DIVINATION AND INTERPRETATION OF SIGNS IN THE ANCIENT WORLD

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The Oriental Institute, Chicago

THE UNIVERSITY OF CHICAGO

ORIENTAL INSTITUTE SEMINARS • NUMBER 6

Cover Illustration: Bronze model of a sheep's liver indicating the seats of the deities. From Decima di Gossolengo, Piacenza. Etruscan, late 2nd–early 1st c. B.C. Photo credit: Scala / Art Resource, NY

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ON SEEING AND BELIEVING: LIVER DIVINATION AND THE ERA OF WARRING STATES (II)*

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> "The Beginning of the War Will Be Secret"
> — Jenny Holzer, "Survival," 1983[1]

1.0   HISTORICISM AND A "CREATED" OLD BABYLONIAN DIVINATORY LITERATURE

A number of postulates about Mesopotamian divination and divinatory literature rest uncomfortably together, even though they are by now standard equippage in Assyriological discussions. There is a general, but not exclusive, sense that divinatory literature first arose in the Old Babylonian period. This idea does not preclude the possibility or even probability, for some scholars, that the Old Babylonian texts drew on earlier traditions or an oral background. There is the further idea that the divinatory arts in ancient Mesopotamia constituted a "scientific" form of inquiry or discourse, or stood in an analogous cultural position. Of all the formal devices divinatory literature deployed and which puzzle scholars, the largest — really the meta-device — was that omens were ever written down in the first place. Yet it is this topic which has received the least attention, and probably for the very good reason that this event or process is not visible in any textual precipitate.

Still, this entextualization is a change in both composition and praxis, and it is to these changes that this essay turns its attention. I argue (section 2.0) that our understanding of extispicy should assume the deliberate composition of the compendious texts (manuals) without prior written source material, and not any continuous, scholarly transmission of observational forerunners. The hodgepodge of evidence that is often used to discuss early extispicy can be shown to be either a) not extispicy, or b) extispicy, but not emphatically non-textual. The importance of this argument is that the moment of this literature's composition must be understood (section 3.0) in a wholly other context, in the political crises that afflicted the age of its creation. The Old Babylonian period, Mesopotamia's own "Warring States" epoch, was a time in which many third-millennium cultural forms were being transformed by programmatic revision and political appropriation in the contest to restore geopolitical equilibrium. Extispicy was just such a revolution.

2.0 A TRANSMITTED LITERATURE? EVIDENCE FOR EXTISPICAL TEXTS PRIOR TO THE OLD BABYLONIAN PERIOD

The understanding of extispicy as a transmitted literature fundamentally depends on the existence of forerunners[2] to the three forms of technical literature we see arising in the Old Babylonian period: liver-omen models, compendia, and reports. Models are those clay objects which, whether schematically or realistically representing the organs of a sheep, are labelled to indicate signs and marks typical of protases.[3] Compendia are defined as those long and serialized lists of casuistic theoretical statements which link (in theory, observed) phenomena in the organs to the detemporalized existence or eventuation of other (observable) happenings and (non-observable) qualities. Reports are those texts which record specific, historically unique readings of protastic signs in organs; though these encompass a variety of occasions, forms, and purposes, sometimes omitting even the most summary apodictic statements, they purport to record signs of relevance.[4]

It has been a problem of many analyses of these three text-types that they freely compare terms and features of texts from different times, places, and text-types on a presumption of fixed meanings and direct transmission. Dispensing with a historically critical approach, this presumption does not reduce, but rather increases, the possibility of creating anachronisms and contextual noncomparabilities. Lexical and semantic understandings in extispical texts are often reconstructed by referring between Mariote, northern and southern Babylonian corpora, between the three text types mentioned above, and/or between Old Babylonian and Neo-Assyrian attestations. So eager are we to know what the "Comb" of the lung is — to resolve definitional problems through intertextual references — that we have ignored large problems of synchronic and diachronic comparability: the terms of compendia rarely appear in the reports (and vice-versa); the omens of Larsa do not show up in Sippar; the proportion of hapaxes is through the roof; and so forth. The comparability of these texts is in general very low (see below, section 3.2). Nor should we expect a total correspondence — but if the conceit of extispicy was that specific observations were to be preserved for future use, one ought to expect a much higher proportion of overlap between materials than exists.

If a unitary and accumulated literature existed, it should be demonstrable in some measure — but what evidence for a pre-Old Babylonian literature do we have? Eight categories of evidence will be discussed relative to arguments supporting the existence of extispical literature prior to the nineteenth century:[5]

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[2] By "forerunners," I mean here any text that employs an observational principle, to record an observed signifier with some connection to its signified meaning; for an example of a text which discusses extispicy but nevertheless falls outside this definition, see the discussion of the Ebla "omen" below (section 2.4).

[3] Some early liver models, cast as "historical" observations (i.e., regarding specific kings), speak in the voice of reports, as defined below; as I argue, since I view these omens as fictional texts, I see their compositional intention to have been identical to other liver models: to teach and to demonstrate features to diviners. Such models are not in general to be understood as "reports," though some ambiguity persists in the Daduša liver-model, discussed in section 2.2.

[4] Of the three text types, reports have been the most resistant to disclosing their purpose: for instance, although Koch-Westenholz's (2002) survey of Old Babylonian reports is helpful, it is not really possible to summarize the wide range of purposes cataloged there, much less answer the deceptively simple question: why were these results written down at all?

[5] Throughout this study, some slightly differing shorthand terms are used to refer to the period preceding the essential change that I understand to have taken place ca. 1850 B.C.: "prior to the nineteenth century," "pre-Old Babylonian," and "third millennium" should all be understood as having equivalent meanings for our present purposes. For the sake of convenience, all dates here employ the Middle Chronology.

2.1   The appearance of diviners in third-millennium professional lists

2.2   Third-millennium references to animal omens

2.3   Third-millennium references to liver divination

2.4   Purported examples of third-millennium extispical texts

2.5   The appearance of third-millennium kings in Old Babylonian "historical" omens

2.6   The size, extent, and comprehensiveness of the Old Babylonian extispical compendia

2.7   Later references to extispicy's antiquity

2.8   Procedural dissimilarities to scientific method with respect to observationalism

2.1   THE APPEARANCE OF DIVINERS IN THIRD-MILLENNIUM PROFESSIONAL LISTS

The earliest evidence for extispicy is the appearance of diviners in Early Dynastic professonal lists, in the entries lú.máš.šu.gíd ("one who reaches the hand (in)to the goat") in Lu E from Ebla[6] and Lu C from Fara and Abu Ṣalabikh.[7] Yet while these entries attest to an identifiable class of ritualist at this early stage, they tell us nothing of the apparatus of ritual itself. If anything, Lu C, which displays some apparent groupings of professional types, lists the lú.máš.šu.gíd together with persons working with animals, not with professions more likely to have been working within a scribal or cult tradition.[8]

It also bears observation that, despite the early appearance of the professional name, it does not appear again until the middle of the Ur III period, when once again the documentation is strictly concerned with the administration of animal management, not with cult or ritual practice as such.[9] It is also not possible to locate diviners within rosters of cultic personnel at major temples.[10] Whatever the ritual functions of the professional *bārû* in the third millennium, we cannot point to any instance in which he functioned in a cultic or literate context with or within the institutional households where textual traditions were most prominently supported.

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[6] Archi 1984: TM.75.G.1488.

[7] Fara = Civil 1969: 1.3, viii.63; Abu Ṣalabikh = Civil 1969: 1.5, 130; the title is not in the Gasur text ("Source C").

[8] Taylor 2003: lú.máš.šu.gíd among lines 10–15, including sipa.udu, muḫaldim, and lú.gú.šu.du; see also "animal-related" names in lines 32–38 and 52–54; cf. cult personnel in lines 1–2 and 47–49, and "music-related" personnel in lines 56–60. While it is not possible to discern in Lu E that lú.máš.šu.gíd (line 130) is grouped together with any particular professional names, the most identifiable group of cultic personnel appears at quite a remove, lines 64–80.

[9] Some forty-six attestations of the (lú.)máš.šu.gíd(.gíd) appear in Ur III documents according to the Database of Neo-Sumerian Texts (http://bdts.filol.csic.es) in March 2009. In the majority of cases, the activities of diviners are limited

to the delivery of animals, animal products, or other goods; often other persons/professionals make identical deliveries alongside them in the same texts. A few of these animal deliveries (e.g., Legrain 1912: no. 313; TCL 2 5559) are indeed designated for the gods, but they in no way indicate any ritual role for or procedure of the diviner. In the remainder of cases, the appearance of the professional name simply appears in their sealings.

[10] Westenholz (1992), surveying the cultic personnel at the five major temples of Nippur from the mid-third millennium to the end of the Old Babylonian period, enumerates no diviners among them. One late exception is known, a ration list for the personnel of Ninurta's Ešumeša temple, from the reign of Damiq-ilišu, ca. 1800 B.C. (the latest of fourteen such tablets treated by Sigrist 1984b: 160–65), on which there is a single entry for a *bārû*.

2.2   THIRD-MILLENNIUM REFERENCES TO ANIMAL OMENS

A host of third-millennium references to omens procured through small livestock are often cited as evidence for early extispicy. Yet while some are undoubtedly liver divinations (see section 2.3), many others are not so clearly marked. This has produced some definitional drift when both extispicies and other ominous events or procedures are both simply translated as "omens" — and in any event none of these cases suggests or constitutes observational record-keeping or specific technical means.

Gudea's Cylinder A is commonly cited as providing evidence for third-millennium extispicy (as indeed it does: see section 2.3). What is commonly overlooked, however, is that in this one composition alone several *other* kinds of animal omens are also mentioned. In one instance, a goat is led to the brick shed to identify the pure brick for building.[11] Elsewhere, Gudea leads two sheep and a kid to lie down on animal skins to induce an omen in an incense ritual.[12] Within his initial dream, Gudea recalls seeing a donkey pawing the ground, a sign of his own eagerness to build Eninnu.[13] All these animal omen techniques also appear alongside several forms of non-animal divination used by Gudea: dream, grain, and *kledon* omens.[14] The existence of multiple formal procedures for procuring omens from animals should warn us away from a "presumption of extispicy" when extispicy is not specified (as Gudea elsewhere does): there clearly were a number of ways to get an omen out of a goat.

This in turn must cast some doubt on just what procedures were meant in the large number of southern Mesopotamian year-names from the Akkad, Lagaš, Ur, Isin, and Larsa dynasties referring to omens.[15] At least twenty-eight year-names — from Narām-Sîn's years "o" and "ll" (ca. 2250 B.C.),[16] as late as Damiq-ilišu of Isin's year 4 (1812 B.C.) — refer to sheep omens identifying cult officials to be appointed in temples, using the following formulae (see *Appendix 1* for a complete listing):

Narām-Sîn "o":	… **máš.e íb.dab$_5$.ba**
Narām-Sîn "ll":	… **maš.e íb.dab$_5$.ba**
Lagaš: Ur-Ningirsu I "a":	… **maš.e pà.da**[17]

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[11] Edzard (1997: 77) supposed this was an extispicy by interpolating "(by means of) the kid('s liver)"; cf. Ur-Ningirsu I, in Edzard 1997: 8–9, where the same translator instead gives only "sacrifical animal." The verb, however, is ambiguously /pàd/: sig$_4$ máš.e bí.pàd (Gudea, Cyl. A xiii 17). In the technical literature of extispicy, however, ominous "behavior" of the animal only refers to how it acts while being slaughtered, not at any other time (see, for instance, the omens of YOS 10 47–49, incipiently: *šumma immerum ištu ṭabḫu…*).

[12] Gudea, Cyl. A viii 9. Jacobsen (1987: 398) surmises that the animals were to be sacrificed; cf. Edzard 1997: 74, which goes no further than the text. Gudea elsewhere sacrifices goats and bulls to induce a dream omen (Gudea Cyl. A i 14), but the goat is not the vehicle of the omen itself.

[13] Gudea Cyl. A v 10; vi 12.

[14] Gudea Cyl. A xx 7–8; xx 6; xx 2–3, respectively; see also "The Hymn to Enlil," Jacobsen 1987: 104, lines 47f., for *kledon*-oracles procured in temples.

[15] The temple-cities for which priestly appointment omens were procured were Nippur (northernmost), Isin, Uruk, Larsa, Lagaš, and Ur (southernmost); several year-names do not specifically name the temples or cities of appointed personnel.

[16] The designation of these year-names follows Frayne 1993: 85–87.

[17] Contrast this instance to the later dedication of a "sanctuary, the House chosen by her heart" (èš.gú.tùr é šà.ge pà.da.ni) by Ur-Bau; see Edzard 1997: 19.

Ur III: Ur-Namma "b":   … **maš.e ba.pà.da**

Isin/Larsa: Išbi-Erra 13:   … **máš.e ba.pà.da**

These year-names differ only in the type of priest and deity named,[18] the expression for goat (maš/máš), and the verb (Akkadian dynasty only: dab₅; thereafter: pàd), all meaning "Year in which NN-priest(ess) was named (dab₅: installed) by (means of) a goat."[19]

First, a literal-minded translation of these formulae must take note of the fact that extispicy per se (i.e., some variation on šu … gíd) is not mentioned, though we know that the verbal formulation was in use at this time (see sections 2.1 and 2.3). A further question is raised by the ambiguities of the verb pàd "to call," which is most heavily employed in contexts which imply speaking (or, perhaps, bleating), though of course the semantic range of "calling" (both in Sumerian and English) affords the idea of "naming."[20] The meaning is thus unclear, and dab₅ is even more obscure as regards the ominous method. We must remain sensible that the "calling" in question is no more likely to have involved reading the entrails of a dead goat than of the other procedures illustrated in the Gudea cylinder.

Further problems arise that make this more than a matter of raising a reasonable doubt about the nature of the ominous procedure. Three disconnects — geographic, temporal, and functional — must be established between this class of year-names and the later technical literature; these disconnects substantially separate the nominative year-names from the later technical extispicy. First, the practice of choosing priests "by means of a goat" was restricted to southern Mesoptamian cities (Nippur, Isin, Uruk, Larsa, Lagaš, and Ur), which were not, with the exception of Larsa,[21] the cities from which the later technical literature is attested (Larsa, Mari, Sippar, Babylon, Ešnunna). Second, the technical literature post-dates the year-names with very little overlap.[22] Our latest-known sheep omen year-name is for Damiq-ilišu's year 4, 1812 B.C.; the earliest exemplars of technical literature probably date to nineteenth century Mari (see section 2.5); the earliest securely datable technical document for liver divination is now the omen for the accession of Daduša of Ešnunna, ca. 1800 B.C.[23]

Third, the apodoses of the technical literature are virtually silent about the concerns (so far as we know) of the third-millennium sheep omens, the appointment of priestly personnel or the identification of temple sites. Indeed, the classes of officials in the two sets of literature show almost no overlap: third-millennium references to extispicy address the choosing of cult figures such as the en, nin.dingir, lú.maḫ, gudu₄,[24] and išib; the later compendious texts (e.g.,

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[18] At Ešnunna, several year-names of the king Šu-ilija referred to the selection of his "son" and "daughter."

[19] Occasionally year-names celebrated the installation/elevation of priestly officials without reference to omens; see, e.g., Ibbi-Sîn 4 (ba-ḫun), Išbi-Erra 31 (ba-íl), and Iddin-Dagan 9 (mu-un-íl).

[20] Edzard (1997), in virtually all other contexts, renders pà(d) as "called," rather than "chosen."

[21] Goetze (1947a) estimated the script of the most "archaic" extispical texts from Larsa to resemble the cursive in use at the time of Rīm-Sîn, thus post-dating the last omen year-name there by about seventy-five years and two changes of dynasty.

[22] Note that the Larsa year-names in question are quite early, corresponding to 1926 and 1895 B.C., respectively, prior to the development of the technical literature there around the time of Rīm-Sîn (i.e., the last third of the nineteenth century B.C.; Goetze 1947: 1). One other geographic overlap with a similar temporal gap should be noted: of OBE 10, probably from Ur, Jeyes (1989: 6) wrote that it was written in younger cursive, probably from the time of Hammurabi, thus significantly post-dating the latest sheep-omen year name for Ur (reign of Lipit-Ištar, ca. 1930 B.C.).

[23] Al-Rawi 1994: no. 5.

[24] See the curse formula of the Šu-Sîn inscription (Frayne 1997: 3.2.1.4.7, lines 27–32) which refers to a gudu₄-priest "chosen by oracular means."

YOS 10 and OBE) are concerned with non-temple officers such as the sukkal, *šakkanakku*, *šipru*, zabardab, nun, and lugal. This dichotomy is not without exceptions. Šulgi, for instance, boasts of using extispicy to determine not only cultic matters, but also military action (Šulgi Hymn B, lines 131–49).[25] On the Old Babylonian side, a very few omens from the technical literature do take priestly personnel as their subject matter in various contexts — but only three, out of perhaps three thousand omens,[26] for their selection or appointment. In all three cases, these omens are about *ugbabtu*-priestesses,[27] who are not among the personnel appearing within the nominative year-names.

Divination of the máš … dab₅/pàd type should be understood as older, southern, and cultic, while literature of the máš šu … gíd omens should be seen as newer, northern, and emphatically statist and non-cultic. The year-names and the Old Babylonian omens are mutually exclusive in terms of time, space, and subject, two fundamentally different sets of practices, neither precursor nor finished form.

2.3 THIRD-MILLENNIUM REFERENCES TO LIVER DIVINATION

Notwithstanding, there is no doubt that extispicy was practiced in the third millennium. Yet written references to the practice of the extispical craft cannot be regarded as evidence for a technical literature of liver divination. In fact, the undoubted antiquity of references to practice then makes the millennium-long absence of procedural and reference materials all the more remarkable, underscoring the nature of that practice as a craft.

The very diversity of contexts for these references (administrative documents, literary works, year-names — but see section 2.2, above) has been distracting. Two Early Dynastic pieces of evidence are, together with the appearance of diviners in Lu C and E, the oldest specific mentions of extispicy. The first is an enigmatic Sumerian proverb "The songs of a city are its omens (uru^ki èn-du-bi maš-šu-gíd-gíd-bi-im),"[28] which suggests only perhaps a likeness at the level of orality. The second is the cultic text OIP 99 114;[29] this composition probably names rituals for the reader to perform, but contains no information about method or

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[25] This is not a máš … pàd omen; on this passage, see Richardson 2006.

[26] Jeyes (1980: 107–08) estimates the total known Old Babylonian omens to number around 3,000.

[27] I am aware of no Old Babylonian omens regarding the suitability of sites, bricks, or times for the building of temples. A few Old Babylonian omens do mention en's and entu's: these can be typed as "appointment" omens (i.e., appointing priests) and "incidental" omens (i.e., omens which have nothing to do with cultic installation; e.g., the Old Babylonian liver model apodosis "… one who frequents the temple will repeatedly have sexual intercourse with the en-priestess" [CAD E s.v. *ēnu* 2 b) 1′-b′)). Not to be mistaken for appointment omens are those incidental omens simply predicting the death of priestly personnel, e.g., Nougayrol 1950: 43 (dupl. YOS 10 17 53–54; cf. Jeyes 1989: 104) and YOS 10 39 37. I know of three omens which are conceivably of the appointment type, all for *ugbabtu*-priestesses: the

paired omen reading YOS 10 38 r. 11 and r. 16: "the high priestess will die, and an *ugbabtu*-priestess will [r. 16: will not] be installed"; and YOS 10 17 47, "If the *naplastum* is like a PAB-sign, the god wants an *ugbabtu*-priestess."

[28] Alster 1997: SP 1.70, II 348: "The songs serve as an indicator of the spirit and, thereby, of the future of the city"; cf. ETCSL, which gives "diviners" instead of "omens." This is the only máš … gíd construction in the proverbs collection, where other omens are indicated by giškim. Like most other proverbs, this is only attested in later Old Babylonian copies of the collections, but was presumably part of the Early Dynastic corpus.

[29] Biggs 1974: 114 (4 references): iii.2 (maš šu nun gíd); iii.15 (maš nun me gíd); iv.11 (TUK NA₅ maš šu me gíd); v.13 (maš šu mu.gíd); see Alster 1976: 115. Cf. the duplicate Fara text with five references: Deimel 1969: no. 37 iii.10, 13 and vii.5, 13, 18; all máš šu mu.gíd.

procedure; though its contents are "obscure," as Alster notes, it is not itself a technical text.[30] What can be said about the proverb and the cultic text is that they point away from written technical instruments, and towards oral performance.

Throughout the third millennium, a host of literary compositions make reference to divination with varying emphasis. The most well-known extispicies among these are the two by Narām-Sîn in "The Cursing of Akkade,"[31] at least two performed by Gudea (Cyl. A xii 16–17; xx 5),[32] and those boasted of by Šulgi (Richardson 2006). In all these instances, the verbal formulae maš/máš šu … gíd is used to designate the method used to gain an omen. In none of these instances is there any reference to textuality, nor could the passages themselves conceivably constitute any kind of observational document drawn on by future readers. The one exception to this state of affairs has long seemed to be a crucial passage in Šulgi's Hymn B ("I am the very Nintud of the omen collections (gìr-gin-na)"), which supported the idea that a fully serialized library of omens existed at least by Šulgi's time. My recent argument (Richardson 2006) that gìr-gin-na should be translated as "procedures" rather than "omen collections" considerably alters this picture. A mistaken conflation of Šulgi's learned skills with his innate ones in the secondary literature masked the emphasis on extipicy as a natural and intutive art, not a "book-learned" technical skill, nor an observational and documentary one.

Categorical errors about what skills and practices lay behind extispicy have been magnified by a definitional drift in which ominous procedures of all kinds have often loosely been translated simply as "omens." The tertiary effect has been for students, scholars, and editors to sometimes interpolate extispicies where other kinds of omens were actually meant (see *Appendix 2* for the effects of this problem in a particularly influential set of translations in Jacobsen 1987). The image produced has thus been one in which extispicy was practiced more often than it was and stood in some clearly preeminent position vis-à-vis other divinatory systems. It did not.

However: even were these instances all to be understood as liver divinations, what they have in common is that — though they would certify that extispicy was in use — none of them mentions or suggests the use of texts. In "The Cursing of Akkade," the evidence is equivocal on this point, since Narām-Sîn is simply said to "perform" extispicies. But for Gudea, the contexts point more toward an intuitive or memorized craft than a scholarly one. The omen of Cylinder A xii 16–17 is said to reveal Ningirsu's intention (šà-^{d}nin-gír-su-ka) which "stands out as clear as daylight" (u$_4$-dam mu-na-è), and that the revelation was due to Gudea's (repeatedly, emphatically) proclaimed qualities of "great knowing" (gal mu-zu) and "great carrying-out" (gal ì-ga-túm-mu), epithets which suggest an unmediated and untutored access to divine knowledge based on innate gnostic ability — not on learned knowledge.[33]

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[30] Alster (1976: 114–15) suggests that the repetition of the terms from line to line may indicate a performative function for the two texts.

[31] Cooper 1983: 54–55 (lines 94–7), 244; these lines are not preserved in the Ur III copies (see Cooper 1983: 41–44, 70, 130–32), but for the sake of argument, I will assume they existed in the earlier version as well.

[32] Note also Jacobsen (1987: 442) translates Gudea's Cyl. B xx 12, a message from Ningirsu to Gudea that "The orders concerning [the temple] were not ones spoken by a diviner, I was not keeping [my heart]

remote from [you]!" Edzard 1997 provided neither transliteration nor translation for these lines.

[33] The only tablets to be discussed within the lines of Gudea's Cylinders A and B are those held by Nidaba (A v 24–28) and Ninuruda (B vi 4–5). Throughout the poems, the dramatic device that makes Gudea an ideal man is his innate ability to receive messages from the gods, understand, and act correctly; in no instance does he make recourse to or boast of learned techniques. One might compare this to the slightly different emphasis on textuality expressed in Šulgi's hymns, throughout which the king dictates for others

2.4   PURPORTED EXAMPLES OF THIRD-MILLENNIUM EXTISPICAL TEXTS

Two very different letters — one from Ebla, one a school text from the "royal correspondence" of Ur — have either been proposed as or pretend to be extispical texts dating to the third millennium. The first, however, is not an omen (though it is from the third millennium), and the second is not from the third millennium (though it is an omen). A third direct claim in Šulgi's hymns to have produced serial literature for extispicy is evidence I have disputed elsewhere on the grounds that the crucial Sumerian term gìr-gin-na, often translated as "collections" or "library" (of omens, in this case), should rather be understood as "procedures," relevant to extispicy's unwritten and performative protocols (Richardson 2006).

In the first case, the Ebla text TM.76.G.86 has been published as an "extispicy report."[34] Strictly speaking, it is a letter which refers to an extispicy. Coser asserts that a "structural analysis" reveals that the letter contains both protases and apodoses.[35] This is not the case. The letter refers to two inspections of sacrifices (no specific animal is mentioned) in II.2–3 (*wa* ḫul, "and (the omen result) was bad"), and III.7–IV.1 (*wa* igi.gar *gú-šum* ug$_7$ *áš-dag* igi.gar, "and, when he observed the victim, he saw death by your side"). An extispical procedure is discussed, but the relevant passages fall short of the operative criterion of extispical literature: to record a specific observation (a protasis, indispensible in reports, as Coser herself notes) in order to read a specific result (an apodosis, often, though not always, present in reports), reproducible conditions which can be consulted in the future. No sign or mark is recorded in the Ebla letter: there are no protases, and there are no technical terms of any kind.[36] No observation, as such, is recorded in TM.76.G.86: nothing from the document could be reproduced as an omen. The letter talks about an omen, but doesn't contain one.

A different case presents itself with the Old Babylonian school letter, in which an "omen" appears embedded within long and short versions of a putative royal letter of Ibbi-Sin of Ur:

> Enlil has looked upon me with grace and has taken my prayer to his holy heart; he established for me in my omens the favorable parts. *Furthermore*, he fashioned the right side for him, and the left side for me. He beautifully set there the Weapon on my favorable side with a straight flank; the Weapon on his unfavorable side was present and (looked over) to the other side, bound steadfast to the filament. (This means:) "My enemy will be delivered over to me and killed."[37]

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to write, composes for others to sing, and whose knowledge is in general superior to the scribes and experts who surround him. Note, for instance, when he boasts of his excellent skill as a diviner, while "my diviner watches in amazement like an idiot" (Šulgi B 144).

[34] The text appears to date to approximately the twenty-fourth century B.C. (Bonechi and Catagnoti 1998: 37–38). Coser 2000: 169, "The other two typologies, i.e. liver models and omen collections or compendia, have not (yet) been attested at III millennium Ebla." See also Biga 1999, in which references to good omens (máš ... sa$_6$) are briefly mentioned in early Ebla texts.

[35] Coser 2000, lines i 5–ii 1: nídba nídba *áš-ti* / *wa* ḫul, "(the sacrifice was sacrificed on *my own initiative*

/ and (the omen result) was bad." Lines iii.3–iv.1: *wa Ìr-am$_6$-Ma-lik* nídba-*ma* nídba / *wa* igi.gar *gú-šum* ug$_7$ *áš-dag* igi.gar "And then Yir'am-Malik made a sacrifice / and, when he observed the victim, he saw death by your side."

[36] Coser (2000) discusses TM.76.G.86 by using the terms uzu.*tērtum* and *piqittum*, but the text does not use these (or any other) identifiably extispical terms.

[37] Michalowski 2006. The adumbrated version is less specific in its reference to extispical signs, reading: "He has established for me in my omens the favorable parts. *Furthermore*, when he fashioned in them the right side and the left side (the meaning of the omen became) 'My enemy will be captured and killed.'"

The passage (in contrast to the Ebla letter) refers to specific signs, employing a technical terminology, connected to specific results. Yet although it is genuinely extispical, it is not genuinely third millennium: eight copies of the long and short versions of the letter are known, and they all date closely to the latter half of the reign of Samsuiluna in the late eighteenth century B.C., and not to the twenty-first century B.C. reign of Ibbi-Sin. As Michalowski argues, the "omen" is one of a variety of Old Babylonian scribal exercises inserted within a school text, written in the "highly baroque style" of the Larsa court, an insertion fully consistent with the wider program of archaizing elements of the "royal correspondence."[38]

2.5 THE APPEARANCE OF THIRD-MILLENNIUM KINGS IN OLD BABYLONIAN "HISTORICAL" OMENS

Some of the very first written omens have been understood to require written third-millennium sources: these are the so-called "historical" omens, which mention the long-dead kings of Akkad and Ur, among others.[39] These omens themselves give not a hint of any contemporary conviction, however, that the observations had their origins in *histoire événementielle*. The "information" they provide better reflects scribal-scholarly interests in paronomasia (e.g., the Narām-Sîn omen about Apišal) and the historiographic tradition of *Heils/Unheilsherrschaft*, a dualistic scheme which fit well into the interpretive matrix of extispicy. It is also no accident that the kings of the historical omens were often the same famous kings who were the subjects of other literary compositions then popular in the Old Babylonian school curriculum — Gilgameš, the Akkadian kings, Ibbi-Sîn, etc.[40] — and visible in the statuary at Nippur. Though these ominous significations clearly referred to the past — as did literary tales of those kings — there was no claim that the texts (or even the omens) themselves had come from the past — as with the colophons that scrupulously marked the copying of original documents of other kinds, such as royal inscriptions.

From the start, the problematic datation of these historical omens has confused the historical/historiographic issue. The liver models found at Mari (the earliest-known documents to be inscribed with historical, indeed any, omens) were written in the *šakkanakku* script which does not clearly distinguish the century of their composition. It has thus been possible to suppose that the omens so inscribed had been composed contemporaneous with their subject matter. The pivotal historical figure here is Išbi-Erra:[41] his appearance among these omens has been used to argue that he marks a *teminus ante quem* for the liver omens, that is, that they had

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[38] Michalowski (2006: 250) refers to the extispical terminology here as "invented": "the only way to solve the puzzles [of this passage] is to try to work out how the writer invented a Sumerian extispicy terminology in back translation from Akkadian"; cf. Jacobsen 1994: 147, where the historicity of the account is taken at face value. The date derives from one exemplar which bears a Samsuiluna date.

[39] Most firm in this opinion is Goetze (1947b: 264–65); cf. Cooper 1980.

[40] The omen purporting to mention the earliest "historical" king names ^{d}*Gi-il-ga* (= Gilgameš); see Goetze 1947b. While the omen with the latest king refers to Išbi-Erra, a separate mention of Sîn-iddinam

of Larsa (Starr 1983: 13) is elsewhere known. To these we may now add Daduša of Ešnunna (Al-Rawi 1994: 38–40), though the inscription on this particular liver model bears many of the features of an extispical report (multiple observations rather than single protasis-apodosis construction) — and so its generic classification remains uniquely problematic.

[41] The Išma-Dagan who is the subject of Rutten 1938: no. 11, is probably the *šakkanakku* of Mari (fl. ca. 2050 B.C.) rather than the Isin king of a century later (who would then otherwise be the latest-dated king mentioned among these models). Gelb asserted this point on orthographic grounds (1956: 3 n. 1), but we can also observe that it is the only royal name among

all been composed between the time of Sargon and the death of the first king of Isin.[42] Gelb, to the contrary, argued that the liver models could not have been inscribed *before* the reign of Išbi-Erra — that the rebel king was simply the least venerable in the company of "historical" kings.[43] I feel this is the more sensible explanation: a group of texts, found together, all mentioning past events in similar form and script, are more likely to have been composed or compiled together soon after the latest recorded event among them, not from the earliest one and over a period of four centuries.[44]

Historians of these texts have asked why they were first composed. But given the above, we should perhaps invert the question: if "historical" omens were observational, why did they ever *stop*? If the scribes believed in the authenticity of observational omens, why were there never again recorded liver omens about any Old Babylonian kings who reigned during the time when the technical texts were actually being produced?[45] The "historical" liver-model omens of the twentieth/nineteenth century B.C.[46] have the highest comparability among the Old Babylonian technical texts[47] and are thus the strongest evidence that extispical literatures drew on common-culture sources. Liver models are also the first apparatus appearing among the technical types, with compendia surfacing only in the later nineteenth and early eighteenth centuries, and reports in the eighteenth and seventeenth centuries. Yet the kings who were treated as "historical," and whose significance was broadly similar from text to text, was limited: they reflected the Old Babylonian idea of what constituted history, that is, the events of the Akkad and Ur III dynasties. By contrast, when compendious texts were still in production in the seventeenth century, at a time when onomastica still reflected pious veneration of Hammurabi and Samsuiluna and the kings still traced their lineage through them, we never find any new ominous signs named for these or any other more recent kings. Thus, not only are the "historical omens" poor historical sources for those kings (as Cooper 1980 stated so succinctly), their temporal restriction to the pre-compositive phase of the literature also speaks

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the Mari models to be afforded a divine determinative, and therefore more likely to refer to a native Mari ruler.

[42] E.g., Starr 1983: 4, stating that the Mari liver models "... cannot be dated later than the reign of Išbi-Erra, that is, they belong at the end of the third millennium at the latest"; more generally Starr 1991: 176: "the process of serialization was well advanced already in the Old Babylonian period." Goetze's opinion (1947a: 1–2) is more difficult to discern: he saw Išbi-Erra as the figure providing a *terminus post quem* for the texts in YOS 10 1–2, but held the opposite view for the composition of the Mari liver models, for which Išbi-Erra served as the *terminus ante quem*. See Goetze 1947b: 264–65, where he refers to them (linguistically) as "Old Akkadian" and concludes: "There is every reason to assume that it goes back to good tradition that was first drawn up contemporaneously with the respective event."

[43] Gelb 1956: 2–3, 7: "The composition of the liver models could not have taken place before the time of Išbi-Erra." He stated, on the one hand, that neither does this mean that certain "graphic and linguistic" features of the models might not indicate copying from earlier texts, but on the other hand noted the presence of deliberately archaizing features.

[44] Meyer, although treating the Mari liver models as Old Babylonian documents, ultimately admits that the question of their preservation from an older archive cannot now be answered (Meyer 1987: 8–11, 45–16); Cooper (1980: 99) does not hesitate to label them Old Babylonian.

[45] Hallo's (1967: 96–97) re-translation of the "Sîn-iddinam F" liver-model omen precludes an understanding of the text as a historical tradition about that king('s death) — rather, whether contemporary to the time of Sîn-iddinam or not (this is not clear), the omen purports to give a date for the omen, to historicize it, and in this sense is more akin to the omen of Daduša of Ešnunna.

[46] Regarding the assessment of comparability, see below, section 3.2.

[47] That is, ominous signs named for ancient kings are among the few types that show a high rate of duplicates and parallels between compendia, liver models, and reports.

against any ongoing interest in observable phenomena. The "historical" kings were chosen in a later period precisely for their historical veneer.

2.6   The Size, Extent, and Comprehensiveness of the Old Babylonian Extispical Compendia

The impression that forerunners for extispical literature existed is also suggested by the dramatic appearance of the extensive compendious literature; without antecedent materials, how could such a corpus be formed *ex novo*? The massive series from southern (nineteenth-century Larsa) and northern (eighteenth–seventeenth-century Babylon and Sippar) Babylonia are the earliest compendia known, yet these already display a series numbering nearly 10,000 omens. The texts appear to us so fully formed that it is hard to believe they were not the outcome of a long process of scholarly redaction or compilation. This seeming impossibility induces assumptions that earlier texts, though not yet found, nevertheless must have existed prior to the nineteenth century B.C. This is, of course, precisely the interpretation which the scattershot of earlier secondary references would seem to favor (but see sections 2.2–5, above).

And, indeed, some aspects of the internal, formal organization of the compendious series could be taken to mean that a few of the Old Babylonian texts known to us cannot be "first-generation" documents. Goetze (1947a) long ago pointed out the existence of both duplicates and variants, possibly indicating the existence of earlier recensions (cf. section 3.2),[48] and the arrangement of the compendia by the zones of the liver has encouraged an association of complex organization with antiquity. These have occasionally led to speculations about written[49] and oral[50] sources for the compilation of such texts.

Yet the hard fact remains that, while Assyriologists have been studying liver-omen literature for over a century, in this time no technical texts dating earlier than the Old Babylonian period have emerged.[51] Despite the propensity of third-millennium scribes to compile lists

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[48] The admixture of archaic and younger orthographies within individual Old Babylonian texts is more likely to reflect deliberate archaizing than the preservation of original archaic forms. In the case of formal preservation, one expects a more uniform attempt to be true to an original, not permitting the neologisms and younger orthographies which characterize the texts Goetze discusses.

[49] Starr (1983: 6) views the omen series as having developed by the gradual accumulation of individual extispical observations in small tabulated collections, then collated into the Old Babylonian "chapters" organized by protatic features, and finally into Neo-Assyrian *Bārûtu*. Though acknowledging the absence of pre-Old Babylonian material, he writes only: "Such classification, systemization and serialization of omens could only have come at the end of a long process of evolution. When the process begins, we know not."

[50] Koch-Westenholz (2000: 11–15) has recently argued that Old Babylonian extispical texts were composed in close temporal proximity to a formative stage of oral tradition, but does not elucidate how or why the transition between these stages was accomplished. Both Koch-Westenholz and Starr (1983: 6) postulate that written and oral traditions of extispicy enjoyed some significant period of coexistence. The Kuhnian view would hold that the transition between the oral and written stages would have been punctative and culturally constructed, not gradual and evolutionary.

[51] This is the same period of scholarship during which the earliest-known dates of many compositions have been pushed back: the Sumerian King List (an Ur III copy now published by Steinkeller 2003), a Sumerian Gilgameš and Agga story published as early as 1949 (see Cooper 1981 for bibliography), Narām-Sîn and the Great Revolt appearing as an Old Akkadian school text (Gelb 1952: 172), and so forth.

and collections of many kinds, and the avidity of Old Babylonian scribes for copying them, no earlier lists of omens have emerged. Despite the antiquarianism abroad in the Old Babylonian period (especially at Nippur), we find little reflection in extispical texts (absent at Nippur) of the topoi which concerned the Sumerian literati (e.g., fertility, mortality, purity, cosmic order; see also sections 2.1–2); it is hard to see that the Sumerian *Weltanschauung* is reflected in the extispical corpus. In contrast to the wide variety of Old Babylonian texts coming out of a true scholastic tradition of copying (epics, hymns, prayers, commentaries, mathematical documents, lexical and other lists), no known Old Babylonian extispical text bears a colophon indicating it to have been copied from another source, nor is there any reasonable expectation that such sources will emerge.[52] This is especially strange when we consider the degree to which Old Babylonian omens were accurately transmitted to Neo-Assyrian *Bārûtu*: are we to understand that a great textual tradition, maintained and transmitted with a high degree of reliability in all periods when it is visible, is to be constructed where it is not visible?

One of the other great bodies of serialized Mesopotamian literature was similarly not preceded by materials identifiable as "forerunners": the Early Dynastic proverb collections were sizeable, extensive, and comprehensively organized, yet seem unlikely to have been compiled from any antecedent literature. The only "smaller" materials for the Early Dynastic corpus are a handful of school texts that are not earlier than the collections themselves, and perhaps later in date. Only the Old Babylonian proverb collections are accompanied by great numbers of excerpts and school tablets, that is, long after the collections themselves were well established.[53] While it has been debated whether or not Early Dynastic proverbs were collected from genuine phrases and sayings or were compiled for purely academic purposes, it is clear that they do not reflect other parts of the scribal curriculum — despite having been composed by scribes.[54] In the cases of both the omens and proverbs, there is no "primitive" literate background to these massive, well-organized corpora. This absence suggests that, while the compilations may have been genuine in the sense of collecting existing knowledge based on oral tradition, they did not emerge from a scholastic tradition over time, gathered from multiple sources.[55]

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[52] Hunger (1968: 24–29) lists no colophons appearing on Old Babylonian ominous texts; such colophons appear beginning only with Middle Babylonian texts, not coincidentally the same period of the first known extispical school text (Veldhuis 2000). Old Babylonian extispical compendia of course bore rubrics indicating their serialization — cf. Goetze 1947a, with eight tablets marked ki.[number in series] and one marked šu.nigin 48 mu.bi.im 1 kam.ma; and Jeyes 1989: nos. 11 (r. 2′: DUB-*pí* 60+30) and 14 (85 mu.bi šà *ša* 1 dub) — but no colophons indicating copying from other tablets per se (i.e., those tablets which included incipits and/or formulae such as im.gíd.da/*qāt*/igi.kár PN). Lambert (1998: 147) notes ruefully: "Unfortunately, there are no Old Babylonian texts dealing specifically with qualifications of these diviners…." Nils Heeßel, in press and communicated privately, now adds that his collection of the OBE 11 colophon results in the reading DUB-*pí* ⌈ dSîn(XXX)-

⌈*ka*⌉-[   ], "Tafel des Sîn-ka[…]," with no supporting evidence for "tablet 90," as Jeyes translated; my thanks to him for sharing this information.

[53] This was, of course, also the era in which the syllabary was under reform.

[54] Alster (1997: xvi–xvii) argues for an oral and secular origin for these texts.

[55] A still more radical example might be the professional and lexical lists of the Late Uruk period. No precursors or forerunners were needed to develop these complex technical documents, which were among the earliest texts. It is, of course, an open question as to the process by which the brand-new technology of writing itself developed, but I prefer the position adopted by Glassner (2003: 216), which argues for a similarly "created" rather than an "evolving" technology.

2.7   LATER REFERENCES TO EXTISPICY'S ANTIQUITY

Potency and legitimacy were accorded to Mesopotamian cultural forms for their vener-ability, and extispicy was indeed viewed as an ancient art — but only in the first millennium, when it was already more than a thousand years old. The claim of antiquity was advanced for the first and only time in a text from Aššurbanipal's seventh-century B.C. library, that the antediluvian king Enmeduranki was taught the art by the god Šamaš, the king then passing his knowledge on to wise scholars.[56] "Enmeduranki" is a slight corruption of the Enmeduranna known from the Sumerian King List. Yet though the Sumerian King List dates to at least the twenty-first century B.C., *it* mentions no wisdom traditions of any kind — only that Enmeduranna was a king ruling at Sippar for 21,000 years.[57] A third and final reference to Enmeduranna is in the King List compiled by Berossus in the third century B.C., but here again we find no reference to liver divination.[58]

As Pongratz-Leisten argues,[59] the Aššurbanipal-era claim has little value as historical evidence. The ancient pedigree of knowledge texts was part of a wider royal claim to hold independent access to divine will by privileging the past as a site of original knowledge production, such as with Aššurbanipal's famous boast to have "read tablets from before the Flood."[60] Earlier ages had in fact emphasized the antiquity of knowledge to a lesser degree. Neither within the Old Babylonian technical literature or in secondary references to liver divination are there any references to its antiquity, nor even to its general origins (see section 2.5 regarding the absence of colophons).[61] Old Babylonian scribes, like Neo-Assyrian ones, embraced antiquarian learning, but there is nothing to suggest that they looked on extispicy as an especially ancient tradition. This is reflected in the Old Babylonian use of the terms *bārû* and *bārûtu*: though we know of plenty of *bārû*s in the Old Babylonian period, the term *bārûtu* was little used.[62] We know the names of hundreds of Old Babylonian "diviners," but almost no abstract concept of "divination"; the Old Babylonian craft was still too heterodox (or newly orthodox) to admit abstraction.

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[56] Zimmern 1901: no. 24 (= K. 2486); cf. Lambert 1969 and 1998. Starr (1983: 3) dubs Enmeduranki the "Prometheus" of extispicy.

[57] Jacobsen 1939; see Steinkeller 2003 for the Ur III fragment of the Sumerian King List. Sippar was not one of the cities associated with liver divination in the third-millennium year-names (rather, Nippur, Ur, Isin, and Larsa), but was later correctly associated with the first-known (Old Babylonian) extispical literature.

[58] Verbrugghe and Wickersham 1996: 19, 70: Enme(n)duranki/na is here "Euedorankhos of Pautibiblon." Though he is given one of the shortest antediluvian reigns in the Sumerian King List (21,000 years), he is tied (with the hero "Xisouthros of Larankhos") for the longest one in Berossus' list (64,800 years).

[59] Pongratz-Leisten 1999: ch. 6 passim, but esp. p. 309: "In seiner Zeit wird die Interdependenz von Selbstpräsentation im Umgang mit "Geheimwissen"

und die terminologische Bezeichnung von Wissen, das als Teil des Herrschaftswissens betrachtet wird, offensichtlich."

[60] Lambert 1957: 7–8: One Koyunjik text (K. 4023) does claim that it was originally set down by an Enlil-muballiṭ, a "sage of Nippur knowledgeable in the craft of *bārûti*," and identified in the colophon as active in the time of Enlil-bani of Isin (ca. 1850 B.C.) — but note that the text itself is a medical text.

[61] E.g., in the *ikribu*-prayer of the diviner (Goetze 1968). The Sumerian used in Foxvog's (1989) "Manual of Sacrificial Procedure" is written with "at best only ad hoc approximations of the Akkadian"; see also section 2.4 on the "Sumerian Liver Omen."

[62] AHw 110 gives the first use of *bārûtu* as m/spB; CAD B 131–33 gives "from Old Babylonian on," but offers no pre-Kassite usages except Silbenvokabular A 39f.: nam.úzu = *ba-[ru-tu]*.

2.8   PROCEDURAL DISSIMILARITIES TO SCIENTIFIC METHOD WITH RESPECT TO
        OBSERVATIONALISM

Finally, a theoretical problem: divination's similarity to scientific procedure, and the implication that observationalism was its underlying mechanism, has lent weight to the idea that its process was documentary in nature. The analogy to "science" is partly welcome. It sets liver divination at a distance from the semantic fields of "temple religion" and "magic." It is justifiably pinned on both a) science's similar status in modernity as an irreducible form of knowledge, and b) divination's likeness to the scientific method in its systematic organization of phenomena, causal association to other repeatable phenomena, the creation of extensible theoretical categories, and (apparently) in the employment of observation.[63] But the analogy is limited: absent are the critical methodologies which also characterize modern science: experimentalism, problematization, falsification, disproof.[64]

Observations of livers have been presumed to be the means by which the first omens were transferred to their place in the texts (e.g., "If X is observed, then Y"), but that process is not visible in the textual precipitate.[65] The presumption that a gradual process of accumulation and compilation retrojects observationalism into extispicy's genetic development.[66] A historicist point of view, however, looking at the concentration of early evidence into the century ca. 1850–1750 B.C., sees this idea as dubious: the absence of a documentary trail (as discussed above) itself militates against the existence of either an observational procedure or a principle of causation whose mechanism did not require the heavy framing of both scribe and specialist.[67]

It has been almost fifty years since Thomas Kuhn (1962) first critiqued the presumption of cumulative observationalism as the mode of progress in the sciences (*The Structure of Scientific Revolutions*). Kuhn argued that change in scientific knowledge is characterized by sudden crises in thought that demarcate otherwise long periods of quiescent paradigm.

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[63] The most programmatic statement to this effect in recent times has been J. Bottéro's (1992) essay "Divination and the Scientific Spirit" (first published in 1975), but it is a sentiment echoed in many quarters, aimed at establishing divination's intellectual position (if not its technical history) as "science." Similar expressions may be found in Oppenheim 1964: 210–11; Starr 1983: 7–8; Bahrani 2003; though also as "philosophy" in this last case. Arrayed somewhat against these positions (though without intending to explain the entextualization of divination), are Koch-Westenholz 2000; Rochberg 1999; Pongratz-Leisten 1999: esp. chs. 1 and 6; and Farber 1995.

[64] Although verifications of individual omen *readings* are known from a relatively early point in the practice of extispicy, there never were attempts to verify the omens themselves — only to continually add to the corpus, to revise by increasing (rather than reducing) the likelihood of alternative explanations. In practice, the (always secondary) observation or observer could be wrong, but never the original observation.

[65] See Rochberg 1991 on the observational fallacy in astronomical omens.

[66] Commonly compounding this presumption is a conflation of the undoubted third-millennium practice of divination and a presumed early technical literature argued against above (sections 2.1–7). P. Michalowski (2006: 247): "Divination is commonly thought to be one of the salient characteristics of Mesopotamian culture and the great libraries of the late period were filled with long omen series. And yet all these omens were composed in the Akkadian language and not a single early omen in Sumerian has been found; the only such examples are very late bilingual texts that are clearly scholastic in nature. The distribution of omen texts as well as the exclusively Akkadian technical terminology of the craft contrast with the information gleaned from other sources that provide ample evidence of divinatory practices in early times."

[67] See Roth (2001: 248–52, 281), who argues that Mesopotamian legal and scientific collections did not grow as accretions of abstract, universal, and operational principles, but were gathered as particular "examples of successful practice."

Although this stance has not been adopted uncritically by intellectual communities,[68] one of Kuhn's most long-lasting and widely subscribed ideas is that observation has never been — can never be — free of theoretical framing. In these points — the punctative nature of scientific development on the one hand, and the rejection of some root of "pure" observationalism on the other[69] — extispical literature deserves the analysis of its entextualization, of its texts as a literature with a history, not as a unitary form that presumably existed from time immemorial. Someone created it, and for a reason.

2.9 SYNTHESIS

This part of the discussion has argued against the existence of any scholarly tradition for liver divination prior to the nineteenth century B.C. In so doing, it refutes no particular opinions to the contrary, but counters a scholarly discourse too accepting of certain very modern premises about the observational origin of the practices, amplified by some tendentious claims of later antiquity. Thus, though little that I have argued above has not been considered in some fashion elsewhere, it is my hope that there is a particular value in bringing all these strands of evidence together in a systematic fashion. It is not my purpose to destroy a "straw man": the next section turns its attention to the entextualization of liver divination, to thinking about the reasons why it came into being when and as it did. Central to the discussion is the coincidence of the rise of the extispical literature with the 150-year period during which Mesopotamia descended into intra-regional war.

3.0 A CREATED LITERATURE:
EXTISPICY IN THE ERA OF WARRING STATES

The Old Babylonian era in which extispical texts first appeared was one which suffered from chronic warfare, and divination and diviners figured prominently in the courts and councils of the warring states of nineteenth- and early eighteenth-century Babylon, Mari, and Larsa. In my view, the divinatory craft was appropriated by competing Amorite courts, hungry for legitimizing devices. What we have missed in presuming a further antiquity to the corpus is that the redaction of divinatory arts into a technical literature was more a product of state competition and warfare, not the reification of a genuine set of Sumerian practices, precepts, or (least especially) observations. The project to deliberately encode and control this common-culture form enabled Old Babylonian kings to define alternative access to divine knowledge. These practices remained garbed in the clothing of a traditional craft, yet operated on new protocols of secrecy and deliberately blurred generic distinctions between magico-ritual, religious, legal, and scholarly traditions,[70] the influence of all of which have been noticed in extispicy and vice-versa. In this sense, the law codes of the same period (indeed, of the same *sub*-period of the Old Babylonian) should be seen as parallel projects, undertaking to establish ultimately unverifiable claims of authority through a legal voice.

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[68] E.g., Horwich 1993.

[69] One might usefully compare this gradualist point of view with J.-J. Glassner's (2003) understanding of the origins of the Mesopotamian writing technologies.

[70] See Koch, this volume, p. 43.

It is *not* my opinion that divinatory texts formed a "secret code" of some kind. It *is* my opinion that the flexibility, secrecy, and privileged nature of the practice and the practitioners provided a screen behind which political objectives could be achieved without criticism. I turn my attention now to some characteristics of Old Babylonian liver divination that argue not only against third-millennium origins, but for a deliberate composition in the courts of the warring states. I focus first on three issues related to the technical literature itself, and then turn to two aspects of the social and political world of Old Babylonian divination:

3.1   Deliberate archaisms in liver models and omen compendia

3.2   Low comparability between and among extispical corpora

3.3   Military and political character of the OBE omens

3.4   The "secular" position of Old Babylonian diviners and divination

3.5   The information war and the "secrecy paradigm"

3.1   DELIBERATE ARCHAISMS IN LIVER MODELS AND OMEN COMPENDIA

Third-millennium orthographies and sign-forms make some appearances in Old Babylonian liver-omen texts. A few such features appear in the earlier Mari liver models[71] and more in the Larsa technical literature,[72] but in general are not so much a feature of the later Sippar compendia represented by OBE.[73] Since these features appear together with younger Old Babylonian forms within the same texts or between "duplicates," their inconsistent use has prompted puzzlement: were these features genuine relic forms preserved by scribal tradition?[74] Old Babylonian scribes were of course not only well practiced in copying tablets from the Sargonic and Ur III periods, but in reproducing antique forms and deploying them in specific contexts (perhaps most famously in the Codex Hammurabi). At a minimum we can say that archaisms were used, in Roth's words, to "magnify the authority of the composition."[75] It seems plausible that duplicates might appear in both archaic and younger cursive scripts,[76] but the preservation of such a miscellany of archaic forms in mixed-style points toward the deliberacy of an archaizing purpose.[77] Archaic forms were more likely ornamental to new compositions, not surviving relics of earlier ones.

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[71] See esp. Gelb 1956: 7: "As against the few archaizing features of the Mari texts linking them with Sargonic, the majority of the features show post-Ur III innovations."

[72] Goetze 1947a: 1; note mixed-script (both archaic and cursive) appearing mostly on compendia (YOS 10, nos. 17, 22–23, 25–26, 29, 37, 39, 42, 44–45, 47–50, 55, and 61), but also on a liver model (no. 1), and an undated report (no. 19).

[73] Jeyes 1989: 9–14, where the similarity to Neo-Assyrian texts is stressed; see also Koch-Westenholz 2000: 17–18.

[74] Gelb 1956: 7.

[75] Roth 1995: 73, referring to the Codex Hammurabi, which uses an archaic ductus and orientation of the writing, as well as an "archaizing literary language" in the prologue and epilogue. The "hymnic-epic dialect" might be another example of a deliberate archaizing style, which depended on sign-form, morphology, and word choice (used in, e.g., the Elegy on the Death of Narām-Sîn; see Westenholz 1997: 25–26, 204–05).

[76] E.g., YOS 10 34, a later cursive partial duplicate of YOS 10 33, written in archaic script.

[77] E.g., YOS 10 22, in mixed script, partial duplicate of YOS 10 24 (archaic).

Another area in which archaization shows up is in the extispical *termini technici* themselves, which employ an artificial Sumerian jargon.[78] The zones and marks of the liver first appear almost entirely in Akkadian, but shift to an almost exclusively Sumerian terminology by the end of the Old Babylonian period: in the earliest phase of terminologies (Old Babylonian I), only one of fifteen terms (ká é.gal) was expressed ideographically; by the third phase (Late Old Babylonian), only one of ten terms (*tīrānū*) remained in Akkadian.[79] Far from reflecting an original technical vocabulary, anatomical similes like ki.gub, kal, or ká é.gal had no terminological use in the third millennium. The artificial nature of the terms is complemented by the failure of Old Babylonian extispicy to perpetuate pre-existing anatomical terms — notably the word for "liver" itself (bar).[80] A newly invented cryptolect had been preferred over an accepted terminology.

It is not an end in itself to observe the existence of archaisms as formal features; one must ask why the scribes chose to use them. Along with the use of historical kings in the omens and the conscious insertion of an artificial "omen" in the Ibbi-Sin letter, [81] it seems probable that the "antiqued" nature of extispical texts was window dressing meant to add to their authority. A deliberate attempt was made to present the technical literature as a genuine, transmitted antique — an intention scholarship sometimes reproduces in accepting its antiquity — and it is precisely this intentionality that points toward the original composition of the technical literature in the Old Babylonian period.

3.2   LOW COMPARABILITY BETWEEN AND AMONG EXTISPICAL CORPORA

The lack of intertextual connections between extispical technical texts and their ephemeral literatures has been briefly noted above (section 2.0), but we should look more systematically at the low comparability between the Old Babylonian technical texts themselves:

1. between the Sippar corpus and other extispical traditions,
2. between the major types of contemporary technical literature, and even
3. between the variants and duplicates themselves.

I do not pretend to offer a full comparative analysis of this massive body of primary literature (about 3,193 published Old Babylonian omens[82]), but some general observations

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[78] Koch-Westenholz 2000: 14, noting the "absence of [other] Sumerian terminology"; see also section 3.2 below regarding solecisms and hapaxes. The many unique similes compiled by Nougayrol (1976: 343–50) attest to the heterodox creativity of the literature; see also the many additions in Jeyes 1989, e.g., OBE 2 obv. 2′, in which the "View" (igi.tab) is uniquely "like a reed stylus" (*kīma qarṭuppim*). The problems noted in tracing the etymology of *ṣiḫḫum*, CAD Ṣ 178b–179a, may also reflect its origin as a neologism.

[79] Goetze, YOS 10 5.

[80] Compare the well-attested use of bar ("liver") in third-millennium literature to mean "spirits" or "mood" to the few second-millennium attestations of its use to mean "omen" or "portent," restricted to

lexical lists (PSD B 107–109). Marcel Sigrist (pers. comm.) has also brought to my attention a comparison between BM 29663, an unpublished Ur III list of anatomical terms; cf. YOS 13 47–49, where only a minority of terms are shared.

[81] Michalowski (2006), positing that the "false" nature of the omen may have been a "hidden commentary on current events from the time of Samsuiluna." As he points out, the insertion cannot have been intended as a genuine omen, since the scribes who inserted it would have known it was not original.

[82] Jeyes (980: 107) estimated 2,160 published Old Babylonian compendious liver omens, to which should be added the 402 omens she published in 1989, totalling about 26 percent (Jeyes 1989: 11) if 10,000 compendious omens ever existed. In addition

are in order. It becomes clear on reading through the specialized literature that, while some part-parallels and partial duplicates can be located within the many thousands of lines of omen texts, the number of *direct* duplicates across all three[83] of these comparable categories is simply too low to support the idea that any major effort was invested in actually copying omens. While it is true that some duplicates and varied parallels exist, two points may be made.

First, duplicates and omens are in the vast minority within an enormous technical literature whose signatures, if anything, are unique expressions. Most omens are *not* parallels or duplicates, even though much of what has been written about omens has focused on duplication.[84] When one peruses Starr 1983 or Jeyes 1989, for instance, one could gain the impression that a great deal of overlap exists between the primary sources they study because a great deal of ink in the notes is reserved for investigating links between extispical texts (notwithstanding the contrapuntal commentary on solecisms and hapaxes). This is a perfectly understandable feature of a scholarship which hopes to understand these most obscure practices by using allied information wherever it may be found. Yet in service of this goal, methodological concerns about anachronism are often suspended in the presumption of a greater background of copying; the likenesses are part of a greater unity of likeness, as it were, and the unalikenesses are seen as heterogeneously unalike.

Second, a definitional problem has persisted in referring to "duplicates" which has promoted an artificial appearance of overlap: the majority of claimed "duplicates" are omens reproducing or approximating only the apodosis or protasis of other omens. In my view, while this may indicate a literary or oral borrowing, it is not a duplicated omen per se: the comparability exists only on the level of signifier (protasis) or signified (apodosis), not on the level of the sign (omen). What we see is the emulation of literary motifs, not the copying of actual observations.

How much comparability should we really expect between these texts? Too stringent a definition, too literal a comparativism, runs the risk of overdefining a threshhold between "real" copying and a "phony" scribal erudition. Still, we ought to be able to see a much greater degree of overlap than we do if we are to preserve the idea that what was being recorded in these texts were, even partially or secondarily, observed and repeatable phenomena. In wanting some evidence that some texts were employed as the source material for other texts, we

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to these 2,562 compendious omens, we know of some 37 published Old Babylonian extispical reports (see Koch-Westenholz 2002: 130 for a catalog; the reports contained in the relevant Mari letters might also be added to our totals), which range from as few as 10 to as many as 23 observations each, averaging around 16; from this I derive a working total of 592 more ominous passages. Finally, the published Old Babylonian liver models, which number around 39 (38 referred to by Meyer 1987: 11, and at least 1 more subsequent to his work; Jeyes 1989: no. 19), in many cases specify as few as 1 ominous sign; for the sake of convenience, I use the estimate of 39 to arrive at a total of 3,193 published omina. A full one-to-one analysis of these units would involve more than ten million comparisons!

[83] It would be irrelevant and anachronistic to consider, for our historical study of the Old Babylonian

texts, the comparability to a fourth category, to Neo-Assyrian extispical texts (though these are the basis for many analytical comparisons in the secondary literature of these technical texts). Not surprisingly, however, it may be remarked that all aspects of a transmitted literature are in evidence in the later *bārûtu*, for which copying and transmission bespeaks a much more overtly antiquarian project.

[84] The variability within Old Babylonian technical literature is again reminiscent of the situation in early writing; Christopher Woods (pers. comm.) writes of UD.GAL.NUN values: "Typologically, writing systems reveal a high degree of variability and experimentation in their infancies, only later becoming confined by the conventions and standardizations that typify their mature phases."

are much more disappointed than satisfied. What is more in evidence are contemporaneous text series whose material was drawn out of the heterodox oral traditions of individuals and/or guilds who shared a common-culture craft.[85]

The differences between the Old Babylonian "northern" (i.e., Babylon and Sippar) and "southern" (i.e., Larsa) extispical traditions have long been noted, and there is little use in comparing two text traditions that were perhaps not fundamentally comparable.[86] Yet, taking the north-Babylonian compendia from Jeyes 1989 as a more manageable but still sizeable sample — 402 omens are substantially preserved on eighteen tablets[87] — it is striking how few observations are true duplicates or parallels. We can also point to the high incidence of hapaxes and unique phrases within the OBE texts. Extispical texts are filled with arcana and strange turns of phrase, of course, but I am not speaking of interpretive problems: at least nine terms or phrases are not otherwise known in Old Babylonian extispical literature,[88] and fourteen more are not known from extispical literature of any time or place.[89] Given that the same sample produces only one genuinely duplicate omen (see below), this already suggests more differences than similarities to other corpora.

Forty-seven OBE omens are partial duplicates or parallels: that is, protases and apodoses that are duplicated or paralleled outside the corpus, but without their partner clauses. In fifteen of those forty-seven cases, duplicates or parallels of OBE protases can be found elsewhere — but married to mismatched apodoses;[90] twenty-six apodoses are known in other texts, but now without the protases attached.[91] Only five full omens among 402 are duplicated within the same OBE texts,[92] and only one has a contemporary Old Babylonian parallel, where the

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[75] In this, we might draw a parallel to the Balkanization of the lexical tradition in the Old Babylonian, where local curricular traditions were privileged over any notion the more unified lexicographic practices observable in the third millennium (most recently, Veldhuis 1999: 102).

[86] See especially Koch-Westenholz 2000: 17f. Among the relatively sparse technical literature originating at Mari, I am unaware of any parallels or duplicates with either the Sippar or Larsa corpora.

[87] Jeyes 1989. Discussions of OBE texts here do not include Jeyes 1989: no. 10, from Ur. The remaining eighteen OBE texts only serve as a sample to suggest the direction that a full analysis of all Old Babylonian texts would take. The OBE texts may all derive from Sippar, but their use as a corpus has substantial methodological challenges: they are divided between two periods of composition (a group dated to the time of Samsuiluna, another to Ammiṣaduqa), by completeness (Jeyes expects these eighteen tablets should be part of a total of ca. 100 tablets), by series (the omens mostly address different zones of the liver), and by comprehensibility (31% of the omens are either broken [21.4%] or obscure [9.5%]). The thirty-seven compendia of YOS 10, most of them individually much longer, would probably present a superior sample for major research.

[88] OBE 1 obv. 3′, 19′ and rev. 7′; 2 obv. 13′; 3 iv 5′, 15′; 14 rev. 19′; 15 rev. 20′; 18 rev. 20.

[89] OBE 1 obv. 4′, 9′, 24′; 2 obv. 2′; 3 iv 14′; 6 obv. 2′; 7 obv. 8′; 12 obv. 6; 13 rev. 19′–20′; 14 obv. 11, 18, 36, 38.

[90] The relevant OBE protases appear in: 2 obv. 3′, 8′–10′, 13′; 8 obv. 1′; 14 rev. 10′; 15 rev. 4′; 16 rev. 9′ and 27′. Five other possible parallels rely on restoration *from* the proposed parallel: 2 obv. 4′; 1 rev. 20′–21′; 2 obv. 7′; 4 obv. 14′.

[91] The relevant OBE apodoses appear in: 1 obv. 7′, 10′, 13′; 2 obv. 14′; 5 obv. 4′, 7 obv. 10′; 9 obv. 16′; 13 rev. 7′, 9′; 14 obv. 19 and rev. 5′, 12′; 16 rev. 12′; 18 obv. 6–7; 19 obv. 1–2. Ten other possible parallels rely on restoration *from* the proposed parallel: 1 obv. 5′; 4 obv. 13′; 2 obv. 11′; 3 iii 15′; 4 obv. 10′, 12′; 9 obv. 24′; 11 obv. 8; 13 obv. 4′; and 16 rev. 25′.

[92] One of these duplicates appears within the same text: OBE 1 rev. 15′ (among rev. 12′–15′, where an observation is duplicated). The other four omens are duplicated within short passages of OBE 13 and 14: 13 rev. 11′ (paralleled by 14 obv. 33), 13 rev. 17′–18′ (by 14 obv. 17), 13 rev. 19′–20′ (by 14 obv. 34–35), and 13 obv. 13′ (by 14 rev. 7′). Both OBE 13 and 14 are Late Old Babylonian observations from the same BM collection concerning the series SAG ŠÀ: given that OBE 13 preserves thirty-six omens, and OBE 14 preserves seventy-eight omens, the question should be: why are only *four* omens paralleled between the texts?

sense of the omen is identically intentioned (though not worded) — and significantly, it is a "historical omen" of Akkad, for which an oral rather than scribal tradition is not difficult to imagine.[93] Neither in part nor in whole do the other 349 OBE omens have evident parallels or duplicates anywhere outside the corpus.

Jeyes took passing note of both "partial duplicates" or "partial parallels,"[94] but the significance of these oddities has never been satisfactorily explained. Indeed, the problem becomes even stranger when we consider "partial duplicates" *within* the OBE corpus. Not enumerated above are six partial duplications of protases or apodoses in other OBE texts: in three cases we find the protasis duplicated without the apodosis; in two cases, the apodosis without the protasis; and in one case we find both halves of an omen duplicated — but split between two different omens![95] What seems impossible is to imagine a scribe who would borrow at will an extispical observation or its result, and freely marry it elsewhere if copying was the intellectual project. To refer to "duplicates" or "parallels" without a more stringent definition implies copying and observationalism, whereas what we see is re-editing and (by a standard of observationalism) outright original composition. To recap: of 402 OBE omens, there is one verifiable (if very general) parallel, but the other fifty-two known "duplicates" are *partial* duplicates which would of course violate the principles of causation that would be encoded in observational record-keeping. Whatever else this editing process can be called, it cannot be said that faithful transmission of data was a concern of the editors; creativity and reconfiguration of omens far outpaces genuine copying.

There also seems a very low incidence of comparability between Old Babylonian extispical reports (of which thirty-eight are known[96]) and compendia, though, once again, a full study is beyond the scope of this paper.[97] A modest experiment, however, suggests the result: using four Late Old Babylonian extispical reports as a sample,[98] we find forty-three individual observations that are preserved or dependably restored, thirty-four of which are the aberrant types that appear in compendious texts.[99] Among these, only one of those reported observations can be found within the protases of the OBE compendia (and it is the very common "there was a path to the left of the gall bladder").[100] Since these four reports are all Late Old Babylonian, all

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[93] The omen is OBE 19 3–7, the very last in the volume. OBE 1 7′ has, Jeyes argued, four "parallels"; yet, while OBE 19 3–7 records a "Hole in the [x] of the Presence," its three "parallels" actually find the Hole in "the middle of the View to the right," "in the rim of the Path," and "in the middle of the View in its centre" — altogether different observations. Indeed, four other omens in OBE 16 (3′–5′ and rev. 20′) have genuine duplicates — but they are all later Neo-Assyrian ones.

[94] E.g., Jeyes' notes to OBE 14 rev. 5′ and 10′.

[95] Protasis only: OBE 1 obv. 18′; 13 obv. 3′ and 9′ (second protasis only). Apodosis only: OBE 1 obv. 23′; 7 obv. 7′. OBE 13 obv. 9′ also includes a protasis and apodosis which appear separately within the corpus. The situation of "partial duplicates" is reminiscent of several compendious texts found in YOS 10 (e.g., nos. 22, 24, and 26), which duplicate some sequences of omens, but not others.

[96] The thirty-seven cataloged by Koch-Westenholz 2002, plus one more in Richardson 2007.

[97] Using the following sample as the basis for an estimate, the thirty-eight known Old Babylonian reports contain approximately 323 aberrant observations; checking these against the estimated body of 3,193 published omens would require over a million individual comparisons.

[98] The reports in Richardson 2002. Although the sample size is not convincingly large in itself, it should be noted that two of those reports derive from the same museum collection as nine of the OBE compendia (nos. 1, 8–9, 11–16), thus probably belonging to the same archive. On this basis alone, some degree of comparability should present itself; it does not.

[99] That is, omitting from statistical consideration statements that certain features were simply "present," which are generally not represented in the compendia.

[100] This protasis should indicate the very general positive apodictic reading of "defeat for the enemy" (i.e., the enemy of the client — not to be confused with the more specific "defeat for the enemy army," found

from northern Babylonia, and half from the same divination archive as the OBE compendia, is it not reasonable to hope, if the reports were written to be "keyed" to the massive compendia, that more than *one* might be found among the 402 OBE omens?[101] Alongside the extremely low incidence of duplication and the high incidence of "partial duplication," the fact that the reports match up so poorly to the compendia does not lend much credence to the idea that a process of observation and verification was in use.

What small overlap exists between extispical series from different places, between technical types, between even duplicate texts of the same type from the same place, suggests much more of a common-culture tradition and scribal familiarity from use than it suggests these texts were a core source material for a scholarly project of continued observation. Of course, cuneiform literatures are entirely characterized by variability between recensions, allied text types, local traditions — but minor variations versus comparabilities as low as the ones outlined above have to suggest vastly different editorial processes. One crucial clue lies in the dates alone: no extispical report to our knowledge is dated before Ammiṣaduqa 2 (1645 B.C.), while compendia were in production from at least 1822 B.C. and mostly finished by 1712 B.C.[102] The compendia and the reports really belonged to different historical epochs, composed for different purposes (see section 4.0).

3.3 MILITARY AND POLITICAL CHARACTER OF THE OBE OMENS

The formal aspects of extispical texts outlined above point away from the idea that even the earliest-visible stages of the project involved disinterested, scholarly observationalism. Yet if this was not its purpose, what was? One approach would be to return to look at the subject matter of the ominous apodoses; a topical analysis of the omens from OBE reveals a primary concern with political and military intelligence.

The concerns of the OBE texts are most economically represented in tabular form (see table 1). Type A subsumes those apodoses which are concerned with interstate competition: military action (A_1),[103] geopolitical affairs (A_2, including diplomacy, court intrigues, territorial dispositions), and the political affairs of "the prince" (i.e., the king, NUN/*rubûm* in northern Old Babylonian texts), especially news of and for him.[104] Although the subjects of domestic traitors, usurpers, border garrisons, etc. are not explicitly "interstate" concerns, they do reflect the competition between the royal courts of Mari, Ešnunna, Larsa, Elam, etc. Type B are those apodoses whose contents are either obscure and unintelligible (B_1) or simply too broken (B_2) to place in either Type A or Type C. Type C apodoses, finally, are those

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elsewhere). For a survey of Old Babylonian extispical reports, see Koch-Westenholz 2002.

[101] Though note a few instances in which the recorded protasis seems to anticipate or indicate prior knowledge of the associated apodosis (e.g., BM 97433; see Richardson 2002). Such protases do seem to indicate that the author of the report was the diviner himself, perhaps to some degree obviating the need for reference materials.

[102] The range of dates for the compendia are established by their apparent earliest appearance in the time of Rīm-Sîn I of Larsa (reigned 1822–1763 B.C.),

and their relatively isolated Old Babylonian production after the time of Samsuiluna (died 1712 B.C.); see Koch-Westenholz 2002: 132–33; Jeyes 1989: 5; Goetze 1947a: 1.

[103] In this typology, a differentiation between apodoses mentioning the "enemy" (i.e., the enemy of the client, thus Type C) and the "enemy army" (Type A) has been strictly observed.

[104] By "political affairs," I mean to exclude those apodoses about "the prince" which are not *prima facie* concerned with interstate competition.

Table 1. A brief typology of apodictic concerns in the extispical compendia published in OBE (Jeyes 1989)

Type A: Apodosis concerns interstate competition: Military action (A_1), geopolitical developments (A_2), "the prince" (A_3)
Type B: Apodosis may belong to either Type A or Type C due to uncertain meaning (B_1) or broken text (B_2)
Type C: Apodosis concerns matters other than statecraft: signs from the gods (C_1) and non-state affairs / *résults divers*

Aṣ = Ammiṣaduqa
Ha = Hammurabi
Si = Samsuiluna

OBE No.	BM Collection	Date	Series	A_1 military	A_2 geopolitical	A_3 the prince	B_1 uncertain	B_2 broken	C_1 the gods	C_2 résults divers
1	1902-10-11	Aṣ	KI.GUB	21	4	5	4	3	5	4
2	91-5-9	Si 20	IGI.TAB	4	6	—	3	2	—	—
3	94-1-15	Si 20	IGI.TAB	13	2	—	10	4	3	—
4	91-5-9	Si 20	IGI.TAB+ *puzrum*	5	—	—	2	5	—	3
5	94-1-15	Si 20	*puzrum*	4	1	—	—	2	—	—
6	94-1-15	Si 20	*puzrum*	2	—	—	2	—	—	1
7	83-1-21	Aṣ	KÁ.GAL	1	2	—	4	—	2	1
8	1902-10-11	Aṣ	mixed	1	2	—	1	30	—	—
9	1902-10-11	Aṣ	ŠU.SI	6	5	4	1	3	4	1
*10**	*Ur*	*Ha / earlier*	*šibtu*	*—*	*4*	*—*	*3*	*5*	*—*	*15*
11	1902-10-11	Aṣ	gišTUKUL	4	8	—	3	5	—	1
12	1902-10-11	Aṣ	ŠU.SI MUR *kīdītum*	5	—	—	1	—	—	—
13	1902-10-11	Aṣ	*tal*/SAG ŠÀ	12	4	3	3	10	2	2
14	1902-10-11	Aṣ	*tal/rēš* ŠÀ	17	7	33**	3	2	9	7
15	1902-10-11	Aṣ	BI.RI	5	7	4	—	—	1	1
16	1902-10-11	Aṣ	*kalītum / elibuḫḫum*	7	5	6	1	18	1	2
17	1900-10-16	OB	*šulḫum*	3	1	—	—	1	—	—
18	1900-10-16	OB	mixed	3	—	—	—	1	2	2
19	94-1-15	OB	*tākaltum* model	1	1	—	—	—	—	—
Totals			402 omens →	114 (28.4%)	55 (13.7%)	55 (13.7%)	38 (9.5%)	86 (21.4%)	29 (7.2%)	25 (6.2%)

Type A: 56% of apodoses concern state business

Type B: 31% of apodoses are unclear

Type C: 13% of apodoses do not concern state business

* OBE 10, from the "southern tradition" (and note its emphasis on non-military matters) — is not included in the totals.

** Most of the OBE 14 apodoses about "the prince" are explicitly concerned with military and geopolitical matters.

concerned with subjects that seem more epistemic in their intent to explain signs throughout the world at large — as an open system of knowledge, not a fixed or closed one.[105] Type C includes signs of the gods which do not clearly indicate whether the concern is either state or private business (C_1),[106] and the *résults divers* which more apparently have no connection to the state business of Type A omens (C_2). Some examples:

A_1 OBE 1 rev. 12′:   "my raid will search for much booty in the enemy's country"

A_2 OBE 9 obv. 21′:   "they will revolt against [the king] in the council"

A_3 OBE 14 obv. 37:   "the prince will get his advisers from his palace servants"

B_1 OBE 3 iv 6′:   "(or:) couriers"

B_2 OBE 7 12′:   "[…] the fall of […]"

C_1 OBE 3 iv 7′:   "the presence of Ištar"

C_2 OBE 1 obv. 3′:   "the son of a herald will die"

The results are quite lopsided: with almost a third (31%) of the apodoses of an undetermined nature (Type B),[107] the remaining subject matter is overwhelmingly concerned with state business (Type A with 56%, Type C with 13%, a 4:1 ratio). Of the omens whose subject matter can be clearly discerned, the focus is emphatically on the expedition of the army, palace coups, harem intrigues, on the fall of cities rather than on predictions of curses, abundance of the harvest, medical conditions, etc.

The most insistent concern of Type A omens is for two areas of action out of the direct sight of the king: the success of the army in the field, and stability within the loyalist class. The interest in military action is not hard to spot: omen after omen fears the "fall of the army while attacking" (OBE 1 obv. 15′), that the "army will not reach its destination (OBE 2 obv. 15′), that "the enemy will strike at the core of your army" (OBE 4 rev. 13′), that "you will lead away in captivity the population of the city you are besieging, but another will enter it" (OBE 13 obv. 8′) — information so specific that it borders on the tactical.

Loyalty is the other pre-eminent concern of the texts. Betrayals endangered the Amorite monarchies on many fronts: among the king's populace, officials, military, vassal kings, even the dynastic family itself. An emphasis persists throughout the compendia on tracking the movements of both people (logistically) and allegiances, in which the deceptions of friends are a prominent feature: "a servant of the king will slander him" (OBE 13 rev. 8′); "the sons of the prince will rise against their father with malevolence" (OBE 14 obv. 20); "the proletariat

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[105] The crudeness of this typology is to an immediate purpose. The durability of divination was due in part to its use of deliberately enigmatic apodoses. These constructions, which permitted a great deal of flexibility in interpretation, were in practice precisely because of their metaphoric applicability as vehicles for perhaps limitless tenors; see Sasson 1995 for a discussion of enigmatic constructions in prophecy. These interpretive needs were manifested through cognitive biases such as illusory correlation, availability heuristics, and "hot" (e.g., emotional) cognition.

[106] Those omens mentioning divine signs explicitly related to Type A concerns have been counted there.

[107] I have been extremely conservative in apportioning cryptic or metaphorical apodoses away from Type B or C_1 to Type A, even though one gains the overall impression that "obscure" omens are couched in metaphorical language that were meant to be interpreted as referring to affairs of state, e.g. "a well-known woman will die."

[108] See also Koch-Westenholz 2000: 14, who sees in this a functional consistency with third-millennium

(*hupšum*) will rebel" (OBE 14 obv. 24); "his courtiers will kill him" (OBE 11 obv. 3); "an envoy telling dangerous lies will arrive" (OBE 13 rev. 12′–13′); "defection of a diviner" (OBE 14 rev. 48).

These concerns are very much of-the-moment: the omens are not really concerned with the far-flung future and "fortune-telling," but with a shifting status quo. They are consistent with what we know of Sumerian extispicy, that it was used to reveal what already existed, though hidden or unrecognized — not what would come to pass in the far future.[108] Our readings of many ancient Near Eastern omens and prophecies already expect that their authors intended them as messages about the present (often with reference to the past), couched in a future tense, *ex eventu* in their voice. In this connection, one should note the indistinction or ambivalence between the Akkadian verbal present and future tenses, and that the apodictic verb is also known to appear in the stative, the perfect, or even the preterite.[109] The presentist nature of extispical knowledge is now also forcefully underscored by Heeßel's study (this volume), which establishes that the "stipulated term" for which extispical readings were valid were limited to a maximum term of three years, and most often for much shorter periods of time.

The formal aspects of causation and future tense should not take our eyes from the content: Old Babylonian extispicy tried to determine courses of action for the conduct of statecraft in the here-and-now, having to do with the immediate outcomes of present conditions, in war, in diplomacy, in staffing. In reading an omen that said to the king "they will revolt against you in the council," we should understand that the real message was not to predict some future revolt, but to give notice that the council was at that moment or incipiently disloyal and plotting. That the omens took political and military intelligence as their subject matter should nevertheless not, I believe, direct us toward a strictly functional view of extispicy — that it had an exclusive, primary, or dispositive role in determining policy — but that it served a function parallel to civil and military channels of intelligence and political pressure. The paradigm of information-gathering for leaders of states at war is not to construct a single and infallible source, but to construct multiple, overlapping, and even competing branches to advise leadership.[110] Part of this structuring is functional (in the sense that it increases intelligence and offers verification),[111] part political (in that it polices and builds an image of total state knowledge), part hegemonic (in that divination specifically braids in and blurs distinctions between religious, military, political, and cultural forms of authority).

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divination: "There is nothing to suggest a Sumerian practice of predicting future events."

[109] E.g., apodictic verbs in the stative: "the fall of my army," OBE 1 obv. 8′; "the prisoners of war are cowed," ibid., rev. 4′ (*qaddu*, adj.); in the perfect: "a snake has charged," OBE 1 obv. 9′, MUŠ *i-te-še-er*; in the preterite: "the discipline of the prince's army was not firm," OBE 12 obv. 1 (cf. Jeyes' translation, "will not be firm," but also OBE 18 21, *iq-bu-ú*, recognized by Jeyes). Both the stative and perfect are attested in the Mari omens: e.g., stative: ARM 26/1 2, 5 (*ṣabit*),

3, 10 (*radi*); perfect: ARM 26/1 3, 4 (*ittabal*). Where Sumerian verbs are employed, the prefix /ba-/ likely also reflects the perfect (OBE 1, passim: ba-ug$_x$).

[110] Most interesting among OBE omens are those which advise the king to trust or distrust the advice of his own retainers: e.g., OBE 16 rev. 25′, "the king will accept the word of his servants"; Jeyes 1989: 27. The presence of multiple diviners also attests to this chambered approach to political administration.

[111] What in modern intelligence analysis is referred to as "Analyses of Competing Hypotheses."

3.4   The "Secular" Position of Old Babylonian Diviners and Divination

The subject matter of the texts then match up very closely to the sociopolitical position of divination in an administrative economy fueled by secrecy, intrigue, and a concern for the secure transmission of information. In spirit, the technical literature better resembles the intelligence technologies of states at war[112] than, say, scholarly projects like medieval hagiographies or Enlightenment encyclopedias.[113] In this respect, the palace orientation of divination is probably reflected in what we know of third-millennium extispicy; while it is anachronistic to describe divination as "secular," I use it here to mark as erroneous any idea that its origins were essentially part of Babylonian religion.[114] While earlier liver divination indeed concerned temples, there is little evidence for it as *part* of temple cult: that is, extispicy was used to choose chief priests and sites or dates for temple-building by kings, but there is little indication that it was used by cult personnel. From earliest times, diviners had primarily been agents *exterior* to the temple household used by the palace for verification. The communicative mode of temple cult was sacrifice, but sacrifice was a distinctly secondary gloss on Old Babylonian extispicy. The communicative mode of extispicy was professional interpretation, and its incorporation of Babylonian gods and use of sheep and goats as media / *materia magica* resulted from orthopraxy, not orthodox theology.

In general, diviners appear in third-millennium contexts which are not cultic, and divination is also absent from divine hymns. No reference is made to divination in either royal letters or hymns to Utu (the god most commonly associated with divination), nor in temple hymns mentioning Utu of Sippar or Larsa,[115] nor indeed for any other gods.[116] I am aware of no incantation or ritual text from the Old Babylonian period (or earlier) which sets the work of the diviner inside a temple, nor any instance in which the title máš.šu.gíd.gíd is further clarified by an extended title "of Temple Name."[117] The gods, meantime, are in sparse attendance

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[112] In the 1950s and 1960s Cold War, agencies such as the CIA did not limit their interests to "scientific" technologies like cryptography and handwriting identification, but conducted active research in the paranormal, magic, witchcraft, psychic ability, and psychoactive drugs. The fact that these were and are all discredited pseudo-sciences did not prevent the Agency from devoting significant resources toward researching them as potentially useful tools for intelligence-gathering. What is most directly analogous to the present argument is not so much that the appropriation of those arcane "knowledges" actually secured or verified information gathered otherwise, but that it helped to secure the Agency's pre-eminent position as a locus of secrecy, helping it to bypass political constraints on the pretext of secrecy-in-wartime.

[113] On the close alliance between classification and surveillance, however, see especially Lyon 2007.

[114] See section 3.0 and n. 65, and *pace* Winitzer, this volume. I do believe that a theological integration of divination was underway no later than the Late Old Babylonian period (that is, post-Samsuiluna), but that those were post-entextualization rationalizations. Notwithstanding, as is true of many *ex post facto* rationalizations, their constructedness is difficult to observe because of later belief in them.

[115] Note the following compositions among those translated on the ETCSL Web site: the "letter from Sîn-iddinam to the god Utu about the distress of Larsam" (3.2.05); Hymns Utu B, E, and F (4.32.2, .e, f); the "temple hymns" (4.80.1) lines 169–78 and 479–93 (and also lines 16–23).

[116] References to extispicy are similarly lacking in hymnic literature to the other gods associated with extispicy (Enlil, Inanna, and Iškur); the only possible exception of which I am aware is Enlil A (4.05.1) line 113 — yet it uses the máš.e ... dab₅ formula of Sargonic year-names about which I have expressed doubts above. Note also the heterogeneous distribution of addressees of Old Babylonian reports: Šamaš is found there, but also Sîn, Marduk, Annunītum, Nanaya, and Ištar (Goetze 1957).

[117] One may further compare the rare instances of máš.šu.gíd.gíd "of Divine Name" to the well-attested military-style title ugula máš.šu.gíd.gíd: I am aware of one "diviner of the god Marduk" mentioned in ARM 26/2 371 — though he appears, explicitly, in the palace gate.

within the lines of the omen literature: to be sure, they are routinely called upon at the outset of extispical reports, and the compendia do enumerate the occasional "sign of Ištar," but these features do not indicate institutionalism any more than a "weapon of Sargon" indicates specific historical knowledge about the dynasty of Akkad.[118] Secondary extispical literature (that is to say, not the technical literature, e.g., the "prayer of the diviner") may mention Šamaš, but never other priests, shrines, or temples. Rarely do the omens take cultic personnel as their apodictic subjects (see section 2.1); instead, in addition to military personnel (see section 3.3), they are concerned with councils, courtiers, cupbearers — the civil, military, and domestic servants of the Crown.[119]

Readers will already be familiar with the extensive network of diviners employed by the Mari kings, despatched to the courts (petty and great) of greater Mesopotamia. More than forty-five diviners are known by name from the court of Zimri-Lim alone, posted in more than two dozen foreign palaces, fortresses, and towns.[120] From the kingdom of Babylon, diviners are also primarily seen to be engaged in state business having to do with diplomacy and military matters, a picture derived not only from the technical literature,[121] but also from letters and administrative texts.[122] One may summarize the functional role of diviners in the vast majority of texts as being in service to the king in a variety of ways related to intelligence — as diplomats and spies in foreign courts, on the march with armies, in private council to kings, in charge of fortresses.[123] Diviners' chief concern with interstate affairs is also evident in terms of the environments in which they moved: the compendious texts discuss the cityscapes of palaces, gates, walls, harems, and storehouses — but not temples — and landscapes far beyond the city walls: garrisons and strongholds, borderlands, army bivouacs, battlefields, roads, and the open country. These latter places were, by the urban orientation of Mesopotamian theology, de facto relatively unprotected by the gods, spaces across which movement of goods and personnel was a dangerous business.[124] By a geography of knowledge, one would better

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[118] Note, as Jeyes (1989: 30–31) does, the compendious preference to refer generically to "the gods," rather than any one specific god by name.

[119] See Jeyes 1989: 33–34 for the incidental figures who appear among the OBE omens, none of whom are cultic or temple personnel.

[120] Other than Ašqudum, whose missions are too numerous to mention here (to Aleppo, Emar, Qaṭṭunān, Saggarâtum, Karkemiš, Suḫû, Ḫana, etc.), some diviners acting as foreign agents for Mari include (but are not limited to): **Erīb-Sîn**, mission(?) to Babylon (ARM 27 161); **Hammī-esim**, mission to Mišlān (ARM 26/1 168); **Ilšu-nāṣir**, resident in Andarig (ARM 26/2 442), and mission to Ša Bāṣim (ARM 2 22); **Inib-Šamaš**, mission(?) to Babylon (ARM 26/1 102–04), in the field near Ḫirītum (ARM 27 151); **Išḫī-Addu**, mission to Dūr-Yaḫdun-Lîm (ARM 26/1 121), in the field at siege of Aḫunā (ARM 26/1 117), mission(?) to Emar (ARM 26/1 112); **Išmaḫ-Šamaš**, resident at Dir on the Baliḫ (ARM 26/1 247); **Kakka-Ruqqum**, in the field near Ḫanat (ARM 26/1 131); **Māšum**, resident at Mišlān (ARM 26/1 168–72); **Narām-Sîn**, mission to Terqa (ARM 26/1 137), and resident at Šitullum (ARM 26/1 138 bis);

[120 cont.] **Nūr-Addu**, mission to Qaṭṭunān (ARM 26/1 139–40); **Sîn-rēmēni**, resident at Kahat (ARM 26/1 108 bis); **Šamaš-īn-mātim**, resident in Terqa (ARM 26/1 142–44); **Šamaš-inaya**, resident at Dir on the Baliḫ (ARM 26/1 145); **Yamṣi-ḫadnu**, resident at Mišlān (ARM 26/1 168–72); **Zikri-Ḫanat**, resident in Suḫû (ARM 26/1 154), expedition to Yabliya (ARM 26/1 156); **Zimrī-Dagan**, resident at Tuttul (ARM 26/1 157). Many other Mari letters mention the dispatch to or residence of known diviners in unspecified locations, unspecified diviners in known locations, and unknown diviners to unknown locations.

[121] See Jeyes 1989: ch. 2 passim; at the apex of these duties, diviners could be appointed outright rulers of conquered cities, as with Aqba-Ḫammu's post at Qaṭṭarā after control fell to Hammurabi (Van De Mieroop 2005: 61).

[122] See Richardson 2002: ch. 4 "The Diviners' Archive."

[123] "Private" activity by diviners is not well represented until the Late Old Babylonian; see section 4.0.

[124] See the letters of the diviner Išḫi-Addu (including ARM 26/1 112–18, 123, 125), which are chiefly concerned with safe dispatch and travel — of troops,

contrast than compare temple religion (where truth was to be found with the god, in his cella, at the very heart of the city) to extispicy (where truth was to be found by a professional, inside a sheep, from the transhumant zones of the countryside).

Most critical to this study is that Old Babylonian diviners served these roles in an era of prolonged and aggravated crisis than that they were "secular" figures per se. The existence of divination as an already accepted form of para-knowledge made it an ideal vehicle for the ideological re-inventions and circumventions of the day. To make a categorical distinction between the "secular" and "sacred" would fall afoul of a modernist dichotomy that would have mystified an ancient Mesopotamian; yet to write a primarily "sacred" valence back into a history of Old Babylonian divination would be a correspondingly severe mistake. If we do not credit these actors with the intellectual, social, and political ability to consciously manipulate traditional signals for their immediate needs, we miss an opportunity to see how the forms that remain, dried in clay, began as impressionable substances in the hands of master scribes.

3.5 THE INFORMATION WAR AND THE "SECRECY PARADIGM"

Why should divination, first attested as a craft in the Early Dynastic period, only now in the Old Babylonian take on this new entextualized aspect? Why should the paradoxical dimensions of secrecy and a written tradition develop simultaneously after a thousand years of practice? An episode from the Mari letters first drew me to reflect on this apparent paradox. ARM 26/1 101–04 are letters from agents of Zimri-Lim on a diplomatic mission to Babylon; the last of these complains of Hammurabi's violation of secrecy protocols in favor of attachés from Ekallatum:

> The servants of Išme-Dagan (king of Ekallatum) … have ousted the lords of the land and they themselves have become the masters of Hammurabi's council. He listens to their advice. Once or twice, when (Mari diviners) … read the oracles and reported on them, [these men] were not asked to leave. As they were present, they heard the message of the oracles. What other secret is there beside the secret report of the diviners? *While his own servants do not hear the secrets of the diviners, these men do!*[125]

Both the process and results (sometimes even the practitioner) of liver divination were insistently secret. Divination was highly charged as a secret enterprise: a "secret" (*pirištum*, later *niṣirtu*) in extispical contexts could refer not only to the results of an inspection, but to the spoken word of the diviner, the written reports, the person of the diviner (*mukīl pirištīšu*),[126] even to the liver itself — secrets to be guarded against being "stolen," "betrayed," "leaked," or "seized."[127] Coupled with what we have observed above about the diviners' place in courts

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female *aštalû*-singers, cattle, individual agents, and the king himself (cf. ARM 26/1 138 bis).

[125] ARM 26/1 104, translated by Van De Mieroop 2005: 58, after Charpin 1999; emphasis mine. In another letter, the two Mari diviners in question were forced by Hammurabi to reveal their extispicies in front of Babylonian diviners, who refused to divulge their own (ARM 26/1 102; cf. 96).

[126] The identity of many Babylonian diviner-agents was kept deliberately anonymous: several letters from

the king to his *bārû* (including VS 16 27, 59, 60, 61, 97) were addressed only to, e.g., "the diviner living in Sippar-jaḫrurum," even though the other addressees in the letters were named by name.

[127] Jeyes 1989: 16–17, 23: the signs or answers designated *awātum* were implicitly synonymous with *pirištum*; note that, from what little reference there is to extispicy in the third millennium, there is nothing which suggests secrecy.

distant from their king's;[128] about Zimri-Lim's network of dozens of diviners throughout Syro-Mesopotamia; about their entrustment with troops, fortresses, and other materiel[129] — the context of intelligence for divination's "secrecy paradigm" is difficult to ignore.

Yet though it seems only natural that kings should hold secrets of state together with their advisors, and that those secrets were of a sensitive nature, Hammurabi's exclusion of the Babylonian councillors in favor of foreign agents in ARM 26/1 104 strikes a more discordant tone. It has been typical to think of divination as a form of knowledge that was sensitive due to its content, that what liver divination did was to passively reveal (rather than actively create and communicate) secrets.[130] Yet there has been remarkably little association of divination's emphasis on secrecy to its military-political subject matter. This reluctance may arise because a functional explanation of extispicy might seem to compromise or reduce the status of a classic Mesopotamian intellectual project, but knowledge forms are too much artifactualized if we do not approach them as historically contingent.

The century in which extispical literature first came to light is the same one in which the courts and scribaria of Mari, Babylon, Larsa, and Ešnunna were in such an unparalleled state of political and military flux that the atmosphere may fairly be said to have been revolutionary. In the sphere of ideological production, this revolution saw re-inventions of at least four major patterns of political power and legitimation. Political authority was established on hybrid grounds of both dynastic authority and genealogical descent.[131] The political envelope of city-state dynasticism was being pushed by the novelty of single cities with multiple dynasties (e.g., Mari, with two competing dynasties, and Larsa, with at least three successive ones) and single dynasties with multiple centers (e.g., Šamši-Adad and sons, Larsa and Jamutbal, Elam's *sukkal* and *sukkalmaḫ*).[132] An unstable system of vassalages, peerships, and royals-in-exile had grown up which encouraged a virtual marketplace competition for power. Fourth — and perhaps most relevant to our analysis here — this competition extended well below the level of kings and viziers, to courtly, military, and urban officials, who jockeyed not only for position relative to one another, but even marketed their loyalties between royal courts.[133] This is the political culture which forms the backdrop of extispical text-production in the palace sector.

I posit two different functions of the extispical literature in its creative period; these functions intersect in the issue of secrecy. On the level of ideology, extispical texts defined a body of knowledge independent of religious authority, control over which not only permitted kings a direct access to the divine will, but which was inaccessible to other authorities.[134] If the state arises by means of its monopoly of legitimate violence — that is, through a generalized,

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[128] Jeyes 1989: 21–22.

[129] Richardson 2002: ch. 4.

[130] Jeyes 1989: 35, 70: "it was the access to state secrets which the court diviners had which made them [a risk]."

[131] Best represented by the Genealogy of the Hammurabi Dynasty and the sections of the Assyrian King List leading up to the reign of Šamši-Adad I; see Michalowski 1983.

[132] This fragmentation may be said to prefigure the rise of the territorial states of post-1500 Mesopotamia, which were never again founded on the primacy of single city-states as they were in the third millennium.

[133] The Mari letters of ARM 26/1 reveal this all-pervading atmosphere of distrust and competition in superabundance, but a few illustrative examples can be cited: for recruitment of spies, informers, and defectors, see ARM 26/1 35, 93, 140?, 381; for denunciations of officials and diviners, see ARM 26/1 4–6, 32, 45, 88, 101, ARM 26/2 302, 303, 312, 326, 380; for denunciations of kings, see ARM 26/1 40 and ARM 26/2 371.

[134] This may be contrasted with many of the references to "secrets" in Sumerian literature (ad-ḫal or líl), which are reserved for the gods.

coercive principle of inequality (Trigger 1985) — it can only do so by first controlling the terms of legitimacy (Kelly 2006). Securing structural inequality thus presupposes control over the *terms* of privilege, over access to knowledge: what the state finally requires is privileged knowledge, is secrecy.[135] Extispicy, through its explicit claims to secrecy but also through its voluminous and exclusive technical apparatus, helped to establish that equality gap for Old Babylonian kingship.

The principle of secrecy operated on a second level of praxis, too: claims of exclusivity allowed kings a very real free agency in the realm of intelligence. Control over extispical knowledge permitted the creation of a loyalist cadre of diviners, parallel to other cadres, who by definition operated on principles of secrecy for intelligence-gathering. This "secrecy paradigm" created opportunities for kings to establish

- internal policing to monitor staff loyalty and information security
- firewalls to encourage but control intra-organizational elite competition[136]
- opportunities for backchannel diplomacy
- free movement of political agents across non-urban and foreign zones
- permanent networks of agents whose activities could circumvent the strictures of courtly politics

The pre-eminence of these secrecy functions is made clear by the Mari "diviners' oath" (ARM 26/1 1), in which ritual and scholarly concerns go entirely unmentioned: the oathtaker swears not to hide information; to reveal information only to Zimri-Lim; to reveal the identity of diviners who have violated their disclosure oath; to report "evil rebels" who have "hostile mouths," especially those who have tried to use the divinatory apparatus for their own ends. That is, not only the secrets and the secret-holders were under royal authority, but the process itself.

Divination thus did not merely reflect the subject matter of the Mari letters when it read signs of warring states and secret news, it was the medium through which those struggles were processed. The vertical structures of command in dynastic city-states were simply not sufficient to meet the challenges of a continuous state of internecine war in nineteenth–eighteenth-century B.C. Babylonia. Divination afforded alternate avenues for kings to transmit information securely and quickly in insecure environments peppered with disloyal courtiers, traitors, and spies, and fast-marching armies. At the same time, divination ambiguated lines of control and clamped down on self-interest among internal elites by creating multiple channels of information, cross-checking, and verification.[137] The hallmark of this new tool was the simultaneous discursive power of truth *and* secrecy.

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[135] Hence the Holzer quote at the outset of this article. Trigger (1985: 52) sees the state's appropriation of community practices in privileged forms as a hallmark of state authority claims; these knowledge forms then "cease to be [allies] of equality and become an adjunct of class privilege and state power."

[136] Myerson (2008) considers the "dynamic moral hazards" of leadership over elites through normative optimal incentives (such as delayed rewards) and sanctions such as randomized (but fair) trials; systems of unknown but ubiquitous monitoring may complement such techniques by encouraging participation controlled by fear or shame.

[137] One need only reflect briefly on the seemingly endless permutation and proliferation of contemporary intelligence agencies to see the need of political executives for alternative sources of information. At the beginning of the last century, the United States government staffed only a handful of very small offices, staffed by only a few dozen intelligence officers. By 2002, these had mushroomed into some twenty-two agencies employing almost 200,000

Secrecy is not disharmonious with ritualism, but it does not harmonize so well with the development of a massive literature consisting of hundreds of tablets, ±10,000 written omens, the communication of results in written and dated reports, the development of reference tools like liver models, or the discussion of omen results in letters. The "secrecy paradigm" is best revealed by its absence in two contexts. The first of these is its absence from the school curriculum: although, by our estimate above, some 3,200 Old Babylonian omens survive to this day, not a single extispical school text is known until the Kassite period.[138] Extispical knowledge was indeed produced by scribes, but the texts were not taught as a part of Old Babylonian scribal knowledge.

The second is extispicy's absence from Old Babylonian royal inscriptions. Though the craft had been acclaimed by Šulgi and Gudea[139] in ages past, extispicy was absent from this more public literature. Hammurabi (once) and Samsuiluna (twice) speak of "signs" (giškim/ittū) signifying their legitimate power, but these almost certainly refer to celestial or terrestrial signs, not extispical ones.[140] Among all Old Babylonian kings, only Warad-Sîn mentions têrtū — probably liver omens, but rather vaguely.[141] The school curriculum and royal inscriptions addressed different audiences for different purposes, but divination's absence from both literatures emphasizes its isolation from persuasive efforts to speak through the literati or to the literate public. Old Babylonian kings never boasted or bragged about extispicy because it was *not* a public discourse of power like temple religion or patronage of ancient literature.[142] It was not meant to be publicly legitimizing (as remained the patronage of gods and temples); it was not yet a classical cultural form for junior scribes to master (as were royal hymns).

For whom, then, was extispical literature developed? Again, we should turn to divination's functional, political environment for answers. Though the need for quick transmission of news from city to city between political agents was paramount, the security of that information was mediocre at best. We know of paired messengers sent to corroborate the contents of letters, a kind of "double-key system";[143] we know of the capture and interrogation of envoys;[144] of decoy messages sent to courts in opposite directions at the same time;[145] of limitations placed on the movements of even allied ambassadors within the Babylonian cities;[146] of hidden

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people, not including several agencies (e.g., the OWI, FIS, COI, OSS) that have come and gone in the intervening years. In recent years, bureaucratic competition and protectionism have come to be blamed more for intelligence failures than the politicization of intelligence — the structure and process more than the content. The 2003 and 2004 amendments to Executive Order 12333 restructured seventeen agencies under the authority of a Director of National Intelligence, but other agencies maintain some degree of structural autonomy.

[138] See above, section 3.2; Veldhuis 2000: 74, 82; further significance is discussed in section 4.0.

[139] Knowledge of extispicy had also been attributed to Narām-Sîn and Sîn-iddinam by Old Babylonian scribes.

[140] Frayne 1990: Hammurabi (E4.3.6.16) mentions giškim, Samsuiluna mentions once each (E4.3.7.7) ittū and (E4.3.7.8) giškim. ittū seems not to have been used to mean "signs" or "marks" in extispicy until first-millennium Bārûtu.

[141] á.ág in Frayne 1990: 4.2.13.17 and .27; as against .16 and .24, where he refers to giškim.

[142] Of course "temple religion" and "literature" were highly exclusive practices, but both were publicly valorized.

[143] E.g., ARM 26/2 384 (translated by Van De Mieroop, after Charpin 1999): "When Išme-Dagan's messengers told him [their message], Hammurabi replied: 'As you don't want to complete your message, my servant who has come with you will do so.' So Hammurabi fetched his servant who had come with them...."

[144] E.g., ARM 6 27 and 26/2 372, 383.

[145] Most famously, the double-cross of Elam against Larsa and Babylon reported in ARM 26/2 362 (when learned by Mari), and the triple-cross organized in turn against Elam by Rīm-Sîn and Hammurabi.

[146] ARM 26/2 370 (trans. by Van De Mieroop, after Charpin 1999; cf. ARM 26/2 361 and 363): "The man was sent as envoy from Eshnunna to Hammurabi. After he arrived in Babylon, Hammurabi released the

messages and messengers;[147] and, as mentioned above, the not-so-discrete method of barring some people from the council chamber while others got to stay in. The variety of means by which to improve and protect intelligence were many, but intrinsically limited to the reliability of people.

In claiming a perquisite of secrecy for their texts and procedures, diviners created "spaces" — legitimized secrecy-complexes of environment, personnel, opportunity, and action — in which the king could gain advice and information from people outside the normal channels of court and council, and sometimes without their knowledge altogether. (What I do *not* suggest is that divination texts were themselves a "secret code" or the like.) Extispical texts carved out an exceptional, secret space at the highest, most rarefied levels of power; divination's authority paralleled the military power of generals and political power of viziers, a flexible intelligence protocol developed to keep politburos in the dark and kings in the know. The "antiqued" cultural legitimacy of this new science of communication with the gods protected it as a *mysterium*, one tool among many enabling the king to move and communicate freely in an environment swimming with other political actors and agents.

CONCLUSION: ON SEEING AND BELIEVING

It was only a later development, under Ammiṣaduqa and Samsuditana, that reports were written for private clients; only in the Kassite period that we first find extispicy in school curricula. Not until these features arise can we speak of a scholarly and scientific category of knowledge called *bārûtu*. The historically attested distribution of texts referring to and constituting extispical practice conform to the following course of change:

- first, a third-millennium southern tradition of extispicy used within the old Sumerian temple-cities for the selection of cultic personnel, a procedure which was not committed to text but existed as a local, heterodox, and orally transmitted craft down into the nineteenth century;[148]

- second, the nineteenth/eighteenth-century appropriation of that craft tradition by newer, north-Babylonian courts at Ešnunna, Babylon, Mari, and Larsa,[149] entextualized in liver models and compendia, a new *techné* redeveloped in the context of Mesopotamian state struggle;[150]

Eshnunnan messengers and soldiers he held prisoner, but he still has limited their movements inside the city." See also ARM 26/2 420 (in which messengers of Ekallatum and Mari are kept separate from each other in Kurda) and 26/1 77, a prison detainment to solicit information.

[147] E.g., ARM 26/2 384 (in which messengers protest "We are not hiding a secret message!") and 414.

[148] Since orally transmitted cultural forms cannot be assessed for their similarity to standardized written forms, to refer to this as "oral tradition" would be oxymoronic.

[149] Since Larsa is the only city in which both the third- and second-millennium traditions are attested, it likely plays a crucial role in this transformation. Note that Larsa also boasts the last king from a "historical" omen, Warad-Sîn's *têrtū*, and the "outsider" status of the Kudur-mabuk dynasty as important features marking Larsa's central role.

[150] J.-J. Glassner (pers. comm., 2007) has taken the position that another change attending this historical phase of the literature was that "diviners began to understand the omens as written signs and no more as images."

- third, a gradual, Late Old Babylonian (seventeenth century) and Kassite-period re-transmission of this codified extispicy as an epistemic form of knowledge, represented newly within the scribal curriculum through school texts[151] and in civil society through extispical reports for private clients.[152]

Assuming for the moment that these stages represent fundamentally different uses of the same technology, we see not a unitary science of extispicy under a single process of gradual development, but three extispicies, each developed and put to its own end. In Kuhnian terms, the first and third stages were paradigms, the second revolutionary. Since all three stages may also be located within the Old Babylonian period itself — four centuries long, no small timeframe! — we are looking at a perfect illustration of how periodization can sometimes mislead our thinking. Historical periods are not necessarily coincident with paradigm; changes can come in the middle, and paradigms reign at beginnings and ends.

Do we do an injustice to divination to locate its compositional moments and purposes so precisely? After all, the system of omina ranks among the greatest signatures of Mesopotamian intellectual life. To see its composition determined by political exigencies will strike some as mechanical and reductive, eroding the "conceptual autonomy" of Mesopotamian culture, or failing to appreciate the emic sensibility of ancient beliefs and practices in needing a "practical" explanation. Yet what I argue for is to see a venerable and respected tradition from one time and place, borrowed and reconfigured in highly sophisticated ways in later times and other places. Mesopotamian kings drafted liver divination into service not simply because it was legitimate (all such knowledges propagated by political actors are legitimizing, so this is truistic) — not because it was infallible or irreducible (the question of belief cannot anyway be proved) — nor because it was mere political legerdemain — but because it offered them another choice, a "third way" between traditional kingship and rule by naked force, bases of legitimacy which were, now, equally shaky in this time of prolonged warfare. A strictly historicist and minimalist survey of the temporal and geographic evidence permits this reading without having to see any one period through the eyes of another. "Historicizing" has to require the interrogation of all documentary classes, all texts analyzed, questioned, doubted; "context" must be established without recourse to projection of fragmentary evidence generically and periodically, as if the distribution of what is recovered were purely circumstantial.

No form of human inquiry is autogenetic; since no form of knowledge is unconstructed, composition need not be at odds with belief when historical change occurs over time. As it came to be, seeing wasn't believing — but *believing* in seeing was believing. Within a very short period of time (indeed, before the end of the very dynasty which helped initiate the project), divination was released into the "stream of tradition," where it grew and flourished in a life of two thousand years.

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[151] Veldhuis 2000.

[152] When written reports finally make their appearance almost two centuries after the first compendia are known, it seems significant that they are exclusively written for private clients. Conspicuously absent from the known reports is the person who was far and away the client most commonly identified in the compendia: the king. Reports thus constitute a different form of use for extispicy, marking its emergence into civil-social use only well after the era of warring states had come to an end.

APPENDIX 1

Mesopotamian year-names referring to priestly nominations via sheep omens.[a]

AKKAD:

    Narām-Sîn: "o" variants: en/nin.dingir en.líl; "ll": en ^{d}nanna.

LAGAŠ II:

    Ur-Ningirsu I: "a": šíta-ab.ba; "b": lú.maḫ ^{d}ba.ú; "c": išib ^{d}nin.gír.su / nin. dingir ^{d}iškur.*

    Gudea: 19: lú.maḫ ^{d}inanna.[b]

    Pirigme: "a": en nina^{ki}; "f": išib ^{d}nin.gír.su.

UR III:

    Ur-Namma: "d": en ^{d}inanna unug^{ki}; "h": en ^{d}nanna; "j": nin.dingir ^{d}iškur.

    Šulgi: 15 and 43: both en ^{d}nanna.

    Amar-Sîn: 4: en ^{d}nanna.

    Ibbi-Sîn: 2: en ^{d}inanna; 10: en ^{d}nanna / ^{d}inanna*; 11: en ^{d}enki eridu^{ki}.[c]

ISIN:

    Išbi-Erra: 13: en.gaba ^{d}inanna; 22: en.bára an.na.

    Iddin-Dagan: 3: nin-dingir ^{d}iškur; 5: en ^{d}inanna; 8: nin.dingir ^{d}nin.kilim.

    Išme-Dagan: "a": en ^{d}nanna; "e": en ^{d}en.líl.

    Lipit-Ištar: "g": en ^{d}nin.gublalaga úri^{ki}.

    Damiq-ilišu: 4: lú.maḫ ^{d}nin.ì.si.in^{ki}.

LARSA:

    Gungunum: 6: en ^{d}utu.

    Abisare: 10: en ^{d}utu.

[a] This index compiles exempla of Frayne 1993; 1997; and 1990; Edzard 1997; and the year-names Web site of the CDLI project (http://cdli.ucla.edu/tools/ yearnames/yn_index.html). Pains have been taken to ensure that multiple listings are not presented here, but the designations of individual year-names (especially where their order remains unknown) has inclined toward the CDLI site in the interests of clarity. Asterisks (*) designate directly contrary readings by those sources.

[b] A fragmentary year-name of Gudea may also be a nomination: mu nin.dingir […] (Edzard 1997: 27).

[c] Unusually, this year-name identifies the nominee's previous position as šita-priest of Ibbi-Sîn.

APPENDIX 2

"Omens" from Jacobsen 1987 misunderstood as "extispicies."

Th. Jacobsen's oft-cited *The Harps That Once…* (1987) remains the most popular translations of Sumerian poetry. Yet what Jacobsen often translates as "omen," "diviner," or "divination," however, and then annotates as an extispical procedure, are either explicitly or probably non-extispical. This list of six passages from that work serves as an example of this definitional drift, not an exhaustive study:

1. In "Dumuzi's Dream," lines 17–25, Geštinanna is said to "know the writings" (Alster 1972: 55, "tablet-knowing"), but this is for the interpretation of a dream omen, not a liver omen.

2. The so-called "Eridu Genesis" was specifically understood by Jacobsen (1987: 145) to make reference to a liver divination, but this is apparently a confusion of ki-azag (= *amūtu*, the pure or precious metal) for *amūtu* "liver"; cf. Poebel (1914: 13, 17 line 9′: ki-azag-ga), who made no translation suggesting extispicy.

3. Jacobsen (1987: 290 and n. 30) more emphatically connects an epithet of Enki in "Enmerkar and the Lord of Aratta," to the (supposedly extispical) omen readings for the appointment of en-priests, translating "sagacious omen-revealed lord of Eridu." Vanstiphout's (2003: 65) translation, however, makes better sense of geštúg-ge pàd-da (line 153) as "chosen for wisdom" — and avoids the logical fallacy of a god said to be chosen by men through omens!

4. In the "Hymn to Enlil," Jacobsen's translation of line 56 (é-a en-bi é-da mú-a) is "the en-priest was a diviner," but the term for diviner there is mú, a kind of disputant seer, not a liver-omen diviner. Falkenstein (1960: 21) gave the altogether different "Der Herr des Hauses ist mit dem Haus zusammen großgeworden."

5. In the "Nanše Hymn," what Jacobsen translates in line 131 as "divination" is instead given by Heimpel (1981) as "decision" (eš-bar-kin), which is especially unlikely to be an extispical decision, since the message "comes out of the mouth of the Apsu." Like Šulgi's Hymn B, this hymn in general presents a strong contrast between the uses of writing (e.g., for administration) and memorized/intuitive knowledge in lines 110–35, where this reference to eš-bar-kin falls.

6. Jacobsen's (1987: 271; as van Dijk 1983: 145) translation of line 712 in "Lugal-e" mentions "the preeminent tablets, with series (with the rites of) enship and kingship" — but the closest indication of any divinatory pratice of Nidaba indicates only that she read stars (line 726), not livers.

ABBREVIATIONS

AHw	W. von Soden, *Akkadisches Handwörterbuch*
ARM	Archives Royales de Mari
CAD	The Assyrian Dictionary of the Oriental Institute of the University of Chicago
CDLI	Cuneiform Digital Library Initiative (Web site: cdli.ucla.edu)
ETCSL	Electronic Text Corpus of Sumerian Literature (Web site: www-etcsl.orient.ox.ac.uk/)
OBE	Jeyes 1989
PSD	The Sumerian Dictionary of the University Museum of the University of Pennsylvania
TCL	Textes cunéiformes du Louvre
VS	Vorderasiatische Schriftdenkmäler der Königlichen Museen zu Berlin
YOS 10	Goetze 1947a

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