living expression of a common past, show that the feeling of unity was clearly present in the consciousness of the people themselves.

The term "city-state" is familiar to us from Greek history. It can, therefore, be misleading, in that it may be construed as an indication that there exists a strict parallelism between Greek and Syrian city-state — which would be wrong. Unfortunately, ancient Syrian sources do not record any term

¹³⁾ I would certainly not try to define the differences between national groups on the basis of the "nature of the heart and of the nervous system" and of other "peculiarities" of such nature, as is the case — to quote an example from the last century — with D. CHWOLSON, *The Semitic Nations*, Cincinnati 1874, especially p. 24.

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which may be used for the Syrian city-state in the same way that *polis* refers to the Greek city-state. The term used in Syria to refer to a city did not have any specifically political meaning. There was a term for the larger urban centers, but the same term was also used for villages and temporary settlements, and, in any case, could not be properly translated as "city-state". The lack of an ancient term for "city-state", however, does not imply that the term "city-state" should be avoided in principle. It is a proper term, because it gives expression to the great role played by the city in determining the structure of the state. It should be used, however, with the clear understanding that there is no implied analogy with what is known as the "city-state" par excellence, the Greek *polis* ¹⁴⁾.

¹⁴⁾ Our dictionaries seem to be biased when they give as the only meaning of "city-state" one which can fit solely such cases as the Greek *polis* or the Italian commune; see, e. g., *Webster's Third New International Dictionary of the English Language*, Unabridged, Springfield (Mass.) 1961, p. 412: "A state (as in classical antiquity) in which the sovereignty is vested in the free citizens of an independent city and extends over the territories under its direct control"; similarly A. PIGANIOL, *City-State*, s.v. in *Encyclopaedia of the Social Sciences*, vol. III, New York 1935, pp. 489-492 or N. G. L. HAMMOND, *City-State*, s.v. in *Encyclopaedia Britannica*, vol. V (1960), p. 732.

A few more introductory remarks are in place here. Hebrew texts are given according to the Masoretic vocalization. Akkadian texts are quoted in transcription; syllabic transliteration, logograms and determinatives are used, with no precise rule, wherever it seems convenient to render the original cuneiform more closely. The system of transliteration and transcription is the one followed in *CAD*.

Translations of Oriental texts are strictly literal, even at the expense of English style.

Without presuming to formulate an independent judgment on chronological matters, it has seemed best to follow Albright's scheme here, both for the second millennium and for the period of the Israelite kingdoms. Useful chronological tables can be found in J. BRIGHT, *A History of Israel*, Philadelphia 1959, pp. 464-468; D. N. FREEDMAN and E. F. CAMPBELL, *The Chronology of Israel and the Ancient Near East*, in G. E. WRIGHT (ed.), *The Bible and the Ancient Near East*, Garden City (N.Y.) 1961, pp. 203-228.