



**IILJ International Legal Theory Colloquium Spring 2009:
Virtues, Vices, Human Behavior and Democracy in International Law**

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Pollack Colloquium Room, Furman Hall 9th Floor, 245 Sullivan Street
Thursdays 4pm-5.50pm

[student seminar also meets separately, Tuesdays 4pm-5.50pm]

Note: speakers' topics listed are indicative of areas, not final titles, and may change

- January 15** - Derek Jinks, University of Texas Law School
Topic: *Humanization and Individualization in the Enforcement of International Humanitarian Law*
- January 22** - Anne van Aaken, University of St Gallen Law School, Switzerland
Topic: *International Investment Law and Rationalist Contract Theory*
- January 29** - Craig Calhoun, NYU Institute for Public Knowledge & President, SSRC
Topic: *The Idea of Emergency: Humanitarian Action and Global (Dis)Order*
- February 5** - Paolo Carozza, Notre Dame Law School and Chair, IACmHR
Topic: *Global Values, Local Virtues – Human Rights, Democratic Self-Governance and International Justice*
- February 12** - Leigh Payne, Oxford University Sociology (Latin American Societies)
Topic: *Performances of Power: Paramilitary Confessions in Colombia*
Chapter 1 and Conclusion of Leigh Payne's recent book titled: *Unsettling Accounts: Neither Truth nor Reconciliation in Confessions of State Violence*
- February 26** - **William Miller, University of Michigan Law School**
Topic: ***Messengers and Intermediaries: Insights from Ancient Law***
- March 5** - Armin von Bogdandy, NYU Law School, Director MPI Heidelberg
Topic: *Developing the Publicness of Public International Law: Towards a Legal Framework for Global Governance Activities (paper co-authored with Philipp Dann and Matthias Goldmann)*
The Exercise of International Public Authority through National Policy Assessment (paper co-authored with Matthias Goldmann)
- March 12** - Joseph Weiler, NYU Law School
Topic: *Europe Against Itself: On the Distinction between Values and Virtues (and Vices) in the Construction and Development of European Integration*
- March 26** - tbc
Topic: *Virtues, Vices, Human Behavior and Democracy in International Law*
- April 2** - Pierre Rosanvallon, Collège de France
Topic: *The Metamorphoses of Democratic Legitimacy*
- Tuesday, April 7**- (SPECIAL SESSION, 4:00 pm to 5:50 pm)
Faculty Club, D'Agostino Hall, 110 West 3rd Street
Alexander Somek, University of Iowa
Topic: *Democracy-Enhancing International Law: The Argument for Transnational Effect*
- April 16** - Conference in Honor of Professor Andreas Lowenfeld
(For more information, go to www.iilj.org – all welcome!)
- April 23** - tbc
Topic: *Virtues, Vices, Human Behavior and Democracy in International Law*

Program and papers available at: <http://iilj.org/courses/2009IILJColloquium.asp>

The Messenger

W.I. Miller, NYU, Feb, 2009

Note: This paper was originally given in a lecture series on mediation at the University of Münster this past December. The series was a kind of homage to mediation, with pictures of Kofi Annan and Bill Clinton on the promotional literature, and that put me into an ironical and vaguely hostile mood. I have revised the piece somewhat for you, but it still bears marks of its origins in its not always successful attempt to graft my main theme of the messenger on to the lecture series' theme of mediation. But one of the distinct advantages of its having been a lecture is that it can be read in a speaking voice in about 50 minutes. It will thus take you considerably less time to read it, unless you are, like me, cursed with the inability to read faster than you can speak.

The difference between negotiations and mediation by conventional formal criteria is whether there are two parties or three. But sometimes it is very hard to count to three with confidence.¹ It is not always clear just how “third” a third-party is, even though many wish to paint an ideal portrait of the mediator as impartial, or equally obliged to both sides, or serving a community interest judged to be in moral, as well as practical terms, higher, more enlightened, less twisted by self-interest and passion if the matter were left to the unaided principle parties.² Then too the mediator's force is claimed to be mostly a moral force, aided by his

¹ Simmel, given his usual perspicacity, does not problematize threeness to the extent one would expect. He assumes dyads and triads are relatively easily discernible. He invests the move from two to three parties with the most significant of transformational powers in the evolution of social and political complexity; see *The Sociology of Georg Simmel*, Quantitative Aspects of Group, trans and ed. Kurt H. Wolff (New York: Free Press, 1950), 118-162.

² For an example of this view “in which an impartial facilitator intervenes to assist parties in resolving a conflict” see Andrew Woolford and R.S. Ratnerch, *Informal Reckonings: Conflict Resolution in Mediation, Restorative Justice and Reparations* (New York: Routledge), ch. 3. Simmel notes that impartiality can be achieved in two main ways, via the independence of the third party, or via his equal attachment to both sides. In high stakes political negotiations in the 10th and 11th century Germany one historian finds that the “*internuntii* or intercessors...were often people of very high status, such as archbishops or dukes. What characterized the activities of these men most of all...was their independence: they were not aligned with either party, but were appointed by both sides as neutrals” (Gerd Althoff, *Family, Friends and Followers: Political and Social Bonds in Medieval Europe*, trans. Christopher Carroll, Cambridge: Cambridge UP, 2004), p. 128. In Iceland we see intercessors of both types in roughly equal proportion.

rhetorical skills, or by his personal ability to cajole, flatter, or threaten; for by definition he is without formal authority to impose a settlement. He is not a judge or an arbitrator.

The thirdness of an arbitrator or judge is less ambiguous than the thirdness of mediators, precisely because the former have a clearly defined power to issue a judgment. The mediator's force is much fuzzier. "Threeness" is so fundamental to the essence of the judge or arbitrator that it informs the philology of the words for judge or arbitrator in more than a few languages: thus in Old Norse an arbitrator is called an *oddman*, *odd* being the word for the point of the triangle and from which English takes its word for uneven numbers.³ The English word *umpire* which was borrowed from French in the 13th century where it was *noumpere*, that is *non pareil*, not equal, the odd man, the third party. And in modern Hebrew the verb to arbitrate is formed from the root for three: "to three," is to arbitrate. There is no such clarity of threeness in mediation.

The terms mediators/mediation tend to carry with them a positive moral valence. Mediation has come to suggest the values of peace, or in the idiom of new-age self-esteem therapy, it is about the "empowerment" of claimants who are otherwise excluded from more expensive forms of dispute resolution that require lawyers and courts.

And should a mediator be worthy of being called an intercessor his moral stock rises even higher. *Intercessor* evokes images of Christ, Mary, or the saints mediating between a frightened and sinful mankind and a Dangerous Divinity. Mediation is talked about with much piety and celebration; mediators are the peacemakers blessed in the beatitudes.⁴

³ Old Norse *oddr*, cognate with Old English *ord*, Old High German *ort*. For a fuller philology of *odd*, *even*, and the marked legalistic underpinning of those throwaway words called "discourse particles"—words like *just*, *right*, *quite*, see my *Eye for an Eye*, 11-16.

⁴ Simmel starts with a positive view of about the rationalizing effect of impartial mediation, which reduces the passions of the principals to pure hard issues, but later admits that any story of the third party is incomplete without a discussion of *tertius gaudens*, the advantage (and joy) gained by the third from the misfortunes of the principals (154-162).

But mediation has a darker side. An intercessor, a mediator, for instance, is a go-between, which in English has a suspect, even immoral, suggestiveness that is lacking, for instance in German *Vermittler*. Or he is more neutrally a broker, bringing a buyer and a seller together, a middle-man. But the go-between in English is also a pimp, a procurer of prostitutes.

It is thus refreshing to have the Canadian social theorist, Erving Goffman, much the heir of Georg Simmel, treat mediators as playing what he calls a “discrepant role.” Thus Goffman: “the go-between or mediator...learns the secrets of each side and gives each side the true impression that he will keep its secrets; but he tends to give each side the false impression that he is more loyal to it than to the other... As an individual, the go-between’s activity is bizarre, untenable, and undignified, vacillating as it does from one set of appearances and loyalties to another. The go between can be thought of simply as a double-shill.”⁵

Mediators, in short, need not be all that honest, in fact probably cannot be all that honest and be successful; they might in some of their avatars be talebearers and spies. The historical record is so dense with examples of the dark side of mediation that one need not look long to find examples. It is hardly shocking to anyone to discover that mediators had their own interests to advance; they often benefited not just by gaining honor as a peacemaker but they also could do so by arranging a settlement that weakened the disputants who were often also the mediators’ competitors.⁶

What I propose to do in this paper is to examine the embryology of mediation, the moment at which one party starts to split in two, as in the earliest cell-divisions of an organism, and then when two parties start to metamorphose into three, without it necessarily ever becoming analytically clear if particular people

⁵ Goffman, *The Presentation of Self in Everyday Life* (New York: Doubleday, 1959), 149.

⁶ Or even by advancing his posthumous claim for sainthood, though sanctity often had little to do with peacemaking, since most early medieval saints were primarily in the vengeance-taking business (cf. also Elijah and Elisha in the Hebrew Bible).

are truly principals or agents, or third parties. I want to focus on the messenger, for it is in the simple messenger that we find the origins of the grandest of mediators, the archbishops, saints, and Christ. The messenger is the ur-mediator.

Consider the messenger sent by A to B whom B then sends back to A with an answer. The messenger starts out as an agent of A; he may be a high ranking official in his household, or he may be a lowly servant, and surely the status of the person asked to carry the message will depend on variables such as the absolute status of B, on the relative status of A and B, on the content of the message, whether good or bad news, its purpose, whether a request, an order, a claim, or a capitulation. But when the messenger bears B's answer back to A, he is then acting, at least in part, as B's agent. He is thus a double agent.

Double agent here has a double sense: in its benign sense, it merely describes a person who is the agent of two principals, in this case A and B. But such double agent is now also in the suspect structural position of serving two masters whose interests may be in conflict, and he may now be tempted to be a double agent in the nefarious sense of being a specialist in betrayal. There are thus more than a few reasons why one might want to kill the messenger beyond making him the scapegoat for the bad news he delivers. It might well be that the messenger himself is the bad news. Duplicity is built into the structure of being a go-between. No wonder that Hermes, the messenger of the gods, is a trickster and the patron of thieves and conmen; or that Virgil says of Iris, Juno's messenger, that she was "well acquainted with causing harm."⁷

Consider how these issues reside at the very core of the mystery of the Incarnation. Could there be a better example of the conflation of principal and agent than in Jesus, the preeminent go-between, the messenger who is killed bearing what *he* thought was good news, but some of the recipients disagreed.

⁷ *Aeneid* 5.618: re Iris: *sese haud ignara nocendi*.

He is a double agent, as God and as man, whose very distinguishability from the principal who sent him and from mankind who sent him back was a matter of endless debate, of heresies and schisms: was he one, two, or three, more man than God, more God than man? The Incarnation manifests all the ambiguities that haunt mediation and the go-between. Who is he working for anyway? And what's in it for him?

Our simple messenger, who began as an agent of the sender, is now in the position of becoming more fully realized as an agent in his own right in the philosophical sense the term agent bears to indicate a decision-making actor. He has choices of his own to make, and temptations to resist, and risks to bear, and he can find that there is a world of possibility in his routine task of bearing words back and forth.

Even a mere courier, a postman, can become an agent in the philosophical sense. Couriers bearing messages between Swiss towns in the 15th and 16th centuries were given gifts by the recipients; these gifts were a big part of the couriers' income.⁸ And evidence shows that the value of the gift was often proportionate to the weightiness of the message, even when the news was bad. Surely this gave messengers some inducement to exaggerate both triumphs and losses. A simple courier might start to play with the content of his message; and if his message was a written dispatch, that by itself need not prevent him from providing an oral gloss. It is hardly the case that the recipients were unaware of such possibilities. Samuel Pepys tells of a Dutch renegade who bears a false tale of Dutch atrocities committed against the English in hopes, it is alleged, of some reward from the English. Observes Pepys: "the world doth think that there is some design on one side or other, either of the Dutch or French—for it is not likely a fellow would invent such a lie to get money, whereas he might have

⁸ Valentin Groebner, *Liquid Assets, Dangerous Gifts: Presents and Politics at the End of the Middle Ages*, trans. Pamela E. Selwyn (Philadelphia: U Penn Press, 2002), 43-44.

hoped for a better reward by telling something in behalf of us to please us” (Feb. 25, 1665).

There are also freelancing messengers, who are not agents of anyone in particular. In saga Iceland we find beggarwomen bearing tales from farm to farm, knowing that they will be rewarded for bearing malicious gossip, not always false. They even try to prompt the slanderous statements which they truthfully bear to the insulted person.⁹ Freelancing go-betweens need not be peacemakers, so beloved of the dispute-processing literature; they are just as likely to be talebearers and fomenters of strife, cursed by moralists from the beginning of time. But talebearers too are mediators after a fashion.

And though the messenger is not quite the classic mediator, still it is undeniable that even the highest-status mediator is a messenger of sorts. A bearer of words, back and forth. And if he has a bit of the devil in him, he can also be something of an angel: our word angel obscures the fact that angel is merely the translation of the Hebrew word for messenger (*malakh* מלאך) into Greek and subsequently Latinized and Germanicized. *Malakh* applied equally if he were sent by God, or by King Saul, or by any old farmer.

The root of *mal'akh—l'kh* ל'כ—also figures in the word for task, work: *mla'kha* מלאכה. The root sense of *l'kh* is something like “to send (bearing a message)”, but comes to be generalized to mean any task. Compare this to Greek *epistle*, meaning that which is sent, the apostle, the messenger. Now consider the Akkadian (the Semitic language of ancient Babylon and Assyria) for message, letter, messenger: *shipru*. It too derives from a root meaning to send a message, *spr*, and also comes to generate a related form meaning task, work, showing thus the same semantic generative properties of Hebrew *l'kh*.¹⁰ The Hebrew thus may, perhaps, given my very limited knowledge in this domain, show the

⁹ *Njáls saga*, ch. 44.

¹⁰ For a more detailed discussion see the very informative and sensible account in Samuel A. Meier, *The Messenger in the Ancient Semitic World*, Harvard Semitic Monographs 45 (Atlanta: Scholars Press, 1989), 11-12.

influence of the Akkadian sense development. The *spr* root comes into Hebrew to generate the word for book, letter, document, and the verb for to tell, narrate, count. I hardly wish to make too much of this but, as we see, there is in the Semitic languages a semantic constellation that finds in message-bearing the very model of a task. Add a dose of Neoplatonic Christianizing and no wonder then that in the beginning was the Word, and the Word does the work of creation. Even in the Indo-European languages there is, if not quite as obviously, a link between message-bearing and the notion of task, job, the undertaking of specific enterprises. Take the Carolingian *missi*, the messengers of the king, who go on *missions*. The word mission expands its core sense of that which is sent and slowly comes to mean the business that the *missus*, or messenger, is to carry out. He is on a mission, we say, and eventually in the jargon of the US military, mission comes to mean a particular operation, the task at hand. Mission impossible. Thus too it is a missionary who bears the word, the message of God, so that his mission becomes an *imitatio Christi*, imitating Jesus as message bearer, the mediator between God and sinful man.

Were one to read the bible, or the remarkable Amarna letters from 1300 BC Egypt, or the chronicles and letters of the preindustrial ages, one could not avoid noticing that no one takes messengers for granted. They are frequently mentioned, and often named. One of the dominant themes, in fact, of the Amarna letters is the messengers themselves. Why have you detained them? Why do you not admit them? Why have you sent none to me? Why do your messengers lie to you? The Babylonian king says this to Pharaoh: “previously my father would send a messenger to you and you would not detain him for long. You quickly sent him off, and you would also send here to my father a beautiful greeting gift. But now when I sent a messenger to you, you have detained him for six years and you have sent me as my greeting gift, the only thing in six years, 30 minas of

gold that look like silver. That gold was melted down in the presence of Kasi your messenger, and he was a witness” (EA 3).¹¹

A letter from Tushratta, the king of Mittani, to Pharaoh, indicates that Mane, Pharaoh’s messenger, is being well-treated; he “is not dying. Truly, he is just the same” (EA 20).¹² Tushratta comes to value Mane greatly and so writes sometime later: “Keliya my envoy and Mane, your envoy, I have allowed to depart and they are coming to my brother [i.e., Pharaoh] ... Mane your envoy is very good; there does not exist a man like him in all the world... And may my brother not detain my envoys... And my envoys may my brother let go as fast as possible.... My brother may say: ‘You yourself have also detained my envoys.’ No, I have not detained them.... May my brother let my envoys go as soon as possible so they can leave. And may my brother send Mane along, so he can leave together with my envoy. Any other envoy may my brother not send. May he send only Mane. If my brother does not send Mane and sends someone else I do not want him and my brother should know it. No. May my brother send Mane.”

Note how the messenger, Mane, the go-between, becomes himself the object of negotiation; he, as well as the amount of the marriage portion in this case, are the scarce goods over which the parties are bargaining. Such has become Mane’s standing with the king to whom he has been sent that it would be no longer accurate to describe him merely as an agent of the first party, Pharaoh, whose officer he is; the king of Mittani thinks him one of his own, precisely because he also knows he is dear to Pharaoh. By being so esteemed Mane has become, by being a very successful double agent, a third party.

Mane is clearly a man of high rank, a messenger fit to travel back and forth between rulers. And because he is of high rank and has a certain credibility, he is

¹¹ *The Amarna Letters*, edited and trans, William L. Moran (Baltimore: Johns Hopkins, 1992), sigilled conventionally as EA.

¹² These letters are in the context of a negotiation of a marriage alliance; Tushratta is also disappointed in the amount of gold sent along.

also, as indeed all the messengers whose detainment is lamented, not just a courier or ambassador, but a hostage.

It is often noted, that messengers are treated to sumptuous hospitality from ancient Sumer to 16th century Florence and beyond. Let Tushratta vouch again: “Mane my brother’s messenger and Hane, my brother’s interpreter, I have exalted like gods. I have given them many gifts and treated them very kindly for their report was excellent” (EA, 21). Recall what I said earlier about the incentives a messenger has to elaborate the message so as to please the ears of the recipient. Tushratta is quite frank about the quality of Mane’s hospitality being correlated to the quality of the message he bore. Messengers are guests, sometimes captive guests to be sure, but the norms of hospitality mean they are to be feted, and sometimes feted and feted, before they are even allowed to state their business.¹³

In fact, it is a rare exception in the Icelandic sagas, for instance, for a person arriving bearing news, or on business, ever to state the reasons for his coming until the next day. The protocol suggests that it is improper for the host even to ask why he has come, and sometimes a host, bewildered when his guest does not state a reason for his visit the next morning, must finally assert himself and ask to what he owes the visit.¹⁴ As medievalist Gerd Althoff notes “emperors and kings ... only brought up important or controversial issues after first treating their guest to a splendid reception and feast.” Althoff suggests, rightly, that one of the benefits, unintended, but there to be exploited, of meeting the demands of proper

¹³ See appendix for the fascinating letters of a mistreated messenger Aradġu to the Sumerian king Šulgi complaining about his mistreatment at the hands of one of Šulgi’s district governors Apillaša. Aradġu refuses hospitality after being consistently dissed, kept waiting at the gate, then over-ostentatiously forced to sumptuous entertainment which they make sure to spill on him, while he demands that his message must first be delivered. They force him to hostile hospitality to show they do not have to kowtow to Šulgi’s messenger, that they can wait to hear what Šulgi, their lord and master, has to say. And also note that Aradġu’s insistence that he state his message before being entertained is an assertion of his superiority to the recipients of the message, that they are to sit still and listen before the rules of hospitality kick in.

¹⁴ *Ljósvetninga saga* ch. 7.

hospitality, was that it put the guest in a weaker bargaining position, for he now was in the host's debt.¹⁵

Sometimes fulfilling the proper forms of good hosting must have been hard given a desire to know what the substance of the missive was. What if the matter were urgent? Urgency has to mean something different when time is measured in months rather than in seconds.¹⁶ If a message took two months to get from the River Nile to Nineveh, one could wait a day or two to talk business; it would mean waiting no more than to pause for a breath before stating one's business nowadays. True, fire signals on mountain tops could get messages delivered much faster, but the informational content of such signals was rather limited—either the enemy is coming, send help, quick, or we won, hurray. Moreover, the enemy, as Thucydides notes,¹⁷ could make the signals meaningless by lighting their own fires, reducing what might have been a meaningful message to mere noise.

Feasting, of course, was not without its own dangers. In the saga world the competitiveness that went hand in hand with honor was most heightened during feasts, not infrequently over seating arrangements. And entertainment often consisted of composing poetic insults of fellow guests, with more than just hurt feelings being the consequence. The feting of messengers could go terribly wrong too, not because of agonistic competitiveness, but because the rules or proper behavior got lost in translation. Herodotus tells of Persian envoys visiting Macedonia who complain that the feast welcoming them had no women present; to entertain us properly there should be women, they say; we do it chez nous. The Macedonians answer that it is not their custom to feast in mixed company

¹⁵ Althoff, 158.

¹⁶ And when too there are a multitude of competing dating systems.

¹⁷ Thucydides, Bk 3. ch. 9: "Fire-signals of an attack were also raised towards Thebes; but the Plataeans in the town at once displayed a number of others, prepared beforehand for this very purpose, in order to render the enemy's signals unintelligible, and to prevent his friends getting a true idea of what was passing and coming to his aid before their comrades who had gone out should have made good their escape and be in safety."

but reluctantly oblige the guests, who then complain that the women are not sitting next to them, which request is also obliged. When the Persian envoys start fondling the women's breasts, the Persians are killed in a bed-trick where the Macedonian hosts substitute armed adolescent boys for the girls.¹⁸

Sometimes a messenger was not feted, but deliberately insulted, thrown into prison, beaten or killed, or simply kept under house arrest, as we saw when the king of Babylon complained of detaining his messenger for six years. When Wenamun, an Egyptian on a mission to Byblos in about 1075 BC begs to leave, the king of Byblos answers thus: "Indeed, I have not done to you what was done to the envoys of Khaemwese, after they had spent seventeen years in this land..." And he said to his butler: 'take him to see the tomb where they lie.'¹⁹ When David sends emissaries to Hanun, king of the Ammonites, to console Hanun on the death of Hanun's father, Hanun has half the beard of David's men shaved off, and their clothes cut to expose their buttocks. The messengers were mortified, and David in solicitude tells them to lay low in Jericho until their beards grow back (2 Sam. 10). When in Merovingian times high ranking legates from King Chilperic have a contentious bargaining session with King Guntram, the legates, a bishop and a duke, are shown the door with excrement and filth dumped on them (HF 7.14).²⁰ A Hittite treaty from c. 1400BC finds it necessary to include a provision against plying messengers with truth serum: "He must not ensnare [the messengers] by means of a magical plant."²¹

Being a messenger was not the most enviable of tasks, unless you had the fortune to bear good tidings on a peaceful mission. But even then there were the dangers of the road, the bandits, disease, the weather, toll takers, palace bureaucrats serving as official and unofficial gatekeepers, so that when you got

¹⁸ Herodotus, 5.17.

¹⁹ "The Report of Wenamun," trans. Miriam Lichtheim, *Ancient Egyptian Literature: The New Kingdom* (Berkeley: U Cal Press, 2006), p. 226.

²⁰ Bishop Egidius and Duke Guntram Boso.

²¹ Trans. Beckman, *Hittite Diplomatic Texts*: No. 2, §45, p.18.

there you might not be able to deliver your message without paying substantial bribes.²² But should you not be bearing good tidings your arrival could often occasion bigger risks than the usual ones of the road. The plot of the *Chanson de Roland*, no less than the plot of the Incarnation, depends on the assumption that volunteering someone to be a messenger between hostile parties was like offering the person up for slaughter.²³ Message delivery was often heroic duty or a fool's errand.²⁴

There was an understanding that varied from culture to culture of a certain kind of diplomatic immunity once messengers were passing between openly hostile parties. It seems the immunity was rather weak among the ancient Semites, less so among the Greeks or Franks, with their staffs and wands to mark them as bearing safe conduct.²⁵

But neither the Spartans nor the Athenians dealt kindly with the envoys Darius sent to them to demand that they submit to him. The ones sent to Athens were thrown into a pit,²⁶ the ones to Sparta pushed into a well. The Spartans however tried to make amends years later to Xerxes for their breach of heraldic

²² In the Armana letters, a Canaanite vassal king, Rib-hada, sends his son on a key mission to Pharaoh, but his son is never allowed entry to deliver his message.

²³ And how else to explain the implicit message borne by the somewhat obscure passage in an Anglo-Saxon legal text (late 10th century) that rewards a *thegn* with an increase in status if he rode on the king's missions and had "three times gone on errands to the king." Liebermann, *Gebyncðo*, §3; p. 456.

²⁴ Thus the *radcnichts*, *raadmen*, etc. of the Germanic laws and riding services reserved by lords.

²⁵ A Neo-Assyrian letter reveals messengers had no special status when they were the messengers of the enemy: "when you see his messengers, kill whomever you can kill, and capture whomever you can capture." In the words of one scholar of the ancient Near East, "diplomatic immunity was at best a messenger's dream," Meier, 76-77. No grace, obviously, was allowed the enemy's couriers and messengers seeking aid from their allies or communicating with segments of their own forces. Athenians capture Spartan envoys on their way to the Persian king, killed them without trial, which the source seems to suggest they were entitled to, for defenses might have been available to them; Thucydides, 2.67. In Spain, Caesar had the hands of intercepted messengers cut off before sending them on their way. *De Bello Hispaniensi* 12, also 18 for an example of teasing brutality, in Caesar, vol. 3, Loeb Classical Library 402.

²⁶ This incident makes for one of the stupider scenes among many in the appallingly silly pretentious movie, 300.

immunity; they sent him, in atonement, two men of good family for Xerxes to put to death. Xerxes, an astute psychologist, sent them back alive, nicely noting that he was not going to behave as badly to emissaries as the Spartans did, nor was he about to free them of their burden of guilt for their crime.²⁷

There were messengers no one wanted to see; these are the ones who came as tax collectors, tribute takers, or summoners, who often thought it prudent to arrive well-accompanied and heavily armed. More than a few messengers in the medieval chronicles designated as *nuntii* or *legati* and surely as *missi*, bring armies to deliver their messages.²⁸ Bearing bad news to a hostile party is obviously dangerous business, but the paradigm case of killing the messenger is when the messenger is charged to bear bad news back to his *own* people. One wonders what possibly could induce the man so charged to carry out his mission.²⁹ Or who would be so unwise as to return as the sole survivor of a mission to bring home the news of the disaster? When the only Athenian survivor of a battle against the Aegintans returns to tell of the debacle, “the wives of the other men who had gone with him to Aegina, in grief and anger that he alone should have escaped, crowded round him and thrust the pins, which they used for fastening their dresses, into his flesh, each one, as she struck asking him where her husband was. So he perished.”³⁰

Lords sent messengers to bear good news whom they meant to reward, and messengers to bear bad news who were expendable. When Joab sends a

²⁷ Herodotus, 7.186, p. 486. Guilt was a sentiment more available to the Greeks than it was once fashionable to assume. Medieval annals and chronicles are filled with violations of messenger immunity. In 1183 Henry Plantagenet’s sons, the Young King and Geoffrey, either wounded or killed their father’s envoys to whom they had specifically granted truces; *Gesta Regis Henrici*, I.298, cited in M. Strickland, *War and Chivalry: the Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge: Cambridge UP, 1996), 52.

²⁸ *Royal Frankish Annals*, anno 782: misit missos suos Adalgisum et Gailonem atque Woradam, ut moverent exercitum Francorum et Saxonum super Sclavos paucos...

²⁹ Who, for instance, would ever bear bad news to Queen Fredegund, to Robert of Bellême, or to Mao unless he was ordered to do so at gunpoint, swordpoint, or because his family was held as a surety for his performance?

³⁰ Herodotus, 5.87, p. 372.

messenger to David whom Joab knows he is putting at risk because the news is decidedly mixed, he makes sure to give the messenger a saving phrase at the end that will spare him: “and [Joab] instructed the messenger, ‘When you have finished telling all the news about the fighting to the king, then, if the king's anger rises, and if he says to you, ‘Why did you go so near the city to fight? Did you not know that they would shoot from the wall? ... Why did you go so near the wall?’ then you shall say, ‘Your servant Uriah the Hittite is dead also.’” (2 Sam. 11.19-21)³¹

There is an indication in the sagas that people dressed in certain ways or took certain paths depending on the quality of their message. Although it is hard to get at this in the sources, there appears to have been a color coding to prepare the recipients for bad news so that it would not lead to an emotional response lethal to the messenger. In more than a few cases in the bible, messengers bearing bad tidings adopted ritualized humiliation markers: torn clothing, dirt or ashes heaped on their heads (e.g., 1 Sam. 4.12; 2 Sam. 1. 2). I suspect they hoped this might save them.

In some cases, though, it may be good policy to kill messengers bearing news of a defeat or of a battle going badly. Raimondo Montecuccoli, an Imperial general, the hero of the battle of Szentgotthárd in 1664, who wrote perceptively about war and generalship, notes instances of battle leaders killing the messenger bearing bad tidings, not because of an irrational belief that the messenger bore some causal responsibility for the events he reported, but because the messenger was acting with culpable carelessness, given the knowledge he should have about how fragile an army's courage is and that any news that might undo its courage must be suppressed.³²

³¹ Joab's rhetorical brilliance is to be noted here as he rubs David's face in this distasteful deed much more subtly than Nathan would do later, though good soldier that he is, he carries out the shameful task.

³² *Sulle Battaglie*, in Thomas M. Barker, *The Military Intellectual and Battle; Raimondo Montecuccoli, and the Thirty Years War* (Albany: SUNY Press, 1975).

The point Raimondo makes is that it is incumbent on the messenger bearing ill tidings to make sure he gives out one message for public consumption, and whispers his honest assessment into the ear of the leader in private. Recall, in this regard, Yahweh's killing the spies who return from Canaan announcing the invincibility of its occupants: "And there we saw the giants (Nephilim), the sons of Anak, which come of the giants: and we were in our own sight as grasshoppers, and so we were in their sight" (Num. 13.33). The message demoralizes the people who now lament, yet again, that they ever left Egypt. The spies' culpability was that their message was colored by their cowardice, which undid their faith. It is precisely on these grounds that a hostile messenger bearing bad tidings to the enemy might well wish to have his message overheard: thus the desperate attempt of Hezekiah's main minister to have Sennecharib's messengers not speak in Hebrew, but in Aramaic, so the commoners on the walls would not understand their threatening demands (2 Kings 18), to which the chief messenger the Rab'shakeh answers: "Has my master sent me to speak these words to your master and to you, and not to the men sitting on the wall, who are doomed with you to eat their own dung and to drink their own urine?" Nasty wit, we see, is a virtue in certain high status messengers; it got the Rab'shakeh immortalized, in his enemy's historical record no less, not once but twice for the same scene appears in Isaiah (Is. 36).³³

Aristotle gives us another reason for rightly blaming the messenger: his not caring not to cause pain.³⁴ Yet we have an inscription on a tomb from 1500 BC

³³ Septimius Severus did better than Hezekiah's minister. He bribed the envoys sent from Rome bearing a senatorial decree declaring him a public enemy and ordering his soldiers to abandon him to deliver instead a more favorable message; *Historia Augusta, Severus*, 5.5 (193 AD). Messengers, it seems, could alter the content of their message for a fee, and since many messages were delivered to a large audience it might well behoove the chief recipient to wish to control what his followers were to hear.

³⁴ *Rhetoric* 1379b: "Again we are angry with those who rejoice at our misfortunes or simply keep cheerful in the midst of our misfortunes, since this shows that they either hate us or are slighting us. Also with those who are indifferent to the pain they give us: this is why we get angry with bringers of bad news."

Egypt evidence of someone who took pride in his not killing messengers for bearing bad news: “I did not confuse the report with the reporter... I was a model of kindness.”³⁵ Apparently the baseline expectation was to kill the messenger.

And woe to the messenger who is the subject of the message he bears, unless he knows, like Mane, the contents, and that the contents are flattering to him: Uriah, Rosenkrantz and Guildenstern, almost Hamlet, these messengers are very much in the dark, and have to be, for they are bearing their own death warrants. A Sumerian myth (3rd millennium BC) attributes the invention of the envelope to this kind of letter.³⁶

A messenger had to know how to deliver good news too, for if too good, it might sound “too good to be true.” Herodotus tells of a messenger from Samos who reports to the Greek commanders how vulnerable the Persians are to an immediate attack; to convince the Greeks he is telling the truth he offers himself either as a hostage or to join the fight (9.90, p. 612). This raises some interesting problems for a mediator, and for a messenger: how to make yourself believable. Truth, no less than lies, facts no less than fantasies, need to be properly dressed up to be believable; the truth, after all, has also to *pass* for true. The problem of the honest messenger bearing good news is no different than the dishonest messenger bearing false good news. Yes, you could also get killed for delivering good news. The messenger who thought David wanted to hear that Saul was dead is one, Jesus another.

³⁵ “The Prayers of Paheri,” trans. Miriam Lichtheim, *Ancient Egyptian Literature*, (Berkeley: U Cal Press, 1973), 19.

³⁶ “At that time writing on tablets indeed existed but enclosing them in clay envelopes had not yet been invented. King Ur-Sabab, for Sargon, creature of the gods, wrote a tablet that would cause his own, the bearer’s death. ...” Quoted in Piotr Michalowski, *Letters from Early Mesopotamia* (Atlanta: Scholars Press, 1993), 3.

The dangers were not all the messenger's. The recipients of messages also bore substantial risks.³⁷ Take the case of Ehud in Judges 3. Israel had been a tributary of Moab for 18 years. It was Ehud's duty to bear Israelite tribute to Eglon, king of Moab. After handing over the tribute, Ehud tells Eglon he has a secret message to deliver. Eglon dismisses his attendants; Ehud draws near: "I have a message from God for you" he says as he draws a short sword he has hidden and plunges it into Eglon, whose folds of fat completely engulf the sword. Ehud departs closing the door behind him; Eglon's servants assume Eglon is relieving himself as indeed he was for the account adds the detail, the "dirt" came out.³⁸

If it is the rare messenger who is an assassin, it is the not-so-rare assassin who poses, indeed might *be*, as Ehud shows, a messenger. The assassin is the messenger of choice for Queen Fredegund in Gregory of Tour's history.³⁹ Saul too sends messengers, *ml'achim*, to kill David (1 Sam. 19.11); angels of death, so to speak. Being a messenger was replete with dangers, but so, we see, was getting a message. English still pays homage to this with the cold sneer: Did ya get the message? Eglon did. Israel was not going to be sending any more tribute; relations with Moab had just been redefined.

Ehud's one-liner would suit a Clint Eastwood movie: "I have a message from God for you." In English the pun with word/sword would be available, but such a pun is hardly necessary, as the lethality of Ehud's message, could hardly be

³⁷ Risks arose not necessarily from the contents of a threatening message, but from the mere fact of receiving a message from a particular person. When Naaman, stricken with leprosy, bears a letter from his king, the king of Aram, to the king of Israel (most likely Jehoram son of Ahab), asking him in all innocence to see to a cure for Naaman, given that he has heard that there is a prophet in Israel who can effect a cure, the king of Israel rends his clothes in despair. He immediately assumes the request is a set up, an excuse for Aram to invade, to exact more tribute, by asking for the impossible (2 Kings 5).

³⁸ פִּרְשֶׁדוֹן; *parshedon'*. This is an uncertain gloss and the translations vary considerably. It is hapax.

³⁹ 8.44 (*legatus*); also 7.20, but here she is operating more in the Icelandic style of sending a servant to join the household of the target, here a clerk.

clearer. The letter killeth, as Paul says (2 Cor. 3.6), in more ways than one. Ehud's wit is not just the stuff of good stories. Look at the expectations he is playing off of: for one, he is posturing as a prophet, transmitting messages from God; on the other hand, Ehud is playing off Eglon's expectation that Ehud is about to play double agent in Eglon's favor by giving him important secret information. The levels of dark expectation and ambiguity make this a delicious scene, for the expectations are that messengers will always have more information than that which they are officially charged to deliver. It is not surprising, in other words, that a messenger might betray his sender, indeed be expected to.

The prospect of his messenger double-dealing might well be part of the price the sender has to pay to get good information on the messenger's return, for messengers are nothing if not spies. Even innocent ones have eyes and ears and will be questioned as to what they saw by the recipient, and by their master when they return. Thus it might be a wise strategy to stage false fronts for the messenger before he departed, deliberately misinforming him before sending him off. This is a not uncommon motif in the espionage genre.

A messenger couldn't help but be a spy even if he didn't want to be, even if he had no evil intentions. No wonder those ancient near eastern kings "entertained" the messengers they received three, six, seventeen years. A messenger had to make sure that his host believed the purpose of his mission was in fact its official purpose lest he be treated as a spy rather than as a messenger. Recall David's emissaries sent home half naked and half shaved. The reason they were so ill-treated is that it was claimed by Hanun's men that their visit was a pretense, and that spying was their mission. Suetonius reports of Augustus that at the beginning of his reign he kept in touch with provincial affairs by relays of runners spaced along the highway, but that he later organized a chariot service "which proved the more satisfactory arrangement *because post-boys can be cross-examined on the situation* as well as delivering written

messages.”⁴⁰ One of the many advantages of employing pigeons to deliver messages was not only their speed but that they couldn’t be bribed into betraying the sender’s interests, for the birds’ interests (getting home) were exactly what was mobilized on behalf of the sender.

A passage from a tract of Egyptian wisdom literature (c. 1800 BC) is directed to messengers:

If you are a man of close trust,
Whom one great man sends to another great man,
Be entirely exact when he sends you!
Do the commission for him as he says!
Beware of making evil with a speech
Which embroils one great man with another great man
Hold fast to Truth! Do not exceed it!
An outburst is not to be repeated;
Do not speak out against anyone,
Great or small, it is a horror to the spirit.⁴¹

The advice is at war with itself. It tells the messenger to stick to his text, exactly, but then tells him to exercise discretion, especially about suppressing certain things. If your master, the sender, was angry and said some ill-advised things, you should keep quiet about it. You are not to overstate, and you are to slant your account in favor of peacefulness and good relations. Here too is the suggestion that the messenger will be milked for information, will have to talk, and be asked to talk outside his text. Even the simplest messenger is thus on the way to becoming an orator, an ambassador, a negotiator, and as this text supposes, a mediator between one great man and another. And it is to limit a freewheeling messenger that this provision is added to a Hittite treaty c. 1400 BC: “If the words of the messenger are in agreement with the words of the tablet, trust the messenger.... But if the words of the speech of the messenger are not

⁴⁰ Suetonius, *Augustus* c. 49; Robert Graves, trans., *The Twelve Caesars* (Harmondsworth: Penguin, 1957), 75.

⁴¹ *The Teaching of Vizier Ptahhotep*; R. B. Parkinson, trans., *The Tale of Sinuhe and other Ancient Egyptian Poems, 1940-1640 BC* (New York: OUP, 1997), 253.

in agreement with the words of the tablet, you ... shall certainly not trust the messenger, and shall certainly not take to heart the evil content of his report.”⁴²

The fact that the messenger will be thought to possess more knowledge than that which he has been officially charged to convey leads Montaigne, who did some messaging service in the civil wars, to observe that he wants to be nothing more than a pigeon;⁴³ he wants no knowledge outside the text he is to deliver; he prefers to be in the dark: “I know that everyone rebels if the deeper implications of the negotiations he is employed on are concealed from him and if some ulterior motive is secreted away. Personally I am glad if princes tell me no more than they want me to get on with; I have no desire that what I know should impede or constrain what I have to say. If I have to serve as a means of deception let at least my own conscience be safeguarded.” (3.1, p. 896).⁴⁴

Since the messenger will be queried beyond his text, he has the power to betray his sender advertently by revealing more than he should; or inadvertently, by being cajoled with drink, women, and flattery. He also may be tortured into revealing it, if the softer persuasions do not work. That is why Themistocles, who himself knows a thing or two about betrayal (he was always cutting private deals for himself with the enemy), sends a certain man as a messenger whom, Herodotus says, “he could trust to keep his instructions secret, even under torture.”⁴⁵ No wonder Augustus got rid of his post boys.

⁴² Between Tudhaliya II of Hatti and Sunashshura of Kizzuwatna, trans. Gary Beckman, *Hittite Diplomatic Texts*: No. 2, §59, p. 20; see also *Amarna* EA 32: “in this matter I do not trust Kalbaya. He has indeed spoke it as a word, but it was not confirmed on the tablet” (tr. Moran).

⁴³ So as not to be a stool pigeon.

⁴⁴ The ancient near eastern messengers, as well as those in Gregory and elsewhere, appear to ventriloquize their messages, relaying them, but assuming the person of the sender, acting them out as if the sender were present and speaking. This means too the messenger in his role as his master’s voice could be bowed down too, even though in his *propria persona* he was lower than the persons bowing to him; he could be the object of displays of deference as if he were the master himself, not merely a whipping boy for his master as has been more in evidence in our examples up till now. See Meier’s excellent discussion, 152-153.

⁴⁵ Herodotus 8.112, p. 561.

There are other ways the sender is partly at the mercy of his messenger's interests. Classic tales are devoted to the theme. Gregory tells of a certain man who, in hopes of having his countship renewed, sent his son with gifts to King Guntram to plead on his behalf. But the son, by means of his father's gifts, got the office for himself, supplanting his father whose cause, Gregory says, he should have been supporting (4.42). The classic instance is the proxy wooer getting the girl for himself instead of for his principal.⁴⁶

There is an array of possibility that governs the relationship between the sender and the messenger. Some messengers are clearly official and even bear powers to bind the principal, as when they are styled legates; some are official and merely message carriers without any other powers; some are unofficial, or operate on their own motion, to be claimed as messengers by the unofficial sender if the mission is successful, to be denied if it is not. There are a multitude of points that can be occupied on an "officialness" scale.⁴⁷ Consider too that we read constantly of people designated as "secret messengers," who must operate outside certain official channels of message delivery and receipt, and have signs and rituals all their own. And there are so many ways for the sender to play with

⁴⁶ See *Bjarnar saga; Ívars þátrr; Volsungs saga*, ch. 40. Also William of Malmesbury 2.157; and of course see also Rostand's *Cyrano de Bergerac*, who has no self-serving motives at all. La Rochefoucauld notes another risk: that the messenger's very desire to gain glory in the successful accomplishment of his mission will lead him to lose sight of the principal's interest "The reason why we frequently criticize those who act on our behalf is that almost always they lose sight of their friends' interest in the interest of the negotiation itself, which they make their own concern for the honour and glory of having succeeded in what they have undertaken" (*Maxim* No. 278).

⁴⁷ Or what we might call an "own-up-to" scale. There are other risks that the sender bears. If his message is spurned, or his messenger insulted, mocked, or killed, the sender might lose face. A wonderful Icelandic tale shows how a very cagey king might send a messenger without ever officially acknowledging that the person sent was a messenger, let alone his messenger. In this case Harald Hardradi of Norway simply lets an Icelander who wishes to give a polar bear to King Svein of Denmark carry on with his mission, even though Harald is tempted to confiscate the bear and kill the Icelander. By letting the Icelander continue on his way Harald sends a message, a peace feeler, that has the great virtue of being utterly deniable as having been made should it fail to work. And the Danish king is equally adept at sending the Icelander back to Harald but maintaining all deniability that the Icelander is a messenger.

the meanings of sending, for the messenger to play with the rituals of message delivery; so much depends on the recipient's varying ability to understand or misunderstand the meanings intended and those not intended but available to the astute observer nonetheless.

In the standard sending of a message, the sender is of higher rank than the messenger. Message bearing is a service that is burdensome and dangerous; better to send someone you can boss around to do the job. God's angels provide the best example: they are nothing but messengers (remember the meaning of angel); in the Hebrew Bible they don't even have names—with one exception: Gabriel in late book *Daniel*. And angels are manifestly God's inferiors. The messenger's structural inferiority to the sender provides the ammunition for an argument against Jesus's divinity made to Gregory of Tours by the Arian, Agilan, who himself is a messenger, a *legatus*, from the Visigothic king to King Chilperic: "No one sends a person who is not his own inferior," Agilan says, greatly angering Gregory, ... "God is he who sends; he who is sent is not God."⁴⁸ Gregory has arguments to oppose this but he does not deny the force of Agilan's example, only countering that the Father also did the bidding of the Son, as when he raised Lazarus. But then so might any mere mortal be said to have had God do his bidding if his prayers get answered.⁴⁹

But is Agilan right? There are special cases where the sender may be lower in rank than the message bearer, and this brings us back at long last to mediation, or more particularly to intercession. So much has been written on this, especially by medievalists, that I only note it here, but a lowly petitioner, to get his message to the person he desires access to, might not just have to use one intermediary, but a whole series of them. He seeks out first his own higher-status

⁴⁸ HF 5.43.

⁴⁹ Gregory finally resorts to the best of all arguments, *argumentum ad hominem*: Arius, he says, died of uncontrollable diarrhea passing his entrails through his anus, a point Gregory makes each of the five times Arius is mentioned in his history. HF 2.23 (2x), 3.prol, 5.43, 9.15.

kinsman, who then seeks out his lord, who is a cousin of the bishop, and the bishop gains access to the archbishop, who goes to the king.⁵⁰ Each person asks a favor of one higher up the food chain and each serves as a messenger who is higher in status than his immediate sender. Intercessors we might say are a subclass of mediators, and also a subclass of message bearers, who trade on whom they know and the gates they can enter. And though in one sense they are the agents of the lowly principals who are the petitioners, in fact, the petitioners usually have to pay or pray to get the intercessor to intercede, and often pay and pray, as when one invokes the saints, the gods, or God.⁵¹

Let me conclude: I once in a book I wrote on disgust talked about a class of people I called “moral menials.” These are people whose socially necessary jobs are somewhat distasteful, often demanding morally suspect action and very accommodating consciences—lawyers, politicians, hangmen are obvious examples. But there are more: I suspect we might have to add the mediator, the message bearer, the intervener, all perhaps morally suspect by having to go-between, by being placed in the middle of things. There is another point I wish to recall that I opened with. It was the ambiguity of the thirdness of the so-called third party, who often starts as an agent of one of the principals, and then must also work for the other party to carry out his task for the first party who employed him. Thus, even the simplest letter carrier puts himself and us, as I said more than once, in the world of double agents.

True thirdness, complete independence from either party is rare, a prerogative of the very mighty intervener who can force himself between the parties whether they like it or not. But watch how in Iceland this intervener’s very ability to make peace is accomplished by relinquishing his thirdness. In several

⁵⁰ For a nice example of such nested interceding see Geoffrey Koziol, *Begging Pardon and Favor: Ritual and Political Order in Early Medieval France* (Ithaca, NY: Cornell UP, 1992), 76.

⁵¹ But it can work the other way, as the vulgar marriage broker has a kind of privileged access to broker and is often lower in status than the people he goes between.

saga cases we find a third party who insists the contenders put down their weapons and stop fighting, or, and I quote: “I will join the first party that listens to me.”⁵² In other words, he can only be effective as a third party, by threatening to abandon that role and become a first or second party.

It is standard knowledge among anthropologists and medieval historians that peacemakers are often drawn from the ranks of the contending parties, who have changed their minds about the relation of risks to rewards of continuing to quarrel. So when we move from two parties to three, from negotiations to mediation, let us recognize that the third party is, as the Old Norse would have it, an odd man, caught in a regress of ambiguity and shifting alignments, and who can be located on a point anywhere from principal to agent, from first to second to third party. He subsumes, if not quite as sacredly, the mysteries of three persons in one of the Incarnation.

⁵² *Eyrb.* ch. 9, *Guðm. d.*, ch. 3 (where it is stated that he will join against those who do not listen to him). This is intervening at its most basic, to break up an actual battle, or to prevent one which is about to take place from happening.

Appendix:

From a site of Sumerian texts--these two letters are the first two in [this section](#). Also look [here](#) and [here](#). Taken from Sumerian corpus here: http://etcsl.orinst.ox.ac.uk/cgi-bin/etcsl.cgi?text=c.3*#

Letter from Aradĝu to Šulgi about Apillaša
c. 2000 BC

Letter from Aradĝu to Šulgi about Apillaša (I have highlighted the key portions)

1-2. Say to my lord: this is what Aradĝu, your servant, says:

3-8. You instructed me, as I was taking the direct route to Subir, to secure your provincial taxes, to inform myself precisely as to the state of the territory, and to ensure its obedience by taking counsel with (?) Apillaša, the 'Sage of the Assembly', so that he could thus return the people of Subir to their customary way of speaking (?).

9-11. **But when I arrived at the palace gate, no one enquired after the well-being of my lord. No one rose from their seat before me, or bowed down. {(1 ms. adds:) They intimidated me.}**

12-18. {When I came nearer} {(1 ms. has instead:) carries } -- well, your wayside hostel where carding-combs (?) and lances inlaid with gold, silver, cornelian and lapis lazuli have been set up, covers an area of one hectare! **Apillaša himself is decked out in {gold and lapis lazuli} {(1 ms. has instead:) lapis lazuli, gold, silver and cornelian}, and he sits on a raised throne furnished with a rich raiment. His feet rest upon a golden footstool. He would not remove his feet in my presence!**

19-21. **To his right and left he had soldiers (?) stationed, five thousand at each side. He placed at their disposal six fattened oxen and {60} {(1 ms. has instead:) 20} fattened {sheep} {(1 ms. has instead:) rams} for a meal. He assumed the right to perform my lord's lustration rites.**

22-25. **After a close interrogation at the gate, nobody even bade me enter. When I finally entered, someone brought me a throne with studs plated with red gold and told me: "Sit down!" I replied: "I am here to present the instructions of my king. Therefore I will not sit down!"**

26-28. **They brought (?) me {two fattened oxen} {(1 ms. has instead:) one fattened ox} and {20} {(the same ms. has instead:) 6} fattened sheep to my table. Then because, without , my lord's soldiers overturned my table, I became frightened and my flesh crept.**

29-34. In the month Ezen-Ninazu, after {the 15th day} {(1 ms. has instead:) five days had passed}, my lord gave me his instructions. {By the first day} {(2 mss. have instead:) after one day had passed} of the month U-bigū, I {sent to you} {(1 ms. has instead:) I sent to my lord } a messenger. Now it is {midday} {(1 ms. has instead:) mid-month} {(1 other ms. has instead:) the day did not }, approached. May my lord know!

Letter from Šulgi to Aradĝu about Apillaša

1-2. Say to Aradĝu: this is what Šulgi, your lord, says:

3-5. **The man to whom I have sent you is not your subordinate -- he will not {accept} {(1 ms. has instead:) change} orders from your hand!** How can you ignore what he himself has done too, and that it is indeed so?

6-15. As I myself ordered, you were to secure the provinces, and to correctly guide the people and {make them obedient} {(2 mss. have instead:) secure the foundations of the provinces}. When you approach the cities of the provinces, inform yourself precisely of their intentions, and inform yourself of the words of their dignitaries. Let my roar {be emitted over all the lands} {(1 ms. has instead:) fill all the lands} {(1 ms. has instead:) cover all the lands}. Let my powerful arm, my heroic arm, fall upon all the lands. Let my storm {cover} {(1 ms. has instead:) be released over} the Land. Make the disappear into the desert, and the robbers into the fields! Until you reach Apillaša, my 'Sage of the Assembly', ! Let .

16-17. That was how I had instructed you. Why have you not acted as I ordered you?

18-26. **If I do not make my 'Sage of the Assembly' feel just as important as I am, if he does not sit on a throne on a dais, furnished with a high-quality cloth cover (?), if his feet do not rest on a golden footstool, if he is not allowed by his own highest authority both to appoint and then to remove a governor from his function as governor, an official {from his charge} {(some mss. have instead:) from his function as official} {(1 ms. has instead:) from an official}, if he does not kill or blind anyone, if he does not elevate his favourite over others -- how else can he secure the provinces?**

27-28. **If you truly love me, you will not bear him a grudge!**

29-30. **You are important, {but you do not even know your own soldiers} {(1 ms. has instead:) and you even know the soldiers that are at Apillaša's disposal}. Your eyes have learnt something about {these men} {(some mss. have instead:) Apillaša's men}, and about {Apillaša's heroism} {(some mss. have instead:) my heroism}.**

31-35. If {you, Aradĝu, are indeed my servant} {(some mss. have instead:) you, Aradĝu and Apillaša, are indeed my servants}, you should both pay attention (?) to my written communications. Come to an understanding, you two! Secure the foundations of the provinces! It is urgent!