

Achaemenid Governance & Public International Law

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Abstract

The main and basic elements of international law clearly existed in some civilizations, especially ancient Iran. Based on historical evidence, it is possible to extract the existence of general legal principles regarding the regulation of relations between the ancient Iranian empire and other governments and foreign nationals. Examining the evidence left from the Achaemenid period, shows the semantic and conceptual affinity of the political-legal culture governing the behavior of the Achaemenid kings with the modern concepts of international law; Considering the predominance of semanticism in the worldview and epistemology of ancient Iran, this shows the capacity and capability of approaches based on natural law theories with regard to global governance and can be an option for refining the international legal system based on positivist theories. This historical-analytical research can be a basis to review and recognize some of the most important propositions of contemporary international law.

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Introduction

"The gods, we ought to believe, will be with us ; for we do not possess these dominions unjustly, from having formed iniquitous designs upon them, but, from having had designs formed against ourselves, have taken revenge. 78. But we must secure for ourselves what is next best after this ; which is, to think ourselves worthy to rule only by being better than those under our rule. In heat, therefore, and in cold, in meat and drink, in labours and sleep, we must, of necessity, allow our dependants a share; but, while we give them a share, we should first endeavour to appear their superiors in them."¹

According to the Positivist school of law, international law did not exist prior to the emergence of the Westphalian order in the 16th and 17th centuries, which was based on equal sovereignties. On the other hand, the Natural Law school believes that international law can be traced back to the literature on political relations over the past few thousand years, and that it defines a set of rules governing the interactions between governmental units. Essentially, while the contemporary international legal order has only been around for 400 years, some of its basic concepts can be found in historical political literature.²

The prevailing discourse in social sciences and history upholds the idea that all sciences, including the humanities, originate from the West. As one scholar notes, "Europe is the unique source of liberal ideas such as individual freedom,

¹ XENOPHON, The Cyropedia or Institution of Cyrus, [Literally Translated From The Greek by Watson], (London: George Bell & Sons, 1876), p 232.

² Hadida REZAEIJO, "School of Natural Law", in Amir Saed VAKIL et al., Review of Philosophical Schools of International Law, (Tehran: Mizan Publishing, 2009), p 39.

democracy, rule of law, human rights and cultural freedom... These are not Asian, African or Middle Eastern ideas, but they are all European or inspired by Europe."³ Despite the widespread belief that the origin of all human sciences and spiritual heritage, including international law, can be traced back to Rome and Ancient Greece, a closer examination of historical texts reveals that certain civilizations, particularly ancient Iran, possessed the main elements of international law. While it may not be possible to draw direct comparisons between the ancient Iranian system and contemporary international law, historical evidence suggests the existence of general legal principles governing the relations between the ancient Iranian empire and foreign governments and nationals. This system was underpinned by a particular worldview and epistemology, which enabled the ancient Iranian school of thought to systematize international relations based on universally accepted rules. Therefore, it may be more appropriate to use the term "universal law" rather than "contemporary international law," which is specific to the modern era. This philosophical approach to international law contrasts with the positivist approach, which only recognizes the existence of international law for the past three centuries.

Reexamining the legal ideas of ancient Iran in the context of contemporary international law has practical implications, and is not merely an exercise in history and theory. By examining the epistemological and worldview foundations of ancient Iran, which were centered on justice and semantics, we can offer an alternative perspective to prevailing theories on international

³Arthur Meier SCHLESINGER, *The Disuniting of America: Reflections on a Multicultural Society*, (New York: W.W.Norton., 1991), p 127.

law. This can help refine and improve international law in practice, based on positivist discourses of international law. Through historical and analytical research, we can investigate some of the most important propositions of contemporary international law, which are typically assumed to have Western origins. By doing so, we can bring to light the rich cultural and epistemological heritage of ancient Iran, which has often been marginalized. The goal is not to argue that the legal thought of ancient Iran is the source of contemporary international law or even that it was synchronized with it. Instead, we aim to explore the ancient idea and assess whether it had the capacity and ability to govern relations between states and nations, assuming that such an idea existed.

I. Elements Of Contemporary International Law

Broadly speaking, contemporary international law is believed to have originated from the Westphalian order that emerged from the treaties of 1648. A basic and inclusive definition of international law is: "The legal framework that governs the interactions between independent states, their respective rights, and obligations towards one another." Contemporary international law is predominantly concerned with issues of peace, war, global justice, global security, the rule of law, human rights, and the peaceful resolution of international disputes. Essential principles such as cessation of hostilities, self-defense, and non-interference form the cornerstone of modern international law. Although positivists view international law as a product of the post-nation-states era, the natural law school suggests that these principles have existed throughout history, including the pre-Westphalian era. From the perspective of natural law, international law based on these

principles has always existed and is not limited to the past few centuries.

This is also true in the realm of human rights and humanitarian law, which are two fundamental branches of contemporary international law. As one author has noted, "Human rights with their valuable goals are a great discovery in the modern era for humankind. However, this does not imply that there was a lack of understanding of human rights in the past." One could argue that the concept of rights, understood as a set of rules that regulate human interactions based on the principles of humanity, has existed as long as human civilization.

It is undeniable that the origins of humanitarian law, as a collection of principles and regulations for conduct during war, can be traced back to a period much earlier than the 19th century battle of Solferino in 1859, the founding of the Red Cross in 1893, and the efforts of Henry Dunant. In fact, one example of what is now recognized as humanitarian law can be observed in the Achaemenid wars, particularly the wars waged by Cyrus. Unlike the prevailing practice of killing civilians, looting, and destroying captured cities, Cyrus instituted a new code of conduct that prohibited unnecessary harm to people and settlements. As he told the Chaldeans, he outlawed superfluous injury, unnecessary suffering, and unreasonable destruction. It is on this basis that he states to the Chaldeans that:

"he was not come either with a desire to destroy them, or with an inclination to make war upon them; but with a wish to make peace between the Armenians and Chaldeans. [he said] Before your mountains were occupied, I know that you had no desire for peace; your own possessions were in safety; those of the Armenians you plundered and ravaged".

Cyrus introduced an important tradition that is still relevant today, known as the "Declaration of War." This tradition is

considered a vital principle in the law of armed conflicts, although it is seldom observed by conflicting parties. In fact, Cyrus valued this principle so much that during the Armenian conquest, despite having the perfect opportunity for a surprise attack, he chose to inform the enemy officially of his intention to attack. Before commencing the war, he sent an envoy to Armenia to declare war, stating that it was "more friendly to act thus than to march upon him without previous notice." Some experts in the field of oriental studies believe that Cyrus' rule marked a significant shift in the way wars were conducted, representing a turning point in the history of the development of civilizations; According to Girshman, with the emergence of Cyrus, "A new wind blew across the world, carrying away the cries of murdered victims, extinguishing the fires of sacked cities and liberating nations from slavery".

II. Legal Approach of Ancient Iran

The history of Iranian civilization goes back 5000 to 7000 years BC, and over this extended period, several empires have governed various parts of the Iranian plateau. The ancient Iran we know today began to take shape in the first millennium BC and was mainly defined by the long reigns of the three great Parthian, Achaemenid, and Sassanid dynasties. It was during this time that Iranian civilization emerged as an identity and gained global influence. The Iranian Empire grew unprecedentedly, stretching from Thrace to Sindh and from the Caucasus to the Indian Ocean. This vast territory became a "highway for the movement of nations and the transfer of thoughts," as well as the culture of civilizations around. As an intermediary between the East and the West, the region gained a privileged and influential position, where the knowledge and

possessions of others were augmented, developed, and transmitted.⁴ Certainly, such extensive territorial expansion and cultural influence could not have been sustained without a strong philosophical and epistemological foundation.

The Achaemenid dynasty (330-550 BC) stood out among the ancient Iranian governments due to its unique approach, largely attributed to the methods of Cyrus the Great and Darius the Great. These kings institutionalized respect for the traditions and beliefs of nations and tribes, creating a new solution for international relations of the time. Their approach, based on tolerance and humanism, laid the foundation for an inclusive global government where freedom, equality, mutual respect, religious and social tolerance, and other humanistic criteria were implemented in a highly commendable manner.⁵ The Achaemenid period stands out as an especially distinctive and noteworthy era in Iranian history because it was during this time that the Iranian Empire and its civilization reached a level of identity and maturity that had not been seen before. Alongside the centralized government's unprecedented authority, there was also an institutionalization of intellectual and ideological pluralism within Iranian governance and culture, which persisted for centuries to come.

The Achaemenid dynasty, which was founded in Iran, shares the same name as an earlier dynasty that was established in a neighboring kingdom, Elam, around 700 BC. The Achaemenid dynasty quickly expanded its rule from a small area in Parsumash, located in the Bakhtiari Mountains in the east of Shushtar, to the entire Najd of Iran and beyond. The dynasty

⁴ Ibid., p 205.

⁵ Abulqasem AKHTE, Cyrus' Work: A Study in the Achaemenid Government, (Tehran: Kalhor, 2008), p 81.

reached its peak shortly after its establishment, particularly during the reign of Cyrus (530-559 BC). It became the largest empire the world had ever seen, surpassing any empire before or after it. According to Gearshman, "other nations and civilizations continued to exist, but in terms of power and influence, the Achaemenid empire stood at the forefront of the world."⁶ It is clear that the Achaemenids could not have attained such a high status without possessing the necessary knowledge and cultural background. The distinctive art of the Achaemenids was evident in all aspects of political life and the administration of the Empire. This was achieved by utilizing the epistemic and scientific culture and knowledge of the conquered nations, which generally had a superior history and greater civilizational achievements than the Persian Empire.

III. Cyrus: A Lasting Name, a Global Heritage

Few kings in the dynasties of Iran achieved the level of fame and influence as Cyrus did, making him a lasting name in history and a significant contributor to the globalization and perpetuation of the name of Pars and Iran.⁷ Indeed, Cyrus's legacy is deeply rooted in his humane approach to governance and his respect for diversity and human rights. He is often referred to as the "father of human rights" for his treatment of conquered peoples and his famous Cylinder, which is considered

⁶ Ghirshman, *supra* note 9, p 189.

⁷ This statement attributed to Cyrus highlights his immense achievements as a ruler and conqueror. He transformed Persia from a relatively unknown region into a great empire that extended throughout Asia. His legacy lived on through his children and the progress and prosperity of his homeland. It also shows that Cyrus had a sense of fulfillment and satisfaction in his accomplishments, as he felt comfortable and consoled in knowing that his people were thriving; See Xenophon, *supra* note 1, p. 276.

one of the earliest declarations of human rights. Cyrus's emphasis on justice, fairness, and religious tolerance created a unique atmosphere of coexistence and mutual respect among different religions and cultures within his empire, making it a model of multiculturalism and cosmopolitanism in the ancient world. His legacy continues to inspire many today, particularly those who strive for peace, justice, and human rights.

Cyrus' method and demeanor during the quick and bloodless conquest of Babylon in 537 BC, along with his compassionate treatment of defeated rulers and their people, particularly the release of the Jews and their return to their homeland, elevated him to the status of a heavenly prophet in literature and religious texts.⁸ His actions also placed him among the most renowned rulers of the world, recognized for his prudence, power, and fairness. Cyrus utilized his knowledge from previous battles and took advantage of the weakness of Nabonidus,⁹ the tyrannical king of Babylon, to conquer the city. However, contrary to customary practices, Cyrus did not kill or enslave the defeated enemy and their family, instead treating Nabonidus with dignity and freedom. Upon Nabonidus' death the following year, Cyrus declared a period of national mourning and participated in the commemoration ceremony. According to Girshman:

“Cyrus presented himself to the Babylonian people not as a conqueror but as a liberator and the legitimate successor to the crown. To emphasize the importance he attached to his new possession, he took the title of ‘king of Babylon, king of the land’. He restored to their temples all the statues of the

⁸ According to Iranian Muslim scholars, Cyrus is believed to be the same figure as Dual-Qarnain mentioned in the Quran.

⁹ Hirad ABTAHI, “Reflections on the Ambiguous Universality of Human Rights: Cyrus the Great’s Proclamation as a Challenge to the Athenian Democracy’s Perceived Monopoly on Human Rights” (2007) Denver Journal of International Law & Policy, Vol 55, pp 21-28.

gods which Nabonidus had brought into the capital and, at the great New Year Festival, following the custom of the Babylonian kings, he took the hand of the god Bel and by this gesture legalized the new line of Babylonian kings. As lord of Babylonia, he also became master of its dependencies, and in particular of Syria, where he pursued a benevolent policy. The Phoenician kings came to assure him of their loyalty and put at his disposal their ships, which as a fleet could match that of the united Greeks. In the first year of his rule at Babylon, Cyrus issued a decree permitting the Jews to return from captivity and to rebuild their temple at Jerusalem as it had been before its destruction; further, he gave orders that all the gold and silver vessels that had been carried off and held by Babylon should be restored to them. In 537 b.c., under the leadership of Zerubbabel, more than 40,000 Jews left Babylonia to return to the promised land. They were accompanied by a high Persian official, specially commissioned to see that the royal orders were executed. Once again the generous character of Cyrus, who sought to bring peace to mankind, is in evidence.”¹⁰

The apex of Achaemenid rule and their governing culture and style is exemplified by the reign of Cyrus. His philosophical and epistemological approach to political power and the principles and practices of governance are documented in historical records. Among these records, the most renowned is the collection of decrees issued after the conquest of Babylon, which is commonly known as the Charter of Cyrus.

a) Charter of Cyrus: An Old Relic, New Concepts

Cyrus' lasting impact was not solely due to his conquest of Babylon, but also because of his post-victory orders and treatment of the defeated nations. He liberated slaves, rescued captive tribes including the Jewish people from Nabonidus' oppression, promoted religious freedom, restored places of worship, and called for justice. His philosophical foundations

¹⁰ Ghirshman, supra note 9, p 132.

and decrees, inscribed in Babylonian cuneiform on the cylindrical inscriptions,¹¹ are widely regarded as the first significant step towards recognizing and institutionalizing human rights, and have been likened to the first four articles of

¹¹ The charter of Cyrus was discovered in 1879 during the ancient excavations of the British National Museum in present-day Iraq by Iranian Hormuzd Rasam, and was transferred to the British National Museum and has been kept in that museum since that year. This inscription is in the form of a cylinder with a length of 23 cm and a width of 11 cm, the middle of which is thicker than its two bases. Edicts hacked on clay cylinders or polygons were discovered from historical sites in Mesopotamia. Probably, the charter was prepared in several copies to be sent to different areas, of which only one is available today. The first investigations demonstrated that around this clay cylinder there were writings in New Babylonian script and language (Akkadian), which was believed to be a writing of the rulers of Assyria and Babylon. However, further investigations that were carried out after its extraction, transliteration and translation showed that this inscription was written between 530 and 538 BC at the request of the Babylonian priests or by the order of Achaemenid Cyrus the Great (530-550 BC) (one to eight years after the conquest of Babylon). The first transliteration of the tablet was published by Sir Henry Rawlinson in the Journal of the Royal Asiatic Society (No. 12, 1885) and the first copy was published by Theophilus G. Pinches in The Cuneiform Inscription of Western Asia, known as "Rawlinson's five" (5th vol, No 35, 1882). Later, it was found that a part of a cylindrical tablet attributed to Babylonian king Nabonidus (kept in Yale University Museum in the United States and has been published in Babylonian Inscriptions in the Collection of J.B. Nies, Volume II, Number 3) is a part of Cyrus the Great tablet from lines 36 to 43. Later, the part was transferred to the United Kingdom and attached to the main tablet. In 1975, after the correction and insertion of notes by Paul Richard Berger, Professor of the University of Munster, Germany, was published in the Assyriology Journal (Zeitehrift flir Assyriologie) Volume 64 (July) 1975 that part along with the text of the original tablet). Since there were mistakes in the 1822 copy and existing translations of the tablet text were done by foreign researchers, in 1987, Professor Abdul Majeed Arfai made a new copy and the result was published by the Iranian Academy of Literature and Art. See, Prof. Abdul Majeed Arfai's preface to "The Order of Cyrus the Great" - by Abdul Majid Arfai, Iran Academy of Literature and Art, No. 9 of 1366. The Internet version of the Order of Cyrus the Great is available at: https://www.britishmuseum.org/collection/object/W_1880-0617-1941

the Universal Declaration of Human Rights. While the Cyrus Charter is often referred to as a human rights document, a more comprehensive analysis reveals deeper epistemological concepts and behavioral principles. According to John Curtis, the content of the charter "represents a new beginning for the ancient Near East."¹² Furthermore, it reflects the philosophical, social, political, and literary trends of Cyrus' time.¹³ Therefore, the Cyrus Charter will be studied and examined within the framework of contemporary international law literature.¹⁴

¹² John CURTIS, *The Cyrus Cylinder and Ancient Persia: A New Beginning for the Middle East*, (London: British Museum, 2013), p 1.

¹³ Abtahi, *supra* note 15, p 6.

¹⁴ When comparing Cyrus' charter with declarations issued by kings after conquests, it becomes clear that Cyrus had a distinct and compassionate approach. One example of a different approach can be seen in the inscription of Ashurnasirpal, the king of Assyria in 84 BC, who wrote:

"By the order of Assyria and Ishtar, the great gods and my supporters... I beheaded six hundred of the enemy's army without any consideration and burned three thousand of their captives alive in the fire. I skinned the ruler of the city alive with my own hands and put his skin on the city wall. I roasted many in the fire and cut off many hands, ears and noses, pulled thousands of eyes out of bowls and thousands of tongues from mouths and hung the severed heads from the trees of the city."

Sennacherib, the king of Assyria (689 BC), had inscribed the following words:

"... When I captured the city of Babylon, I took all the people of the city into captivity. I set the whole city on fire so much that for many days its smoke rose to the sky. I made the Euphrates River flow over the city so that the water would take even the ruins with it".

The inscription of Ashur Banipal (645 BC) after the capture of the city of Susa mentions, "I conquered Susa, the great holy city... by the request of Ashur and Ishtar. I broke the ziggurat of Susa, which was glazed with bricks of lapis lazuli, I razed the temples of Elam to the ground, and I destroyed their gods and goddesses. My troops entered its sacred shrines, they saw it and set it on fire. I turned the land of Susa into a ruin and barren desert in one month and twenty-five days of travel. I destroyed the human voice and... The shouts of joy..., I swept the soil there and allowed the snakes and scorpions to

b) *Cyrus Charter At a Glance*

The charter of Cyrus comprises a detailed account of the motives and tactics employed during the conquest of Babylon, along with the significant actions undertaken by Cyrus after his victory. The charter can be broken down into three sections, with the first serving to justify the conquest of Babylon, the third detailing Cyrus's measures post-conquest, and the middle consisting of a declaration by Babylonian priests praising Cyrus's religious legitimacy as a ruler. The tablet, which is inscribed in the Babylonian language and script, also includes a statement by Cyrus himself.

In his speech, Cyrus first introduces himself and his lineage, then provides an explanation for the war and its objective. He goes on to list the outcomes of the war, attempting to justify the legitimacy of his use of force against the rule of Babylon by referring to a series of moral propositions and concepts that remain relevant over 25 centuries later. Therefore, the Charter of Cyrus is seen as introducing a groundbreaking set of ethical guidelines that were previously unprecedented.

While not a theoretical text, the charter does have practical objectives. Analyzing the third section of the document reveals a series of theoretical principles pertaining to the foundations and concepts of modern international law, including responsible governance, war and peace, nationality, human rights, the rule of law, and justice.

occupy it." Similarly, the inscription of Nebuchadnezzar II, the king of Babylon (565 BC), mentions:

"I ordered them to put out a hundred thousand eyes and break a hundred thousand legs. I burned thousands of young men and women in the fire and destroyed the houses in such a way that no living voice will rise from there."

c) War and Peace in the Charter of Cyrus

1. *Culture of Peace*

Contemporary international law aims primarily for peace. The United Nations Charter is a testament to this, beginning with the declaration of member states' determination to prevent future generations from experiencing the horrors of war. Paragraph 2 of Article 4 sets forth the legal obligation to refrain from the use of force in international relations between states. Throughout the Charter, there is a clear focus on maintaining and restoring international peace and security. The Security Council, the most influential body of the United Nations, was created with this very purpose in mind. Cyrus' Charter, on the other hand, was drafted during a time when war and violence were commonplace. Rulers would go to great lengths to demonstrate their authority and superiority, often resorting to brutality and intimidation. What sets Cyrus apart is his commitment to peace, as evidenced by his Charter's declaration, "I entered Babylon peacefully". Furthermore, this sentiment was not limited to Cyrus himself but was instilled in his troops as well. Another portion of the Charter states, "when many of my soldiers were marching in Babylon, I did not allow anyone to be intimidated in the lands of Sumer and Akkad."

2. *Legitimacy of use to force*

In his charter, Cyrus presents the conquest of Babylon as a divine mission aimed at liberating the people from the oppression of their unrighteous ruler, Nabonidus. He lists Nabonidus' unworthy deeds against Marduk, the god of gods of Babylon, and the people, saying:

"The ruler of the country had become tremendously incompetent; he ordered the extortion of wheat and the tithe of flocks from the people; constructed a shrine like the Esangila; for Ur and other sacred places he prescribed inappropriate rituals to offer sacrifices, which was unprecedented; he spoke rudely and humiliatingly to the people every day; in order to humiliate the gods, he started prohibiting offering sacrifices to the shrines. He also improperly manipulated the rituals; He brought sorrow and unhappiness to the holy cities; he no longer worshiped Marduk, the God of the gods; he always attacked the city of Marduk; every day he harassed that land and destroyed its people; he was greatly enraged by the protests of Enlil, the Lord of the Gods. The holy places were abandoned and were forgotten; Other gods also left the temples; Nabonidus, against the anger of Marduk, transferred the statues of the gods to Babylon. But Marduk, by her will, spared all the creatures on earth whose habitats were destroyed and the people of the lands of Summer and Akkadi who had become like the dead and bestowed her mercy on them. The tyranny of Nabonidus was so immense that only a just ruler could solve it. Therefore, Marduk 'explored among all the lands, looking for a King of Justice'; the king was the Cyrus. Thus "he called Cyrus, the king of the city Ansan, king of the world", and he inspired him to come to Babylon."

Cyrus employed a similar approach of philosophical justification for resorting to force in other instances as well, not just in the war with Babylon. This approach was based on the duality of "divine approval" and "human-centeredness". For instance, when the Assyrians invaded the land of the Medes, seeing the revolt of the people of Asia against Siaxar, the king of the Medes and Cyrus's uncle, as an opportunity to weaken the Medes, Cyrus used a similar literature to prove the necessity of war with them and to provide moral justification for entering the war in favor of the Medes. He addressed the generals and his soldiers saying:

"... Let us then set forward with confidence, since the appearance of desiring to possess other men's property unjustly is far from us for our enemies are coming upon us, being themselves the aggressors in wrong; and our friends call us to their assistance. What then is more just than to repel injuries, or more noble than to assist friends? consider, too, that you ought to

derive courage from this circumstance, that I do not enter upon this expedition with neglect of the gods; for you, who have conversed much with me, know that I endeavour to begin not great affairs only, but even small ones, with the sanction of the deities".¹⁵

Cyrus' wars, which aimed at justice and freeing people from the oppression of unjust rulers, were justified with divine approval and legitimacy. This can be seen as a form of the concept of "just war," although it differs from the notion used by crusaders in their wars against Muslims. As the Babylonians were not Cyrus' followers and Babylon was not a promised land for the Iranians, the justification for Cyrus' wars was not based on religious or ethnic affiliation. Rather, Cyrus' human-centered worldview aimed to liberate all people, regardless of their background. As stated by the author, "perhaps with a little tolerance" Cyrus' justification can be considered similar to the concept of just war.¹⁶ The perspective towards humanity espoused by Cyrus is congruent with the Iranian semanticist outlook on both humanity and the world at large, which emphasizes equality among all individuals. This is reflected in all Iranian writings, where people are referred to as equals.¹⁷

Although contemporary international law based on the United Nations Charter prohibits the use of force except for self-

¹⁵ Xenophon, *supra* note 1, p 29.

¹⁶ It is worth noting that throughout the entire inscription, Cyrus does not mention Ahuramazda or any other Iranian gods even once. Instead, he only refers to Marduk, the Babylonian god, to assert his legitimacy and the justification for his conquests by the followers of Marduk. This is particularly noteworthy given that Cyrus's Iranian predecessors had mentioned Ahuramazda in their own stone inscriptions. This, along with other evidence, such as the absence of the spread of Zoroastrianism to the conquered lands, suggests a remarkable level of religious tolerance among the Achaemenid and other Iranian dynasties before the advent of Islam.

¹⁷ Fereydoun JUNIDI, *Human rights in today's world and world rights in ancient Iran*, (Tehran: Balkh Publishing House, 1997), p 104.

defense¹⁸ or with the authorization of the United Nations Security Council under Chapter VII, the concept of just war, which originated from Crusader thought and was once the primary justification for the use of force in international relations, has not disappeared from the international stage. Despite undergoing various transformations, it continues to be employed in different forms in the practice of international relations.¹⁹

Cyrus's human-centered perspective extended beyond the cause and rationale of war, or *jus ad bellum*, to include the methods and conduct of warfare, or *jus in bello*, as a component of his epistemological and argumentative framework for substantiating his rectitude and the legitimacy of war. During the Babylonian conquest, minimal conflict and bloodshed were employed. Due to Nabonidus's weakness, public dissatisfaction, and the prophetic message of the exiled Jews that the arrival of the Savior was imminent, the city fell with little resistance.²⁰ In one of the verses of Cyrus' cylinder, the approach of capturing Babylon without violence, which was deemed righteous by God and intended to liberate people from misery and enslavement, is elucidated as: Marduk led Cyrus to Babylon, where he freed the

¹⁸ Article 51 of the United Nations Charter.

¹⁹ As an illustration, the justifications provided by the United States and United Kingdom for their invasion of Iraq and the overthrow of Saddam Hussein cannot be justified on the grounds of self-defense and lacked the Security Council's authorization. The US used the pretext of Iraq possessing weapons of mass destruction, which were never found, and even if they were, it would not have provided legal grounds for military action. Instead, US officials argued that Saddam was a cruel dictator, and that was the reason for resorting to force. Similarly, the attack on Libya could not be legally justified under the United Nations Charter, so Western countries invoked the concept of "responsibility to protect," which is essentially a contemporary version of the just war theory, to justify their actions.

²⁰ Girshman, *supra* note 9, p 132.

city from its misfortunes and delivered the king, Nabonidus, who did not worship Marduk, to Cyrus. The people of Babylon, Sumer, and Akkad, along with their princes and rulers, all worshipped Cyrus, kissed his feet, and celebrated his reign. The gods, who were in danger of death and had been saved by Cyrus, praised him with joy and honored his name, along with all the other gods.

According to historical accounts, Cyrus had strict orders for his troops during the battle and after the victory to avoid any aggression against civilians.²¹ Even the defeated leader and his family were shown unprecedented generosity and magnanimity by Cyrus.²² To show his respect and attachment to the defeated people and their civilization, Cyrus did not identify himself as a conqueror of the Babylonian nation. Instead, he performed the ancient Babylonian religious ceremony of touching the hand of the god Baal while sitting on the throne, thus declaring himself as the legitimate successor to the Babylonian throne. He also chose the title "King of Babylon, King of the Countries" for himself to demonstrate his loyalty to the defeated people and protect the dignity of Babylonian civilization.²³

3. Functional Semanticism

The Cyrus Charter is often regarded as a symbol of ancient Iran's semanticism, encompassing the belief in a loving creator who values justice, peace, and freedom for all people. The

²¹ Farouk SAFIZADEH, History of Law in Ancient Iran, (Tehran: Jangal Publication, 2008), pp 417-418.

²² Cyrus treated Nabonidus like a free person and when he died one year after the conquest of Babylon, i.e., in 538 BC, Cyrus announced public mourning and he himself participated in the ceremony.

²³ Girshman, *supra* note 9, p 132.

charter emphasizes the importance of peace and freedom, rejects slavery and the humiliation of human beings, and promotes the equality and brotherhood of all humans, denying discrimination based on ethnicity, race, or religion. These concepts reflect the tenets of semanticism present in the text. Cyrus portrays himself as a leader approved by God, and views his success in conquests as divine approval and a sign of his legitimacy. He attributes this approval to his efforts to promote justice among humans. Despite his accomplishments, Cyrus does not see himself as divine, but rather as a worshiper of God who seeks to earn His favor and attention, recognizing that his successes are the result of God's blessings. Cyrus' deep faith and sense of purpose are evident in his final words: "I thank the gods for giving me the opportunity to never be without your help, and in my time of strength and shock, I did not forget that I am only a man."²⁴

One of Cyrus' beliefs was that his kingdom was bestowed upon him by God. He asserted that he had been selected by God to govern the world as someone who possessed the necessary qualifications for just leadership, stating:

"From the eternal kingship, whose kingship the Lord Nabu loves, and whose kingship he desires for the joy of his heart; When I entered Babylon peacefully, and happily sat on my throne in my royal palace, Marduk, the great lord, by his will drew to himself the love of my heart, the lover of Babylon, so every day I constantly tried to worship him."

Although, this appointment was also predicated on specific and tangible responsibilities, which were centered around just governance and fulfilling the duties of governance. Clearly defining the duties of a ruler at a time when it was assumed that

²⁴ Xenophon, *supra* note 1, p 140.

the ruler had absolute authority was seen as a significant advancement in the realm of politics and governance.²⁵

d) Sovereignty as responsibility

The idea of "responsible sovereignty" is a relatively new concept in international law that emphasizes the responsibility that comes with sovereignty. Essentially, sovereignty means that a ruler or government has a responsibility to their citizens, which is based on respecting their fundamental rights and protecting them from gross violations of human rights.²⁶ If a sovereign fails to fulfill this responsibility, their legitimacy can be called into question and the international community may not be obligated to recognize them as a legitimate ruler.²⁷ In other

²⁵ Cyrus' treatment of the Babylonian Jews is noteworthy for its uniqueness. After the Babylonians conquered Jerusalem and destroyed the city, the Jews were captured and taken to Babylon. Scholars have debated the reasons for Cyrus' behavior, which appears to indicate a sense of connection between Cyrus and the Jewish people. The Jews later immortalized Cyrus as their savior in religious texts. Girshman's interpretation seems to be more accurate. According to him, the Achaemenids were generally tolerant of religious beliefs, but evidence suggests that they paid special attention to monotheistic communities, especially the Jews, because of their own monotheistic inclinations. During Cyrus' reign, religion and politics were intertwined;

"If Cyrus and after him Darius treated the Jews well, it was not only because of profiteering, but because the religious approach of the Jews, who considered religion more important than other things, in the eyes of both of them, was more familiar with Chaldean and Egyptian beliefs"; see Girshman, *supra* note 9, p 132.

Therefore, The benevolent policy of the Achaemenid largely contributed to the revival, religious, and social sustainability of the Jews; see Girshman, *supra* note 9, p 133.

²⁶ See United Nations Secretary - General Report on Implementing the - Responsibility to Protect, Document A/63/677.

²⁷ Report of the Secretary-General on the responsibility to protect: "timely and decisive response", 25 July 2012; Report of the Secretary-General on the

words, sovereignty is not absolute and is contingent on the establishment of justice, security, and efforts to improve the country for the satisfaction and happiness of its people. This concept has evolved over the past half century through the accumulation and evolution of human rights norms and rules.

Although human civilization has progressed significantly over time,²⁸ it is remarkable that more than 25 centuries ago, a powerful ruler recognized the responsibility of a leader to establish justice for their people. The writings of the Cyrus cylinder reveal that the king's divine approval was contingent upon his righteousness, as Marduk sought out a righteous king from different lands. As such, "righteousness" stands out as the most crucial characteristic of a ruler and the key distinguishing factor between a good king and unworthy rulers. This fact is worthy of recognition and admiration.

Xenophon portrays Cyrus as having a unique perspective on governance, which differed from the prevailing view in other countries. Unlike the prevailing belief at the time that ruling was a special privilege, Cyrus viewed it as a responsibility that required significant effort and work to fulfill; According to him:

"There is no task more difficult than to rule justly. But when I look at other nations and see who rules them, especially when I see what enemies I have to fight, I think it is unpleasant to be afraid of them and it is a shame not to attack them. All these nations, even our friends and allies, think that the difference between a king and an ordinary person is in the extravagant living

Role of regional and sub-regional arrangements in implementing the responsibility to protect, 27 June 2011; Report of the Secretary-General on Early warning, assessment and the responsibility to protect, 14 Jul 2010; Report of the Secretary-General on Implementing the Responsibility to Protect, 12 January 2009.

²⁸ Many governments in reality are still under the sway of the ruling individual or group with absolute or quasi-absolute power, and are lacking in responsibility and accountability.

expenses, his lot of money in the treasury, and sleeping more and working less; but in my opinion, the difference between a king and an ordinary people should not be determined by leisure, but rather, it should be through more work and anticipation and love for work".²⁹

In essence, the difference between rulers is determined by their responsibility in governing the country and striving to ensure the well-being and prosperity of their people. A ruler who adheres to this approach will be granted divine approval:

"While Cyrus was continuously shepherding them with truth and justice, the Great God ... looked with pleasure on his good deeds and his heart full of justice so he told him that Cyrus should go to Babylon... and he himself moved beside him like a friend and companion."

To put it another way, the ultimate expression of a ruler's responsibility towards their people is to act as a "shepherd" who serves and takes care of them, since those who fulfill this duty deserve praise as per the following quote: "Rulers who serve the people, when they meet the needs of the people and consider it their duty, deserve to be praised."³⁰ The Charter of Cyrus and other historical documents reveal that a responsible ruler's main duties can be summarized into two areas: maintaining security and promoting the development and prosperity of the country, which ultimately results in the happiness and comfort of the people. Cyrus understood the importance of establishing security and freeing people from oppression, which was the primary motivation for his campaign to Babylon. He was obligated to fulfill this task and expected his soldiers to do the same. This is highlighted in the Cyrus cylinder, which states that his soldiers were present in Babylon in a peaceful and friendly manner, and that no one was intimidated in the lands of Sumer and Akkad. In essence, Cyrus viewed the "liberation of the

²⁹ Xenophon, *supra* note 1, p 32.

³⁰ Ibid.

people from fear" as a major accomplishment of his campaign and a crucial task of governance.

Despite the common practice of his era, Cyrus had no desire to destroy the cities and settlements he conquered. Rather, he demonstrated a compassionate and far-sighted approach by seeking to develop these territories. In fact, he takes pride in his actions and states:

"I ruled the city of Babylon and all the holy cities in abundance of blessings. I freed the survivors... from poverty... I rebuilt the holy cities on the other side of the Tigris, which were destroyed long ago, and I restored the image of the gods to their original place... and I returned the people to their dwellings."

e) Rule of Law

Although the rule of law is now widely considered one of the key pillars of good governance and a hallmark of modern governments, it is commonly believed, particularly in the West, that prior to the Greeks and Romans, our predecessors had no concept of law or the rule of law, and that force and power were the sole criteria and means of governance. However, a closer examination of the Achaemenid dynasty, particularly the reign of Cyrus, reveals that this perception is flawed.

The Achaemenid kings, especially Cyrus and Darius, had a great deal of respect for the nations they subjugated and regarded them as friends, demonstrating what Girshman referred to as "spiritual greatness," which was not lacking in material force. In essence, as Girshman points out, "an empire cannot be built without a legal framework."³¹ The Achaemenid rulers recognized the significance of creating a legal framework that

³¹ Ibid.

ensured a stable order based on law throughout their vast empire. Archaeologists have discovered similarities between the decrees of Darius and the laws of Hammurabi. These laws were inscribed on clay tablets or papyrus in the languages of the subjugated nations and disseminated to all administrative centers under Achaemenid control. It is noteworthy that the laws of Darius remained effective even after his reign ended, indicating a deliberate decision by the Achaemenid kings to institutionalize their authority and power by establishing and enforcing legal codes, rather than relying solely on coercion. Moreover, the legislation of the Achaemenid Empire did not supersede or disregard the legal traditions and customs of the defeated nations, but instead allowed them to retain their own legal systems alongside those of the empire.³² The Achaemenid kings' recognition of the importance of allowing conquered nations to maintain their own legal systems was not only a display of tolerance but also a wise approach to consolidating vast conquests and ensuring the obedience of new subordinates. As George Pierre has pointed out, "the rights of each nation represent the civility and morality of that people, and no legislature can make laws without considering these factors." This highlights the fact that "laws are the sediment of social morality," and laws that align with people's moral ideals will be more easily implemented, while laws in conflict with moral ideals will be imperfectly enforced, at best.³³ In contrast to some positivist thinkers, such as Kelsen, who assert that the law

³² Ibid., p 154.

³³ Ali T TABASI, "School of Constructivism", in Amir Saed VAKIL et al., Review of Philosophical Schools of International Law (Tehran: Mizan Publishing, 2009), p 144.

should be obeyed regardless of whether it is just or wise,³⁴ the Achaemenians believed that a law's success depended on the people's satisfaction with it and that a law was only considered legal if it was in line with human nature.

The Achaemenians held a belief that the law was closely related to the king and to God. In fact, the fundamental customs, principles, and policies of the Achaemenid government were based on three principles: 1) showing respect for the principles and standards of life of all subordinate tribes and nations, 2) ensuring border security to protect the empire, and 3) upholding justice and legality.³⁵ The Persians held the law in such high regard that they used it as a measure of justice. In the book *Cyropaedia*, Cyrus recounts his teacher's statement that "what was in accordance with the law was just, and what was contrary to the law was an act of violence." He was taught that judges should base their decisions on the law.³⁶ Herodotus, the renowned ancient Greek historian, attested to the Persian judges' dedication to their duty, stating that they would fulfill their role until death unless dismissed for failing to administer justice. "It was they who judged cases, interpreted national laws, and were appealed to in all disputes," he wrote.³⁷

Darius considered justice to be crucial for establishing peace, as evidenced by one of his ancient inscriptions, which states:

"Much which was illdone, that I made good. Provinces were in commotion; one man was smiting the other. The following I brought about

³⁴ Ibid., pp 81-125.

³⁵ Mohammad Javad JAVID, and Farima JAMALI, The Relation Between Justice And Government In Ancient Iran With Emphasis On Historical Investigations In Hakkamaneshian Law, (2010), Private Law Studies Quarterly, Vol. 39, pp 118-119.

³⁶ Xenophon, supra note 1, p 14.

³⁷ Girshman, supra note 9, p 154.

by the favour of Ahuramazda, that the one does not smite the other at all, each one is in his place. My law - of that they feel fear, so that the stronger does not smite nor destroy the weak".³⁸

The principle of equality before the law is an essential aspect of the concept of the rule of law. The law must be applied equally and without discrimination to all individuals, regardless of their social status or power. Failure to do so would undermine the very foundation of the rule of law. The aim is to ensure that the law applies to all, including those who hold positions of power and wealth, rather than being a tool that only traps the weak and vulnerable. The historical records suggest that the Achaemenid kings were well aware of the importance of this principle. In a time when subordinates were typically exploited and considered insignificant, the Achaemenids spoke of the equality of the king and the subordinates, as well as equality before the law. According to Xenophon, "no individual is excluded by law from honors and magistracies";³⁹ Without a doubt, the value placed on law by the Achaemenid government was unparalleled in comparison to other kingdoms of that era, and even those that followed. The advice given by Mandana, Cyrus' mother, to her son after spending time with his grandfather, the Median king Astyak, serves as a prime example of the significance of law to the Persians, and highlights the stark contrast between the Achaemenid government's culture and that of its contemporaries; Mandan answered:

"But Child, the same things are not accounted just with your grandfather here, and yonder in Persia ; for among the Medes, your grandfather has made himself master of all; but amongst the Persians, it is accounted just that each should have equal rights with his neighbours. Your father is the first to execute what is appointed by the whole state, and submits to what is

³⁸ Ibid., p 153.

³⁹ Xenophon, supra note 1, p 8.

appointed ; his own inclination is not his standard of action, but the lawTake care, then, that you are not heaten to death at home, if you come thither haying learned from your grandfather not what belongs to a king, but what belongs to a tyrant ; an ingredient in which is, to think that you yourself ought to have more than all others".⁴⁰

The value of justice and fairness was deeply ingrained in Persian culture, and this was reflected in their approach to educating children from a young age. Schools taught methods for resolving disputes based on fairness and law, and students were obliged to submit to the law and follow the rulings of judges in order to institutionalize these values;⁴¹ According to Cyrus, "the greater number of laws appear to me to teach chiefly these two things, how to govern, and how to obey".⁴²

The Persians did not rely solely on the establishment of laws and executive guarantees based on rewards and punishments to ensure the effectiveness of their system of command and obedience. They also used a persuasive mechanism to gain the assistance and cooperation of their subordinates, because they were aware that:

"This is indeed the way, ... , to make them obey you through necessity; but to what is far better than this, to have them obey you willingly, there is another readier way ; for whomsoever men think to be more knowing than themselves in what is for their good, him they obey with the utmost pleasure. You may see that this is so in the case of many other people, and particularly in that of the sick, for you observe how readily they call in such as may prescribe what they ought to do".⁴³

The Iranian perspective on semantics, including the Cyrus Charter as a representation of this perspective, had a significant

⁴⁰ Ibid., p 14.

⁴¹ Ibid., p 2.

⁴² Ibid., p 36.

⁴³ Ibid., p 37.

influence on Greek philosophers and their development of the Stoic school and natural law.

f) Nationality

To some extent, the concept of nationality and its importance in maintaining cohesion and strengthening collective power against enemies can be traced back to the Achaemenid period, despite its roots in the Western Westphalian system. The Persians had a sense of collective belonging to a specific territorial area and a shared destiny with the population living in that area. They recognized the importance of a conscious attachment to the community and the land, which required putting the benefit and expediency of the community above individual interests and considerations. As Xenophon wrote, "Unlike most nations, the Persians cared more about the public interest than anything else, and Cyrus was educated accordingly."⁴⁴

It can be argued that the education and character instilled in Cyrus were institutionalized throughout the Achaemenid dynasty, as similar ideas can be found in inscriptions and quotes attributed to other kings of the dynasty. For example, in one of Darius's inscriptions, he refers to his country as follows: "Ahura Mazda helped me as he helped all the Magi, and protected my country from the attack of the enemy, bad crops, and lies." The important lesson to be learned, even today, is that Darius emphasized nationality in a positive and motivating sense for the realization of the public interest and common good, rather than as a blind prejudice for racist supremacy. Thus, nationality and

⁴⁴ Ibid., p 1.

justice were the two fundamental pillars of the Achaemenid kings' glorious rule.

"The virtue of truth and justice was much emphasized by Darius, and extolled in several of his inscriptions, together with an enunciation of nationalism unknown in earlier ancient oriental empires. The sentiment of nationalism so keenly felt by the Great King did not exclude a preoccupation with the welfare of other countries whose destinies he directed at the behest of his supreme god. The spirit of the Persian people was imbued with this love of country; this was remarked on by Herodotus, who emphasized that no Persian ever prayed to his god for a personal benefit. 'But he prays for the welfare of the king and of the whole Persian people, among whom he is of necessity included.' This patriotic ideal inspired and developed a national conscience in the fulfilment of the imperial task that was a part of the nation's destiny".⁴⁵

Therefore, the principle of defending one's people was also present in the religion of the Persians, namely Zoroastrianism, which held that "The good prince... defended his people."⁴⁶

g) Pacta Sunt Servanda

The principle of keeping promises or *pacta sunt servanda* has long been recognized as a fundamental principle in modern international relations and law, with the United Nations Charter recognizing respect for treaties as one of its principles. This principle has been codified in the 1969 Convention on the Law of Treaties and remains a cornerstone of international relations. In ancient Iran, the Achaemenid dynasty's success in rapidly expanding and maintaining their empire was due in part to their ability to form strategic alliances and agreements with other countries, and they placed great emphasis on keeping their promises. The Persians believed in the principle of

⁴⁵ Girshman, supra note 9, p 154.

⁴⁶ Ibid., p 162.

implementing promises with the guarantee of reward for good behavior and punishment for bad behavior, as reflected in their behavioral principles.

"Only an agreement between believers can be ranked higher than an agreement between two countries; in order to maintain the agreement between two countries, it is logical to ignore an agreement made between two spouses or two colleagues (in case of conflict) ... The degree of adherence (agreement, covenant and loyalty) between two companions is twenty, between two colleagues it is thirty, between two members of the same family it is forty, between two roommates it is fifty, between two leaders it is sixty, between a student and a teacher it is seventy, between a bride and a groom it is eighty, between two brothers it is ninety, between a father and a son it is a hundred, between two countries it is a thousand".⁴⁷

The Achaemenid tradition placed great value on keeping promises, friendship, and loyalty, which had strategic importance for the Persian empire. This policy was a significant factor in the kingdom's power and development. Cyrus believed that helping allies and friendly nations in times of need was the right thing to do, and he considered it justified to use force to defend them.⁴⁸ Dariush, following in the footsteps of his predecessor Cyrus, believed that friendship and loyalty were crucial in maintaining good relations with other nations, including subordinate ones. He held the motto "I was a friend to my friends"⁴⁹ as the foundation of his interactions with people and nations. Dariush remained committed to this motto throughout his life, and unlike the Romans who would ally with a rival people and then turn on them when they were weak, Cyrus and his successors never resorted to such treachery.⁵⁰ Many conquered nations were able to join the Persian Empire

⁴⁷ Junidi, supra note 23, pp 41-42.

⁴⁸ Xenophon, supra note 1, p 33.

⁴⁹ Girshman, supra note 9, p 162.

⁵⁰ Ibid., p 133.

without resistance or bloodshed because they trusted the Achaemenid kings and believed that they would be treated as allies if they befriended the new rulers. This approach allowed for the expansion of the empire with relatively little conflict, as many nations were willing to submit to the Persians and accept their rule.

Conclusion

According to Girshman, the Iranians created a world empire and imbued it with a new spirit of tolerance and justice,⁵¹ which was previously unheard of. This spirit of "tolerance-justice" can be attributed to the Iranian semanticist approach, which later served as the foundation for the school of natural law. In this approach, "justice and humanity" hold a significant and pivotal position, and all political and legal interactions are understood and interpreted in light of these two principles. The same framework and principles govern the role and philosophy of governance, war, and peace. As such, the ruler has specific responsibilities towards the people, and war, as an exception to the principle of peace, is only permissible under certain conditions and to achieve specific goals that align with the principles of humanity and justice.

During a period when human rights have gained significant importance, the semanticist concepts of ancient Iran have found more alignment with modern times. The study of historical records from the Achaemenid era, particularly those of the dynasty's primary architects, reveals the alignment of the political-legal culture governing the behavior of the Achaemenid

⁵¹ Ibid., p 352.

rulers with modern international legal concepts. Meanwhile, Cyrus, who played a critical role in the consolidation and advancement of the Achaemenid Empire, and whose legacy includes orders and statements attributed to him in the Charter of Cyrus, holds a unique position in introducing the Achaemenid intellectual and epistemological system, noted for its brilliance and prominence. According to Girshman:

"Few kings have left behind so noble a reputation as that which attaches to the memory of Cyrus. A great captain and leader of men, he was favoured by the fate that befell him. Generous and benevolent, he had no thought of forcing conquered countries into a single mould, but had the wisdom to leave unchanged the institutions of each kingdom he attached to his crown. Wherever he went he acknowledged and honoured the gods of the different religions. He invariably represented himself as the legitimate successor of the native rulers. Alexander was not the first to adopt this policy; he had only to imitate the example of Cyrus to be acclaimed by his new subjects."⁵²

The Persians saw Cyrus as their "father," while the Greeks, whom he had conquered, referred to him as their "law-giver." The Jews, on the other hand, considered him as "the anointed of the Lord."⁵³ The diverse titles given to Cyrus by different peoples signify the Achaemenid Empire's inclusive and equitable approach. These descriptions shed light on the wide-ranging policies and endeavors that Cyrus undertook during his relatively short reign. His adherence to principles like the rule of law, human equality and freedom, and religious and political tolerance have cemented the intellectual underpinnings of the Achaemenids, which remain relevant to this day. As such, Cyrus is hailed as the first leader to assert the concept of fundamental human rights, with the Charter of Cyrus being recognized as the world's first human rights declaration.

⁵² Ibid., p 133.

⁵³ Ibid.

The Achaemenian focus on nationality, defined as a group of people inhabiting a specific geographic area with assigned duties and responsibilities, suggests that their intellectual system had the potential to generate contemporary ideas. The concept of "responsible sovereignty" evident in Achaemenid rule is now commonly discussed in international political and legal discourse. This principle holds that rulers and sovereigns are only entitled to legal respect and dignity because of their duties and responsibilities towards citizens, not because of the privilege of their position. Cyrus believed that the purpose of governance was to establish justice between people, manage territories, and ensure the security and welfare of the population, which remain essential tasks of modern governments.

The Achaemenid's approach to war and peace was advanced for its time, with Cyrus emphasizing peace as the primary goal and war only used as a tool to defend friendly nations or free people from tyrannical rulers. He viewed war as a means to fulfill holy goals, and the Achaemenians allowed the use of force to defend against enemies and help allies. What is interesting to note is that Achaemenid wars, particularly during Cyrus' reign, were justified based on two components: divinity and humanity. From analyzing Cyrus' charter, it is clear that he referred to the divine mission of the ruler to justify wars, but this mission was based on tangible human goals. In other words, Cyrus believed that a just war was one that established justice and freed oppressed people from the yoke of oppressive rulers. Therefore, Cyrus believed in a general responsibility to intervene and save oppressed people, and it could be argued that what is now referred to as the "responsibility to protect" can be extracted from the text of Cyrus' charter, apart from any political or self-interested motives of Western countries in promoting this concept.

The preceding discussion does not imply that the Achaemenid rule was flawless or that Cyrus originated the modern concepts of international law and human rights in the Charter of Cyrus 2,500 years ago. Rather, it challenges the prevailing literature that attributes civility and the demands of international law solely to the West, while portraying the East as inherently autocratic, belligerent, and antithetical to human rights, tolerance, and democracy. Many of the concepts that the West claims as unique and praiseworthy were present in the ancient East. In light of the dominance of semanticism in the worldview and epistemology of ancient Iran, it is clear that the natural rights-based approaches of these civilizations have the potential to provide an invaluable alternative for the international legal system, based on positivist theories.