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## SOME REMARKS ON THE SO-CALLED “BIRD TEXT”<sup>1</sup>

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### **ABSTRACT**

*The article takes a closer look at an exceptional Neo-Assyrian text, the so-called “bird text”. The context and the actual meaning remains an open question, but certain features of the tablet reveal information about the netherworld.*

### **KEYWORDS**

*Land Sale, Neo-Assyrian, Netherworld, Šēdus, Birds*

## ALGUNAS OBSERVACIONES SOBRE EL LLAMADO “TEXTO DEL AVE”

### **RESUMEN**

*El artículo mira de cerca a un texto neosirio excepcional, el llamando “texto del ave”. El contexto y el significado actual permanecen como cuestión abierta, pero ciertas características de la tablilla revelan información sobre el Mundo Inferior.*

### **PALABRAS CLAVE**

*Venta de tierra, neosirio, Mundo Inferior, Šēdus, aves*

One of the most intriguing and unique cuneiform tablets in the Kouyunjik collection of the British Museum is the so-called “Bird-text”.<sup>2</sup> Indeed, the text is strange and enigmatic. Already C.H.W. Johns, the author of ADD and the first scholar to discuss the text, remarked “On the whole this is the most exceptional tablet in the collection.”<sup>3</sup>

The text is by all appearances a legal document that is set up as a land sale between two *šēdus*. The *šēdu* of Kār-Nergal is selling a field at the gate of the netherworld to a *šēdu* of a locality that is unfortunately not preserved. The motive for this sale or rather why the *šēdu* of Kār-Nergal is selling and why he even owns land at the gate of the netherworld is unknown. As is common in land sales, a topographical description is given which provides information on the environs of the netherworld entrance.

The text is structured like a conventional Neo-Assyrian conveyance document with the exception of what appears to be lined off sections at the end of the text. This is unusual for a NA legal document and is an indication that the tablet is not actually a juridical text. Unfortunately, the content of these sections as well as the witness list are especially difficult to read as many of the signs are rubbed or damaged.

The text was originally published in copy by Johns in ADD 469 and edited in AR 407.<sup>4</sup> It was discussed in ADD IV No. 854 pp. 94-101 which included collations from Pinches. Pinches’ collations improved considerably the reading of the text. In 1980, S. Parpola

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<sup>2</sup> SAA 6 No. 288.

<sup>3</sup> ADD IV:96.

<sup>4</sup> The copy and edition do not mention the join to 83-1-18, 690 (although it is obvious that the tablet was joined). Also 83-1-18, 690 is listed as unjoined in Bezold 1896 vol. 4:1904.

published additional collations improving the readings still further.<sup>5</sup> The text was re-published in SAA 6 No. 288 (henceforth just SAA). The tablet is written in what may be described as a standard (classical) Neo-Assyrian script.

Since its publication in SAA by S. Parpola and the present writer, the text has been widely accepted as an example of humor. This question may be left open, but by classifying the document as a sort of lark or joke information concerning the netherworld has been overlooked. The text is especially difficult and the following treatment can only present, at best, a few minor suggestions and touch upon some relevant points. It is far from being comprehensive and does not intend to solve the document’s purpose or make a pretence to understand its meaning.

### Transliteration

K. 8398 + 83-1-18, 690

Dimensions: ca. 9.1 x 6.8 x 2.3 cm.

Editions: AR 407; SAA 6 No. 288

Copy: ADD 469

Collations: Assur 2/5 (Parpola 1980); ADD IV:94-101

Photo: Cdli P335408

Date: unknown<sup>6</sup>

Obv.

- 1 [ku-um NA<sub>4</sub>.KIŠIB-šú šu-pur-šú iš-kun šu-pur] šá 1.Lik-pu-ru
- 2 [DUMU 1.Li-pu-ú-gu d.]<sup>r</sup>ALAD šá URU.Kar<sup>r</sup>-d.U.GUR
- 3 [EN A.ŠÀ x x x x K]UR qá-ta-pi

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### Claw Markings

- 4 [É x ANŠE A.ŠÀ ina] <sup>r</sup>ú<sup>r</sup>-šal-li šá <sup>r</sup>ka-x<sup>r</sup>-[x (x)] <sup>r</sup>x x<sup>r</sup>
- 5 [SUḪUR 1.x x x SUḪUR 1].<sup>r</sup>Za<sup>r</sup>-ki-su SUḪUR 1.Ḫa-am-b[a<sup>r</sup>-ru-r]u
- 6 [x x x x x]x.MEŠ <sup>r</sup>ga<sup>r</sup> di mu x[x x x x x x x x]
- 7 [x x x x x]x ku? LÚ\*? 2-ú-[x x x x x x x]
- 8 [x x x x x] x x [x x x x x x x x]
- 9 [x x x x x x x x x x x x x]
- 10 [x x x x x] x <sup>r</sup>É<sup>r</sup> [x x x x x x x x]
- 11 [x x x x]x-na? <sup>r</sup>SUḪUR<sup>r</sup> 1.SUM?-[x x x x x x x]
- 12 [qa-bu]-ra-a-te ina ŠÀ-[bi x x x x x x]
- 13 <sup>r</sup>SUḪUR qa<sup>r</sup>-bu-ri ša a-x[x x x x x x x x]
- 14 šá ŠE.BAR <sup>r</sup>ina ŠÀ-bi<sup>r</sup> la ú-<sup>r</sup>še<sup>r</sup>-[šu-ú-n]i <sup>r</sup>É 2<sup>r</sup> [ANŠE A.ŠÀ]
- 15 ina EDIN ba an? x te <sup>r</sup>É<sup>r</sup> <sup>r</sup>da-[x-x-x]x <sup>r</sup>kiš<sup>r</sup> <sup>r</sup>É ta-b[a-li?-i?]
- 16 A.ŠÀ e-ru-šú <sup>r</sup>la<sup>r</sup> né-mu-lu ŠE.NUMUN <sup>r</sup>ub<sup>r</sup>-bu-lu la i-[na-ši-u?]
- 17 SUḪUR ÍD.Ú-la-ia šá KÁ-Ir-kal-li PAP <sup>r</sup>É?<sup>r</sup> [ x ANŠE]

<sup>5</sup> Parpola 1980. In June 1988, K. Deller gave a public lecture on the text in Munster on the occasion of W. von Soden’s eightieth birthday. A preliminary transliteration was distributed based on a BM photo and notes provided by the present writer. A joint article was planned but never published.

<sup>6</sup> Based on a restoration in SAA 6 No. 288:18 the suggestion was made that the text could possibly be dated to the end of the reign of Esarhaddon. On p. XXXVI it is stated that the text is of an uncertain date.

- 18 A.ŠÀ *la-qé-e-te* ina URU.Za-ku-u-te šá KÁ-Ir-[*kal-li*]  
 19 *ú-piš-ma* 1.Ĥar-ĥa-an-da-a 0! d.ALAD šá É K[Á.GAL]  
 20 TA\* IGI 1.Lik-pu-ru DUMU 1.Li-pu-ú-gu ina Š[À 7 MA.NA]  
 21 *ku-pa-a-te* ina 5 MA.NA UD.DA MÍ.Ar-na-š[*i-x x (x)*]  
 22 MÍ.AMA d.ALAD.MEŠ *il-qe kas-pu kám-*[*mur ta-din*]  
 23 *la né-mu-lum* A.ŠÀ *i-se-qe t[u-a-ru* DUG4.DUG4 *la-áš-šú*]  
 24 *man-nu šá ina ur-kiš ina ma-te-e!-ma* 'i'-[*GIL-u-ni*]  
 25 *lu-u* 1.Lik-pu-ru *lu-u* DUMU.MEŠ-šú [DUMU.DUMU.MEŠ-šú]  
 Rev.  
 26 *ša* TA\* 1.Ĥar-ĥa-an-da-a ù DUMU.MEŠ-šú [*de-e-nu*]  
 27 DUG<sub>4</sub>.DUG<sub>4</sub> *ub-ta- 'u-u-ni* 10 GÚ.UN [x x x SUM]  
 28 4 ITU 'ša' ITU.NE *ša!* ITU.KIN *ina i-ga-[ri ú-še-šab*]  
 29 4 *pu- 'la-a-ni'* SUM-an 5 MA.NA UD.DA 7 M[A.NA *ku-pa-a-te*]  
 30 SUM-an *ina 'de-ni'-šú* DUG<sub>4</sub>.DUG<sub>4</sub>-*ma zi-ki-x*[x x (x)]
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- 31 IGI 1.Sa- 'x(x)-x-id'-*qi* d.ALAD *ša* T[A\* x x x]  
 32 IGI 1.Sa- 'sa-lu'-u 'LÚ\*' 2-u *ša* 'LÚ\*' .A.K[IN?]  
 33 IGI 1. DÜG.GA-sa-la-me 'LÚ\*.x- x-mu? šá kin?' x[x x x x]  
 34 IGI 1.Ú-a-ú-a : *ak- 'ku-ú'* šá URU.[x x x x]  
 35 IGI 1.Qu-a-qu-a : *qa-ri-bu šá 'ber'-ti 'i'-[ga-ra-te]*  
 36 IGI 1.Ĥal-li-ar-ra-ka-a-te : KUR.GI.MUŠEN šá KUR.x[x x x x]  
 37 IGI 1.MURUB<sub>4</sub>-*ĥur-da-a-te* : *a-dam-mu-mu al-p[i?-i?]*  
 38 *ša* DAM-sà *ina* UGU 'šu? 'ĥa-ta-a-te šá KUR *Kaš-ia-[ri]*  
 39 [IG]I 1.Di-ib-ba-a : 'É LÚ\*.tu' *ga zi* x[x x x x]  
 40 [IGI 1.x x x x ] 'x x' x[x] 'x x' [x x]  
 41 [IGI 1.x x x x]x 'i x' *ša? qa 'İR?* [x x x]  
 42 [IGI 1.x x x x x] GÌR.NUN.NA 'šá' *ka-li-'e'* [x x]  
 43 [IGI 1.x x x x x x] 'É' *qa-ri?-te/tú su-uĥ-si-d.* '15'  
 44 [IGI 1.x x x x x]x LÚ\*.'GAR.KUR' EDIN
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- 45 [IGI 1.x x x]x x DINGIR.MEŠ  
 46 [ITU.x x UD] 'x x KÁM?'  
 47 [IGI 1.x x x x] 'LÚ'.A.'BA' KUR.Ĥal-ša-a-t[e]
- 
- 48e [x x x x x x x x]x *a? a*  
 49e [x x x x x x x x]x- 'a'-*ti*

**Translation**

- <sup>1</sup> [Instead of his seal he placed his claw. Claw] of Likpuru  
<sup>2</sup> [son of Lipūgu], a *šēdu* of Kār-Nergal  
<sup>3</sup> [Owner of a field x x]x being picked.

**Claw Markings**

<sup>4</sup> [An area of x homers of land in] the flood plain of [...], <sup>5</sup> [adjoining ... (PN), adjoining] Zakisu, adjoining Hamb[arūr]u ..... <sup>9</sup> [...] adjoining Nādin?-[...], <sup>12</sup> [grave]yards in [...], <sup>11</sup> adjoining the grave of ..[...] <sup>14</sup> where no barley is prod[uced] in it, an area of 2

[homers of field] <sup>15</sup> in the ... steppe, an area of ... and an area of *dry[ness]*. <sup>16</sup> They cultivate a field without benefit and [produce] not even (lit. no) parched seed. <sup>17</sup> Adjoining the Ulaya River of the gate of the netherworld. A total area [of x homers] of a gleaned field in the city of Zakūte of the Gate of H[ell]. <sup>19</sup> Harhandâ, the *šēdu* of the *gat[ehouse (of Hell)]*, has contracted and purchased from Likpuru son of Lipūgu for [7 minas] of bird fodder (and 5 minas of *baltu-thorns* (belonging to) Arnaši-[x x x], mother of the *šēdus*. <sup>22</sup> The money is paid in full. He has bought a field without benefit. Re[vocation or litigation is void]. Whoever in the future (or) at any time [lodges a complaint], whether Likpūru or his sons [or grandsons] and seeks a lawsuit or litigation against Harhandâ and his sons [shall pay] 10 talents of [...]. <sup>28</sup> [*He shall perch*] four months (including) the month of Ab and the month of Elul on a wall. <sup>29</sup> He shall give 4 limestone blocks and pay 5 minas of *baltu-thorns* and 7 m[inas of *bird fodder*]. He shall contest in his lawsuit and *be acqu[itted?]*

<sup>31</sup> Witness Sa-<sup>ʿ</sup>x-(x)-x<sup>ʿ</sup>-idqi, a *šēdu* fro[m ...].

<sup>32</sup> Witness Sasalû deputy of the *mes[senger]*.

<sup>33</sup> Witness Tāb-salāmu an *express messenger* of the ... [...].

<sup>34</sup> Witness Uaua, ditto, the owl of the city of [...].

<sup>35</sup> Witness Quaqua, ditto, the crow that is between [*the walls*].

<sup>36</sup> Witness Longlegs, ditto, the goose of the land of [...].

<sup>37</sup> Witness Middle of Crossbeams, ditto, the *b[ull]* wasp

<sup>38</sup> whose wife (*died*) upon the *crevices* of Mt. Kašīye[ri].

<sup>39</sup> Witness Talker ... [...].

<sup>40</sup> [Witness ...] ... [...].

<sup>41</sup> [Witness ...] ... [...].

<sup>42</sup> [Witness ...] *express mule* [...].

<sup>43</sup> [Witness ...] *storehouse* of the *suḥsi-Issar* plant.

<sup>44</sup> [Witness ...] governor of the steppe.

<sup>45</sup> [...]...-*ilāni*

<sup>46</sup> [Month of x, day] ...

<sup>47</sup> [...] the scribe of the land of *fortresses*?

<sup>47e</sup> [...]...

<sup>48e</sup> [...]...

## Notes

### Obverse

1: [*ku-um* NA<sub>4</sub>.KIŠIB-šú *ṣu-pur-šú iš-kun ṣu-pur*] šá 1.*Lik-pu-ru*: this is the normal seal formula for fingernail impressions. SAA reads 1.*Ur-bu-ru* in place of 1.*Lik-pu-ru*. ADD IV:94 interprets the name as *Tašpuru* but notes on p. 96 that it may be read as *Urburu* or *Liqburu*. PNA A 3/II 1393a defines *Ur-bu-ru* as “Wolf”. It does seem unlikely, however, that a *šēdu* (d.ALAD) would have the name “Wolf”. The reading *Likpūru* “Let them wipe off, clean” corresponds to the patronymic *Lipūgu*, although the reading *Tašpuru* is also possible.

2: d.]<sup>ʿ</sup>ALAD: Scurlock 1993 referring to SAA 3 32 r.4. remarks: “The seller is otherwise identified as a *šēdu*, which creature, as we know from the dream vision of the prince Kummâ, had the feet of an eagle”. That passage deals, however, with a d.[AL]AD ḤUL “Evil Genie”. That the ‘creature’ has the “feet of an eagle” is not quite accurate as eagle is a tentative

translation of ÉR.MUŠEN and is italicized in the translation. In the critical apparatus in SAA 3 32 r.4, it states that ÉR.MUŠEN is: “Either an esoteric writing for *erû*, or (literally) ‘lamentation bird’” and in the glossary: “ÉR.MUŠEN (a bird, reading unknown)”.<sup>7</sup>

In SAA d.ALAD is translated as “genie” which was first suggested by Oppenheim.<sup>8</sup> Note the definitions given in the dictionaries, see CAD Š II 256a s.v. *šēdu* A 1.; AHw 1208a s.v. *šēdu(m)* I. The *šēdu* has been described as “The *male sphinx*” and “seems to have been named d.ALAD, after the (male) human-headed bull”.<sup>9</sup> The *šēdu* is often paired with the female *lamassu* where they are found at entrances.<sup>10</sup>

Kar-d.U.GUR: SAA points out in the critical apparatus that this place name refers to the Nergal cult in Cutha (Kutu, Babylonia).<sup>11</sup> Alternatively, it could also refer to Kār-Nergal (Kišesim) in the Zagros region.<sup>12</sup> In Assyria, Nergal’s cult is in Tarbišu.

The restoration following the name: LÚ.d.]ALAD in SAA is an error based on an incorrect reading in l.19, see l. 19 below.

3: [EN A.ŠÀ x x x KU]R: The sales object is expected here. A suggestion would be to restore the passage as [EN A.ŠÀ šá KÁ IGI.K]UR or similarly.<sup>13</sup> The rest of the line is read as *Ga-su-pi* in SAA, which was noted in ADD IV:96. The *su* sign, however, is written differently in l.5. In ADD IV:100, *gatapi* (= *qatāpi*) was suggested as a reading based on a collation of Pinches. The value *qá* for *ga* in *qá-ta-pi* is rare in NA texts. It is attested in a letter of Adad-šumu-ušur: *ú-pa-qá-da* SAA 10 222:8. *qatāpi* “to be picked, plucked”, if correct, would correspond to the usual verb found in land sales: *tadāni* “to be sold”. Thus land is transferred between *šēdus* by plucking or picking.

The seal space has markings which have been called into question.<sup>14</sup> Thus it has been suggested that the document is unsealed. Unsealed tablets are usually copies or duplicates of an original text. Radner has demonstrated that duplicate documents or texts that have copies are composed by distinct scribes whom she designates as scribe A and scribe B.<sup>15</sup> Radner noticed that the present text does not belong to either of the scribal groups she has described although the text is carefully formed and beautifully written. She therefore opines that the text probably never had an “original”.<sup>16</sup> The present author, when compiling NALK, had asked D. Collon to inspect the seal space since there appeared to be scratches on it.<sup>17</sup> D. Collon confirmed that there are markings in the seal space. As the picture shows the seal space does have somewhat indistinct vertical markings that are interpreted here as scratch marks.<sup>18</sup>

4: SAA reads at the end of line [x x]-*tar* which is uncertain.

<sup>7</sup> SAA 3:132a. RIA, however, accepts the interpretation as “eagle’s talon”.

<sup>8</sup> Oppenheim 1977:201.

<sup>9</sup> The *šēdu* itself does not seem to be clearly identifiable, see RIA 8 243b §17.d with reference to Collon 1987 No. 386. See in general Engel 1987 on the subject of *aladlammu*.

<sup>10</sup> RIA 6 447b.

<sup>11</sup> RIA 5 452b-453a where it is stated that it is probably near Kutha.

<sup>12</sup> Kišesim was renamed Kār-Nergal after its capture during the sixth campaign of Sargon, see Fuchs 1994 Ann. 93-95, Prunk 59-60; Yamada 2005:60 No. 25; Luukko 2018:148; Radner 2003:57.

<sup>13</sup> Horowitz 1998:269-270, 287-288.

<sup>14</sup> Radner 1995.

<sup>15</sup> Copies are actually written in a chancery (clerical) script.

<sup>16</sup> Radner 1997:45.

<sup>17</sup> The information in Radner 1995 is misleading.

<sup>18</sup> Radner 1997:40 n. 190. For examples of seals with markings from birds see Herbordt 1992:42 and in particular Plate 17:22 for ND 3444. Note the fingernail impression of Nergal in *Nergal and Ereškigal* l.167, where it is used as a means of identification, see Ponchia, Luukko 2013:47 Line 167.

5: The reading of the names are uncertain. ‘Za’-ki-su is a tentative reading and may not be a personal name. 1.*Ḥa-am-b[a?-ru-r]u*: See PNA 2/I s.v. *Ḥambarūru*. The restoration is uncertain. Another suggestion would be to read the name as 1.*Ḥa-am-b[a?-r]u* and derive it from *habāru* “to be noisy”.

8-9: SAA has omitted these lines and has an incorrect line numbering.

12: [*qa-bu*]-*ra-a-te*: The restoration is uncertain as the plural is attested as *qabūrāni*: SUḪUR *na-aḥ-li ša šap-li ia!-ar!-ḥi! re-eš qa-bu-ra-ni* BT 106:5. In Neo-Assyrian, however, the plural endings *-ānu* and *-ātu* interchange in some nouns.<sup>19</sup>

ŠÀ-[bi: In SAA ŠÀ is read as *kit*. The scribe has the tendency to elongate the winkelhaken in certain signs making it look like a horizontal. Thus signs such as *la* and *te* are almost indistinguishable.

13: “SUḪUR *qa’-bu-ri*: the restoration in SAA: ‘A!’.[MEŠ *ina ŠÀ-bi la-áš-šú-u-ni*] is quite uncertain. There are traces after *a* that appear to be horizontals. Why the grave or graveyard is waterless is curious. If anything is waterless, it would be the river.

14: The line is reminiscent of a passage in *Damu in the Underworld*: a.šá kur.ra.ra.ke še nu ‘mú mú’ [šu.bi.nu.mu.ur<sub>5</sub>.re] “The field of the underworld grows no grain, [its hand does not grind it]” UET 6/1 23 r. 26-28.<sup>20</sup>

17: ÍD.Ú-*la-ia šá KÁ Ir-kal-li*: The Ulaya River is known to border on the underworld. It is attested in royal inscriptions and literary works.<sup>21</sup> In the index of names in SAA p.342 the river is listed as “Ūlāia (river in Elam, class. Eulaios, mod. Karkeh?) ...”. Potts noted that the Biblical Ulai River was not mentioned and that Old Testament scholars or Assyriologists “assimilate Hebrew Ulai and Akkadian Ulaya with Greek Eulaios or Latin Eulaeus ..., rather than with each other.”<sup>22</sup> The Biblical references are found in Dan 8:2 and Dan 8:16. It is beyond the scope of this article to discuss these verses. However, there may be a link between Daniel’s vision and Mesopotamian views of the netherworld.

18: A.ŠA *la-qé-e-te* “a gleaned field”: SAA reads A.ŠA *la ke-e-te* and translates “an unreal field”. The expression *la ke-e-te* is attested frequently with the verb *dabābu*, but as an abstract noun is never used with concrete nouns. The reading was already suggested by Johns in ADD IV:98.

URU.Za-ku-u-te: Scurlock 1993 rejects interpreting the signs as a toponym and compares it to the usage of A.ŠÀ *za-ku-u-te* quoting CAD Z 33 3c) 2’. The term A.ŠÀ *za-ku-u-te* is not attested in land sales but only in leases and pledges.<sup>23</sup> Scurlock also states: “The fact that it was necessary to specify that a particular field was <<exempted>>, implies that normal Netherland fields were subject to some form of taxation. The insinuation that even the Netherworld kingdom had its tax collectors (or, in other words, even death did not necessarily save you from taxes)!” What is being exempted is not “a particular field” but a city or estate. Scurlock has confused the signs A.ŠÀ with URU. As to the interpretation, the text is more likely describing a place that is unproductive and cannot produce anything that can be taxed. It is an untaxable place. It certainly does not imply that there were “normal Netherland fields” that were subject to taxation or that there were tax collectors.

<sup>19</sup> See GAG §61j; Luukko 2004:§5.3 with references to other literature.

<sup>20</sup> Quoted by Horowitz 1998:351.

<sup>21</sup> References are given in RIA 14 302-303 §2. See also Potts 1999:27-28.

<sup>22</sup> Potts 1999:28 and n.25.

<sup>23</sup> Postgate 1974:191, 239 n.1. An exception is a text from Tall Šeḥ Ḥamad. It is not a land sale, however. See Radner 2002 No. 127:15-17.

KÁ.*Ir*-[*kal-li*]: One of the most prominent features of the underworld is its gates.<sup>24</sup> A *bāb irkalli*, however, is not attested.

19: 1.*Ḥar-ḥa-an-da-a*: The personal name is otherwise unattested and its meaning is obscure.<sup>25</sup> A suggestion is to derive the name from *ḥarḥadû*, a lexical term for a musical instrument perhaps a lyre, see AHw 325a s.v. *ḥarḥadû*.

SAA reads LU.d.ALAD. LÚ is not on the tablet. The restoration É D[UMU!-LUGAL] as suggested in SAA is acceptable if located in Tarbiṣu. An alternative is to read É K[Á.GAL] or É K[Á *Ir-kal-li*] “gatehouse/gatehouse of Hell” (perhaps É ʿeʿ-[*te-e* ?]).

21-22: *ku-pa-a-te ina 5 MA.NA UD.DA MÍ.Ar-na-š[i-x x] MÍ.AMA d.ALAD.MEŠ il-qe*: Deller 1991 discusses *kupāte* and its relationship to mistletoe considering it to be a ball or pill shaped berry (“orientiert sich an der Form der Mistelbeere”) connecting it with *kupatinnu*. His observation is based on lexical entries e.g. Ḥg D:223 to Ḥḫ XVIII (MSL X:105). Deller is unsure what the exact meaning of the word is, whether it is “Vogelfutter (bird fodder)” or if it is bird lime. Since the unit of measurement is MA.NA he suggests that the word in this context has the meaning “bird lime”. Consequently, the *šēdus* capture birds with lime. But how is this to be done? There are no trees or branches mentioned in the text. Moreover, bird lime is the product of the plant, not the plant itself. The “currency” mentioned should be worthless and unusable and what is translated as “bird fodder” could very well be just uneatable buds or berries. *kupāte* may be related to Syriac *kufṭā* “calix, bud”.<sup>26</sup>

*ina 5 MA.NA UD.DA* is translated in SAA as “and 5 minas of daylight”. The 5 minas of daylight imply that there is more darkness than daylight (7 hours of darkness). This would mean that the end of the line should read 7 minas of darkness and not bird fodder. Deller in his transliteration of the text (1988) reads ḤÁD.DA instead of UD.DA which Scurlock 1993 also suggested stating that it “is a perfectly normal writing for << dried>>”. Perhaps UD.DA is to be linked with Ú.UD.DA = *baltu* “thornbush”, cf. CAD B 65b s.v. *baltu*. Although problematic, the lack of the determinative may indicate that this is a part of the plant or a product of the plant.

MÍ.*Ar-na-š[i-x x] MÍ.AMA d.ALAD.MEŠ*: The name may be associated with *arnu* “punishment”, but this is entirely uncertain.

28: Abu and Elūlu are the hottest months of the year. SAA omitted the *ša* sign before ITU.KIN. The restoration is uncertain.

29: SAA translates 4 *pu-ʿla-a-ni* as “four foundation stones”. See the passages translated in CAD P 382a sub 2’ c).

30: *ina de-ni-šú DUG<sub>4</sub>.DUG<sub>4</sub>-ma zi-ki-x[x x (x)]*: The usual concluding formula of a conveyance text is: *ina de-ni-šú DUG<sub>4</sub>.DUG<sub>4</sub>-(ma) la TI* “he shall contest in his lawsuit and not succeed” or its variant *ina la de-ni-šú DUG<sub>4</sub>.DUG<sub>4</sub>-ma la TI*. *la TI* has been replaced with *zi-ki-x[x x (x)]* which is probably derived from *zakû*. The trace after *-ki-* is possibly *-t[a*.

31: SAA restores 1.*Sa-[a-ši]-id-qi*. There are traces after *Sa*. The first trace may be *al*, afterwards the traces are indiscernible. Pinches (ADD IV:100) suggested reading *Sa-al-at-it-qi* which does not quite fit.

SAA reads at the end of the line *ša T[A! x x x]*. The sign is rather T[A\*! Also the sign could be interpreted as *i[š*.

32: 1.*Sa-ʿsa-lu-ʿu*: PNA 3/I 1093a defines the name as “ ‘Back’, ‘Rear’ ?” deriving it

<sup>24</sup> Horowitz 1998:358-359.

<sup>25</sup> See PNA 2/I 459b.

<sup>26</sup> See Townsend 1980:403; Löw 1967 vol. III:93-94. It is erroneously translated in Sokoloff 2009 612a s.v. *kufṭā* as “pomegranate blossom”. The word is, however, attested only with the pomegranate.

from *šašallû* with reference to AHW 1197a s.v. *šašallu(m)*. The name gives the impression, however, that it is formed from a reduplicated root like *šaršaru/šaširu* “cricket”. If so, it would likely be an onomatopoeic name.

LÚ\*.2-*u ša* LÚ\*.A.K[IN?]: The restoration is tentative. It is assumed that the witnesses in this line and the next are *šēdus*. M. Luukko suggests the alternative reading LÚ\*.A.S[IG?]/S[IG<sub>5</sub>?] presupposing that the restoration in the next line is possible.

33: Ṭāb-salāmu: The traces are unclear for the profession. A suggestion would be to read first signs as *ʿla-si-mu* but this is very uncertain and what follows is even more uncertain.

34: 1. *Ú-a-ú-a*: This onomatopoeic name (such names are often reduplicated sounds) appears to be related to the call *u<sub>8</sub>-u-a u<sub>8</sub>-u-a*, the cry of an unidentified bird of Narudu<sup>27</sup>, which Lambert translates as “Alas, alas.”<sup>28</sup> An owl type is listed as *u<sub>8</sub>-a*.MUŠEN = *hu-ú-[a]* = *qa-du-ú* in MSL 8/2 166, see CAD Q 51 s.v. *qadû*. The *qadû* is listed as URU.ḪUL.A.MUŠEN = *qa-du-ú* = *ak/a-ku-ú*, see CAD A 275a s.v. *akkû*. The listings are indicating types of owls and are not synonyms. It may be pointed out that the owl (*qadû*) in KAR 125:9 hoots *tuku tuku*.<sup>29</sup> Note that *akkû* is only attested lexicographically.

35: *Qu-a-qu-a*: It is an onomatopoeic bird name or rather bird call. *qāribu* is a formal literary (SB) word for the more common *āribu*, see Deller 1989:260 [132a].

*Ḫallī-arrakāti* is a descriptive animal name, see PNA 2/I 444a. The ditto signs in the witness list have been ignored in PNA. The signs divide the witness names from the “profession” or function that follows. What the ditto mark is referring to in these cases, however, is unclear. Purportedly it would refer to the profession in l.32. It seems that the “named” birds are messengers or deputies of birds of the same species but not necessarily identical. Ereškigal’s messengers are attested as ants.<sup>30</sup>

37: 1.MURUB<sub>4</sub>-*hur-da-a-te*: The name is translated in SAA as “Middle-of-vulvas”. PNA 3/I 1004a, left *ḫurdāti* untranslated: “[Sitting in] the middle of the *ḫurdātu*”? It probably makes more sense to interpret *ḫurdātu* as a “crossbeam”. The name would mean in this case “midst of crossbeams”, see AHW 308b s.v. *ḫurdātu(m)*. This implies a place where insects, bees or wasps are housed. Perhaps the name is to be associated with *kuzāzu/ḫanzizītu/pilaqqi Ištar* “Holzwespe”, cf. AHW 519 s.v. *kuzāzu*.

*a-dam-mu-mu al-p[i?-i?]*: The trace after *al* is very uncertain. A “bull wasp”, however, is not attested. In lexical lists, however, “bull” insects are mentioned: *zumbi alpi* “bull fly”, cf. CAD Z 155a s.v. *zumbu* (ḪḪ XIV:313) and in PVA 423a (and ḪḪ XIV:298) a “bull butterfly” GIRIŠ.GUD/*kuršiptu*.

38: *šu? -ḫa-ta-a-te*: The first part of *šu* is not discernible. The word is unattested. A speculative suggestion is to connect it to *zuqtu* “mountain peak, ridge”.

KUR *Kaš-ia-[ri]*: RIA describes the mountain range as “Lying close to the centre of Assyria, but waterless and hard of access from the south, these hills figure frequently in the campaign accounts of the Assyrian kings in the Middle and Early Neo-Assyrian periods...”<sup>31</sup>

39: 1.*Di-ib-ba-a*: In PNA 1/II 382b this hypocoristic name is listed as Aramaic with the meaning “wolf” (also Gaspa 2008:128). It is quite unlikely that a bird would have this name although other winged creatures e.g. insects may: *zumbi barbari* ḪḪ XIV:311. *Dibbâ* is probably derived from *dibbi* “word, talk”, see CAD D 132 s.v. *dibbu* A.

<sup>27</sup> Perhaps the *katimātu* bird, see Lambert 1970:116 S5 and Lambert 1970:112 l.5.

<sup>28</sup> Lambert 1970:113 l.5.

<sup>29</sup> Lambert 1970:114 l.9 and is translated as “Lament, lament”.

<sup>30</sup> Maul 1994:349-53.

<sup>31</sup> RIA 5 460b; Kessler 1980:22-78.



41: The signs as far as they can be read do not yield a meaning. ʾIR? can be interpreted differently and looks like ʾAPINʾ.

43: ʾÉʾ qa-ri?-te/tú su-uh-si-d.ʾ15ʾ: The reading ʾÉʾ qa-ri?-te/tú is uncertain. If correct it would be a storehouse for the *suhsi-Issar* plant.

*su-uh-si-d.ʾ15ʾ*: Although the signs *su uh si* were read correctly in SAA, they were not interpreted. *suhsi-Issar* “the bed of Issar” is a plant which is identified as *Ú.ár-zal-lum* in PVA 100. *arzallu* is attested in medical prescriptions as a drug, see CAD S 349a s.v. *suhsu* and CAD A II 324a s.v. *arzallu*.

45: The lines from here on are particularly difficult to read. The sign before DINGIR could be IM.

46: The last sign is elongated and if read correctly indicates the date. However, the numerals in SAA cannot be confirmed.

47: ʾLÚʾ.A.ʾBAʾ KUR.*Hal-ša-a-t[e]*: The place name is derived from *halšu* “fortress”. The “land of fortresses” may point to the area of the Zagros mountains where Kār-Nergal, also a fortress, is located. M. Luukko points out that ʾLÚʾ.A.ʾBAʾ KUR may be interpreted as “the palace scribe of ...”.

48e: SAA overlooked this line.

With the first publication of K. 8398, which was a copy in ADD, and subsequently the transliteration and translation in AR no interpretation was offered for the text. In AR, the document was included in the book as though it was a normal legal document without any comment about its content.<sup>32</sup> In the present writer’s NALK the text was not included as it was not a conventional legal document. The inclusion of the text in SAA 6 was the decision of the co-author, who added his interpretation of the text.<sup>33</sup> This was, however, the first time that an explanation of the text had been suggested.

At present, there are three varying interpretations of the text: a) a cultic interpretation; b) a view that the text is humorous; c) an interpretation that the text is literary. The following attempts to briefly summarize these views.

#### a) Cultic/Ritual Interpretation<sup>34</sup>

In SAA, S. Parpola suggests that the text is describing a ceremony in which votaries or oblates of Nergal are impersonating winged and beaked genii: “LÚ.d.ALAD is assumed here to refer to votaries or oblates of the god Nergal (cf. obv. 2) impersonating winged and beaked genii; the ‘birds’ appearing as witnesses would have been other devotees associated with the cult of the netherworld god (cf. the ‘feather dead’ in Babylonian netherworld description). Despite the weird context of the text, one should be wary of taking it as a parody; note that beside ‘bird names’ and ‘netherworld toponyms’ (which can all be explained in terms of the cultic setting), the text also contains some perfectly normal personal names (r. 6ff.) and toponyms (e.g. Kar-Nergal, a well attested ‘real town’ near Cutha, the center of Nergal’s cult).”<sup>35</sup>

The suggestion is apparently or at least partly based on the reading LÚ.d.ALAD in l.19. The sign LÚ preceding d.ALAD, however, is not on the tablet. There is no mention in the text of performers or votaries as would be perhaps expected in a cultic performance. The

<sup>32</sup> In the table of contents in AR, the tablet is listed under B Privaturkunden; IV Schuldrecht, 4. Kauf, a) Grundstücke, ε) Feldkauf.

<sup>33</sup> SAA:xxxvi.

<sup>34</sup> For a detailed and excellent overview of Nergal see the introduction to *Nergal and Ereškigal*, Ponchia, Luukko 2013:xx-lxxxix.

<sup>35</sup> SAA in the critical apparatus.

use of the determinative LÚ\* in the witness list appears to be routine and just designates a profession.<sup>36</sup> Not only is there an absence of actors - ghosts, demons and hybrids are not mentioned.

In SAA, 1.19 is restored É D[UMU!-LUGAL] and it is suggested that the text may be dated to Esarhaddon. If a Nergal cult is being referred to it would presumably be in Assyria and following Parpola’s own interpretation it would most likely be in Tarbiṣu where the residence of the crown prince was located and where Nergal is a tutelary deity.

Presuming that the tablet was part of a ritual, it is possible to imagine that an unknown myth was the backdrop where a transfer of property took place at the gate of the netherworld.<sup>37</sup> In such a case, the tablet was used to legally verify the transaction. It opens the possibility that the tablet was prepared so that it could be deposited in a temple (presumably Emeslam).<sup>38</sup>

It may be suggested that the “real” personal names are probably for *šēdus* but not the birds listed. The names are not actually that real as only Ṭāb-salāmu is otherwise attested (once in a broken context) whereas the other names are unique or reconstructed.

## b) Humor

After the publication of the text in SAA, J. Scurlock published a note in NABU.<sup>39</sup> Scurlock considers the document to be “obvious humor” and in a polemical remark states: “What deep mystery of «fertility religion» is this «rite» supposed to have served?! Why are we so «wary» of taking obvious humor as humor but not at all hesitant to make a mockery of other peoples’ religion?!”

The question of humor is a complicated issue not only because humor is a cultural phenomenon but because assessing and evaluating it for ancient cultures is not an easy task.<sup>40</sup> What appears to be humorous in this text is that it is incongruous. What seems to be “comical” is the fact that non-humans (*šēdus* and birds) are behaving like humans by selling and buying property and what seems even more “comical” is that a worthless piece of land is being sold at the gates of Hell. The incongruity evoked here is from the perspective of the present day reader. The context in which the text was used or even its intent and purpose as well as the target group it was written for are all unknown. This is not a minor observation since something taken out of context may invoke humor just because it is incongruous in another cultural setting. Moreover, the SAA interpretation does not speak about a «fertility religion». Scurlock’s statement: “Why are we so «wary» of taking obvious humor as humor but not at all hesitant to make a mockery of other peoples’ religion?!” is curious. These “other peoples” and their religion no longer exist. And if something is misrepresenting the text or making a mockery of it, it just may be interpreting the text as humor for it makes a joke of it.

Similarly, K. Radner thinks that the text is not to be taken seriously.<sup>41</sup> The interpretation she offers is that the tablet was written by a humorous scribe whose monotonous copy work induces him to play a joke on his colleagues. The “nonsense document” that he composes is mixed among other copies that have the same external features. Only someone that can read

<sup>36</sup> For Nergal in rituals and cultic commentaries, see Ponchia, Luukko 2013 lxix-lxxvii and lxxx.

<sup>37</sup> See Ponchia, Luukko lxxvi and n. 255.

<sup>38</sup> Note the Neo-Babylonian letter SAA 18 59, where the king (Esarhaddon?) confiscated property, wrote it down (legal document?) and put it in the Ezida Temple before Nabu, see the references in SAA 18 59 in the critical apparatus and the introduction p. xxiii.

<sup>39</sup> Scurlock 1993.

<sup>40</sup> The topic can only be briefly mentioned here. Humor has also been treated by Frahm for royal inscriptions, see Frahm 1998. The examples highlight how subjective the interpretation of humor is.

<sup>41</sup> Radner 1997:45.

cuneiform can get the joke. Radner's interpretation is based on a number of assumptions. What is declared to be a "nonsense text", however, is a highly sophisticated composition that includes a number of literary features, which would make it quite an elaborate "joke". The scribe's colleagues would presumably be running to their ancient "Funk and Wagnalls" (in this case 𒪠AR.GUD or 𒪠AR.RA) in order to understand parts of the text. The interpretation does have a target audience: scribes or persons that can read cuneiform, which would make it an inside joke.

### c) Literary Interpretation

Parody which was mentioned by Parpola, is based on imitation. It mocks another text and alters wording making it ridiculous or producing a ridiculous effect. The present text gives the impression of being a spoof since it has been apparently altered to imitate: parties in a legal document that are *šēdu*s, a seal space with apparent claw scratches, netherworld locations, bird seed for currency, bird sounds for some of the witness names, penal clauses characteristic of winged creatures, etc. It appears that most of what has been interpreted as humor is conflated with parody.

In his book, B. Foster designates the text as a "satirical legal document" and included it in his chapter on 'Stories and Humor'.<sup>42</sup> Satire is a literary category that may use humor or other devices such as irony or ridicule in order to point out some folly or misgivings about a situation, person or event. Applied to the present text it would mean that it is satirizing human land sales e.g. high property prices. As noted, although the text has a legal format and uses some standard juridical terms and formulas it has a number of irregular features. The orthography has spellings that are found in literary sources and are not common in Neo-Assyrian: *qá* in l.3, *kám*-[*mur ta-din*] for the usual *gam-mur tadin*, *lum/lu*<sub>4</sub> in *ne-mu-lum* l.23 (contrast l.16 *ne-mu-lu*), the rare sign value *sà* in DAM-*sà* l.37. The text includes words that are only found in lexical lists or Standard Babylonian such as *akku*, *kupātu*, *qāribu* or *suḫsi-Issar*. The sign values and vocabulary indicate that they have been derived from a source that is neither legal nor Neo-Assyrian.

The fact that non-humans are parties in a legal document is not necessarily surprising. Animals that act in a human fashion are a well-known feature in fables, myths and proverbs. In legal contexts winged creatures (insects) are attested in an Assyrian "saying":

<sup>19</sup> *ina [s]u-ú-qi ʿkuʿ-za-zu a-na ši-i[l]-te ki-i il-li-ku* <sup>20</sup> *ḥa-mit za-re-e ka-pi-ṣu a-na mu-kin-nu-ú-te il-su-ú-ni* <sup>21</sup> *ḥa-me-tu* KU.KIL *it-ta-ad-du-ú bi-re-e-ti* <sup>22</sup> *ʿi-naʿ pu-ut eqli ina bāb ḥur-ri pi-a-zi n[a]-ku-ú-sa na-kis*

<sup>19</sup> As the wood-wasp went along the street to a lawsuit <sup>20</sup> The ... summoned the ... sand-wasp to witness. <sup>21</sup> The spiders threw the sand-wasp in fetters, <sup>22</sup> And on the edge of the field in the entrance to the mouse's hole he was cut to pieces." Vat 8807 r. iv:19-22 = BWL 220.

As mentioned in discussing the cultic interpretation, the text in reflecting the transfer of property would presumably be part of an "event" e.g. a property sale that occurred in some myth or legend. This would mean that the land purchased at the entrance to the netherworld could have something to do with Ereshkigal's domain and implies that the sale here may have something to do with the relationship between Nergal and Ereshkigal.<sup>43</sup> The *šēdu* of the Nergal cult is relinquishing the area before the gate to the *šēdu* of the netherworld (if correctly restored).

<sup>42</sup> Foster 1995:375-376.

<sup>43</sup> Ereshkigal is quite a pale figure in Neo-Assyrian sources and not well attested, see Ponchia, Luukko 2013 lxxxvi-lxxxix.

Since the text has lined off sections and perhaps a catch line, it is possible that the tablet is an excerpt from a literary work. Unfortunately, there is no indication of this on the tablet.

### Remarks

None of the interpretations that have been suggested until now can satisfactorily explain the purpose, content or context of this document. A main problem is the information provided by the available sources for the netherworld. They stretch over a vast period of time and are derived from different localities. These sources are not necessarily complimentary and reflect rather different traditions and perceptions of the hereafter. Moreover, they do not provide enough background information in order to fill in the gaps. There is no direct connection between this text and other works that deal with the netherworld such as *Inanna's Descent*, *Ištar's Descent*, the *Underworld Vision of an Assyrian Prince* or *Nergal and Ereškigal*. Hence, the importance of this text for the moment, at least, does not lie in its classification but the information it offers about the natural setting of the netherworld. It seems to be the only text besides *Damu in the Underworld* that directly describes topographical features concerning the netherworld, but corresponds to what is known about the netherland landscape as being desolate and arid.<sup>44</sup> According to Horowitz, the descriptions of the netherworld are considered to be mostly architectural. Topographical information mostly concerns “approaches”, namely, a road, a river and gates.<sup>45</sup> The present text locates the area being sold at the gate of the netherworld where there is a river but not a road and offers a number of topographical descriptions. The main topographical feature is a field and its location. The field is found in a flood plain/lowland of which 2 homers are in a certain type of steppe. Its borders include graves, neighboring fields and the Ulaya river. The field and its environs belong to a city (or estate) which along with the Ulaya river border at the Irkalli Gate, the Gate of Hell. The field and its surroundings are outside the gate to the netherworld. Since the location of the *šēdu* purchasing the field is uncertain it is suggested that he is located at the netherworld gate. The birds and the *šēdus* are associated with localities and not deities.

One reason for assuming that the area being sold is outside of the gate is that graves are mentioned which presumably would not be found in the interior. It is also perhaps the reason that the *šēdu* of Kār-Nergal owns land here as Nergal is known as “the lord of the grave” e.g. *be-el qab-ri*.<sup>46</sup> Also the Ulaya River probably flowed outside the gate.<sup>47</sup>

The tablet mentions not only the landscape but also cultivation. The picture it evinces is one of a Sisyphean task of fruitless and unending toil.

The “bird text” offers a glimpse into the netherworld that was most likely part of Assyrian folklore. Thus the names of the *šēdus*, bird witnesses and their function as well as literary or mythological allusions such as the mother of the *šēdus*, the wasp and his wife are all unknown. They most probably belong to “the large body of myths that were not, so far as is known, ever committed to writing in epic style”.<sup>48</sup>

<sup>44</sup> This follows Horowitz 1998, see in general Katz 2003 for the Sumerian sources.

<sup>45</sup> Horowitz 1998:349-350.

<sup>46</sup> von Weiher 1971:69 n.1.; see Litke 1998:234 l.76: d.GÌR.UNU<sub>7</sub>.GAL/ d.Nerigal (U.GUR)/ *šá qa-ab-ri*.

<sup>47</sup> This assumption is somewhat supported by descriptions of the Ĥubur River in literary sources, see Horowitz 1998:355-356.

<sup>48</sup> Lambert 1970:113.

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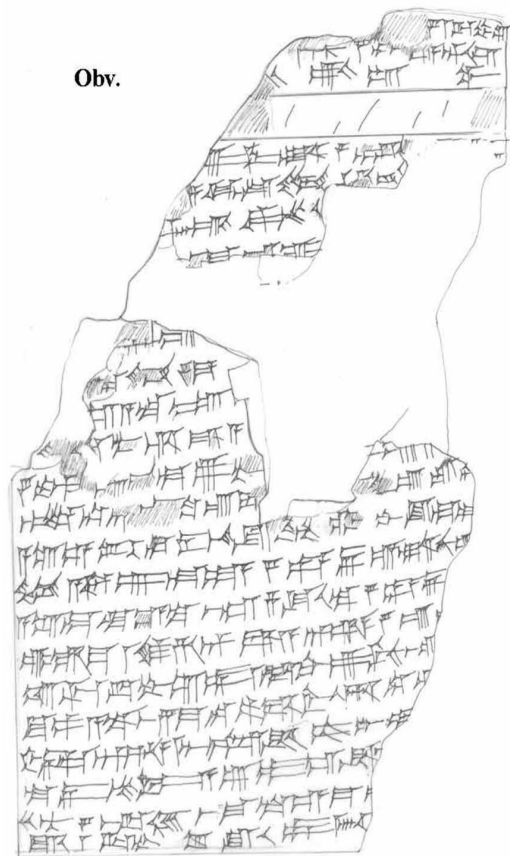
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