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Detail from above the entrance of Tehran's fire temple, 1286š/1917–18. Photo by © Shervin Farridnejad

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Special Issue: Discussions in Assyriology

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Extispicy and Consensus Decision-Making in Ancient Mesopotamia

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Abstract

This essay scrutinizes the relationship between the procedure of extispicy and the concept of decision-making in ancient Mesopotamian assemblies. The term 'procedure of extispicy' refers to consulting the gods for decisions and questions, observing organs of a sacrificial animal, recognizing and decoding omen features on the organs, and rendering a final answer. Given the explicitness of Mesopotamian texts, according to which extispicy is the outcome of the counsels of the gods in the divine assembly on a specific question, it follows that the features appearing on the sacrificial animal reflect the views of the gods. This corresponds to the characteristics of decision-making by assemblies and councils, which has been common at both the divine and human levels in Mesopotamia. This argument is reinforced by the fact that the final answer of extispicy, unlike some divinatory methods, which are based on numbers and mathematics, is determined by the largest possible percentage of binary decision-making processes (yes/ no) reflecting the procedure of achieving a consensus decision through unanimity or super-majority. However, super-majority in extispicy could be affected by a veto sign, proving another parallel with the procedure of consensus decision-making.

Introduction

In the ancient Near East, extispicy was a prevalent divinatory method of acquiring a yes/no answer to a specific question through the observation of organs of a sacrificial animal. The final response depended on the super-majority of positive features versus negative ones and vice versa.[1] Extispicy was hardly grounded on numerical principles, but rather on the appearance of one type of feature, whether favorable or unfavorable, that heavily outweighed the other. As will be discussed throughout this paper, the omina or signs, which the diviner read on the organ, were the divine judgement/decision from an assembly of gods. The role of ancient Mesopotamian assemblies and councils at both civic and divine levels has long been discussed in Assyriological publications.[2] This essay particularly focuses on the divine level of ancient Mesopotamian assemblies, in which decisions were made collectively, though it does not consider the fundamental difference between the characteristics of divine and human assemblies. The core of this research argues that, on the basis of cuneiform texts, the divinatory consultation via extispicy was the outcome of the divine assembly where a decision was made by the will of almost all the gods.[3] The methodology applied to this study follows an emic approach, using Sumerian and Akkadian terms that attempt to excavate an 'insider' perspective.

Definitions

A Consensus decision-making system is based on unanimous collective agreements in councils.[4] As Dean Tjosvold and Richard Field point out, "in consensus decision-making, all group members express their opinions, discuss the issue, and then choose an alternative they all can agree to, at least in part."[5] This type of decision-making occurs "when the members of a group choose between two or more mutually exclusive actions with the aim of reaching a consensus."[6] In consensus decision-making, every member has the power of a veto or abstention power. The procedure of the final decision based on consensus is different from that of majority vote in which 51% of stakeholders have the authority to make all the decisions. In consensus decision-making, the ideas of every participant are synthesized into one decision. The present study argues that this fact is reflected in the procedure of extispicy where the final answer was determined by the excessive number of one type of features, whether favorable or unfavorable, versus the other. Using this method, the diviner observed several signs on different organs of the sacrificial animal. If the number of favorable signs was much higher than the number of unfavorable signs, he would declare a favorable result and vice versa.[7] There were two types of signs called *nipḫu* and *pitruštu* that could change the whole result, even when unfavorable signs were heavily outnumbered by unfavorable signs.[8] In fact, the signs that appeared on the liver in a one-to-one correspondence expressed the views of the gods in an assembly set up to decide on the human's request. These views, according to the rules of consensus-based

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1- Daneshmand 2017: 15-16.

2- Jacobsen 1943; Liverani 1993 and 1957; Van de Mieroop 1999; Lieberman 1992; Fleming 2004; Barjamovic 2004. For a detailed bibliography on assemblies and councils in ancient Near East, see Barjamovic 2006: 50, n. 7.

3- Heeβel 2010: 163.

4- Hartnett 2001: 23.

5- Tjosvold & Field 1983: 500-501.

6- Dyer et al. 2009: 781.

7- Multābiltu Tablet 2-3: 145=Koch 2005: 127; Daneshmand 2017: 15-16.

8- Multābiltu Tablet 2-3: 145=Koch 2005: 127; Daneshmand 2017: 16.

decision-making, must reach a super-majority, and a simple-majority did not suffice. For example, if in a given extispicy the number of favorable features versus the unfavorable ones was 6 to 5, the result was not sufficient for a final decision, and a repetition was recommended.

This article by no means overlooks some numerical aspects attested in the series of Multābiltu.[9] There are numerical rules for the appearance of two types of negatives signs (*nipḫu* and *pitruštu*),[10] not to mention the stipulated time for the validity of extispicy was also based on some calculations.[11] However, this approach seems to be related to the developments in the literature of extispicy, when long lists of omens were created and became part of the scribal tradition. In some cases, a distinction must be made between the simple principles of consensus governing the assembly of gods and the theory of extispicy in analyzing the signs sent from that assembly. For example, in the combination of the veto signs, according to theoretical texts, the presence of two *nipḫu* and the absence of *pitruštu* did not change the result.[12] However, such complexities are never taken into account in the practical reports of extispicy. In fact, there is no evidence that a diviner was involved in some of the complexities of theoretical texts. There were only two general rules for them: a super-majority of a decision, and a veto.[13]

In her book entitled "Mathematics Elsewhere," Marcia Ascher offers a comprehensive study on divinatory methods that follow a mathematical logic. To give only one example, in a passage she elaborates on knot divination in Caroline Islands and Yoruba Ifa:[14]

> In the knot divination, the mathematical ideas are primarily numerical: counting modulo 4; addition modulo 4; identifying destiny spirits by ordered pairs of numbers; and linking significant words and phrases to ordered pairs to ordered pairs of numbers. By contrast, in Ifa, the mathematical ideas are primarily logical; that is, creating symbolic representations of the outcomes; using ordered pairs of these representations to elicit the verses, and comparing and selecting among ranked symbolic representations.

Unlike the above example, in real and practical cases of extispicy, we do not come across a numerical interpretation of the features. As Robert Temple asserts, the number of coils of colon (*tirānu*) in extispicy reports, deals with anatomical verifications and not mathematical rules.[15] The actual reports of extispicy from both the second and first millennia BC do not calculate the number of features on the basis of the voting system. Nor do they follow the precise and obsessive details of the omen lists. In absence of veto features, the mere presence of a super-majority of positive features was enough to convince the diviner that

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9- Koch 2005.

10- Koch 2005: 20; Maul 2013: 98.

11- Heeβel 2010: 165-168.

12- Koch 2005: 20.

13- There are ample examples of actual reports of extispicy in Goetze 1957; Koch 2002; Richardson 2002; Kraus 1985; Nougayrol 1967.

14- Ascher 2005: 14. For a comprehensive analysis of some divinatory methods based on mathematical ideas, see Ascher 2005: 5-37. A comparison with the examples discussed in this book shows that the practice of ancient Mesopotamian extispicy does not follow the characteristics and rules of mathematics

15- Temple 1982.

the outcome was a yes-answer.[16] It goes without saying that the rules of counting in theoretical texts bear no resemblance to the mathematical calculations of the divinatory methods in Caroline Islands and Yoruba Ifa.

A Case study

As ample evidence of cuneiform texts indicates, the democratic practice of consensus decision-making can be traced back to the roots of ancient Mesopotamian communities, where assemblies and councils were in charge of decision-making on some day-to-day urban issues.[17] The word UKKIN$_a$ (assembly) is mentioned in the earliest cuneiform texts dated to the fourth millennium BC.[18] As Gebhard Selz points out, the texts from the Uruk period as well as the later literary documents indicate that a multiple management/decision-making system was in place in ancient Mesopotamian cities.[19] J. Cale Johnson argues that two major lists of professional titles from the Late Uruk period (NAMEŠDA list and UKKIN$_a$ list) reflect different social organizations and served "as inspiration for the bicameral model in the epic tale of *Gilgameš* and *Akka*".[20] Our evidence is not limited to written sources, and recent archaeological findings show that the role of municipal assemblies and bottom-up structures in Mesopotamia dates back to much older times. The new archaeological excavations have revealed early Mesopotamian large settlements from the fifth millennium BC, which lacked any forms of centralized governments, and their urban structures were based on neighborhood and consensus decision-making.[21] In his paper on three mega-sites, Khirbat-al-Fakhar, Tell Brak and Tell Chuera in northern Mesopotamia, Jason Ur demonstrates that "a critical look at the archaeological data set of sites and landscapes suggests that bottom-up processes were dominant."[22]

The first written texts recording references to the functioning of civic assemblies in Mesopotamian cities date back to the second millennium BC.[23] The archive of Mari presents outstanding examples of the role of civic institutions in decision-making. In a general division, the decision-making bodies in the Old Babylonian Mari consisted of two sections: city as a collective political entity, and assemblies at different levels of society (*puḫrum, taḫtamum, riḫṣum*).[24] Daniel Fleming points out that "in some cases, the collective action of the town is identified simply by the name of the town as subject."[25] To give only one example, according to a letter from the Mari archive[26], when Zimri-Lim, king of Mari, appointed a certain Ibni-Addu as the king of the city Tâdum he was ousted from power by the collective action of the city. A passage of the letter gives a direct quote from Ibni-Addu:[27]

16- As will be discussed later, the final outcome could also be subject to the presence of two Jokers (i.e. veto features).

17- Fleming 2004; Barjamovic 2004; Van de Mieroop 1999; Liverani 1993; Lieberman 1992.

18- Selz 1998: 301-304.

19- "Von daher ist die Existenz mehrerer Führungsebenen eine plausible Annahme" (Selz 1998: 291).

20- Johnson 2015: 171.

21- Ur 2020: 38; Frangipane 2018; Ur 2014; Creekmore 2014; Ur 2010. For a striking example of cities before the state in the fourth millennium urban centers of Ukraine, see Wengrow 2015. In a passage of this paper, David Wengrow notes: "Both Mesopotamia and Ukraine may be considered examples of 'cities before state', as indeed can the third millennium urban centers of the Indus Valley" (Wengrow 2015: 16).

22- Ur 2020: 38.

23- Larsen 1976; Durand 1990; Dercksen 2004.

24- Fleming 2004: 204-228.

25- Fleming 2004: 181.

26- ARM 26 310. The letter was sent from a certain Yamṣûm to Zimri-Lim.

27- ARM 26 310 6-8.

zimri-lim ana šarrūt tâdum iškunanni u issuḫūninni
Zimri-Lim assigned me as king of Tâdum, but they kicked me out.

The plural form of the verb '*nasāḫu* (to remove)' refers to the collective action of the city Tâdum. Ibni-Addu returned to Tâdum with an escort to regain the throne. However, a certain Ḫaya-sûmû wrote to the city, encouraging them to kill him:[28]

išpur-ma ḫaya-sûmû ana tâdim anumma dūkâššū-ma
Ḫaya-sûmû wrote to Tâdum: "Now kill him!"

The sender of the letter asserts that Ḫaya-sûmû wrote the letter to 'Tâdum', indicating that the addressee of the message was all the city as a collective entity. However, it remains unknown to us why the city decided not to kill him:[29]

u kennekēm lā idūkūšu
And, over there, they did not kill him.

The text continues with another direct quote from Ibni-Addu, emphasizing that he was not accepted by the city:[30]

u ittūram ana ṣēr kunnam ˹umma˺ šū-ma ul imgurūninni ˹annummânumma˺ kīma [lā] imgurū šukurrī līm emmuq ˹ṣābī˺ mi'at tanaddina
And he returned to Kunnam, (saying) thus: They did not accept me. Since they did not accept (me), you shall give me a thousand spears with which to equip a hundred soldiers.

Ibni-Addu's request to equip the military means that the city resisted to obey him and rejected his kingship.

There is enough evidence to suggest that the Mesopotamian assemblies followed the rules of consensus decision-making.[31] As a clear example, we have a letter from the archive of Mari that records actual discussions taking place in the assembly of the Yaminites: when Zimri-Lim, king of Mari, was in war with Eshnunna, the Yaminites assembly held two sessions to negotiate a proposal to raid the bank of Euphrates. The first session met before Zimri-Lim's victory[32] over Eshnunna:[33]

inūma šarrum ina karāšim wašbu nīnu aḫ puratti i nisdud
When the king is in the military campaign, let us ride the bank of Euphrates.

28- ARM 26 310 12-14.

29- ARM 26 310 15.

30- ARM 26 310 16-21.

31- Fleming 2004; Barjamovic 2004; Van de Mieroop 1999; Liverani 1993; Lieberman 1992.

32- *lāma bēlī damdâm ša ṣābim ešnunna idūku* (ARM XIV 84 6-7= Charpin and Durand 1986: 176 = Durand 1998: 444).

33- ARM XIV 84 12-13 = Charpin and Durand 1986: 176 = Durand 1998: 444.

It is not clear why this meeting ended without a final decision. After Zimri-Lim defeated Eshnunna, they held a second meeting to discuss their previous proposal:[34]

> *inūma šarrum damdâm ša awīl ešnunna idūk u nīd aḫim iršû nūnu i nisdud-ma ištēt ana awīl ešnunna i nudammiq*
> Now that the king defeated the man of Eshnunna, and they (i.e. the king and his troops) relaxed, let us raid and do a favor to the man of Eshnunna.

This time they came close to the final decision:[35]

> *ana annêtim ˹epēšim˺ pānēšunu iškunū*
> They decided to accomplish this (decision).

However, a man stood in the assembly and raised concerns about the final decision:[36]

> *ištēn awīlum ina puḫrišunu itbē-ma kīam idbubšunūšim ˹ummāmi˺ ṣeḫrum u seḫertum u ûm ša kaprātim ša mārī simāl ana dannatim kamis ˹tasaddudā˺-ma mīnam teleqqē attunu tasaddudā-ma immērī u alpī teleqqē u šarrum zimri-lim illakam-ma biḫiršu...*
> A man stood in their assembly and talked to them thus: all the population and the grain of the Bensimalites villages are gathered in the fortress. If you raid, what will you acquire? If you raid, you will acquire nothing but sheep and oxen. On the contrary, the king Zimri-Lim will come and his soldiers...

As a result, the assembly paused their decision to make sure whether the issue raised by that member of the council was correct:[37]

> *ša ana ˹sadādim˺ ˹pānūšunu˺ ˹šaknū˺ ittaklū u ana ˹libbim˺ ša awātim amārim ˹makî˺ ˹išpurūnim˺*
> (the members of the assembly) who decided to raid stopped (their decision) and sent spies to verify the (man's) words.

The spies inspected the area and found out that the situation was the same as claimed by the member of the assembly. Consequently, the assembly blocked the initial decision and instead proceeded to fortify the city Abattum against possible invasion by Zimri-Lim's troops. This is a striking example that not only gives us an insight to the procedure of collective decision-making in a Mesopotamian assembly, but also shows how an individual opposition could block a collective decision. [38]

34- ARM XIV 84 18-22 = Charpin and Durand 1986: 178 = Durand 1998: 444.
35- ARM XIV 84 23-24 = Charpin and Durand 1986: 178 = Durand 1998: 444.
36- The text is broken. ARM XIV 84 25-33 = Charpin and Durand 1986: 178 = Durand 1998: 444.
37- ARM XIV 84 34-36 = Charpin and Durand 1986: 178 = Durand 1998: 444.
38- ARM XIV 84 47-48 = Charpin and Durand 1986: 178 = Durand 1998: 444.

Extispicy, judgment, and divine assembly

Many scholars have noted a correlation between divination, judgment and the divine assembly.[39] The discourse of judgment constitutes the main ideology behind the concept of divination in divinatory texts of the second millennium BC.[40] The future is decided in the court of the gods, and they decide the future events through issuing judicial decisions.[41] This view is well attested in the following passage from a Neo-Assyrian prophecy:[42]

> *ilū purussê māti ana damiqti iparrasū*
> The gods make a favorable decision for the land.

The notion of the judicial nature of divination does not mean that the client considers himself a wronged person in all circumstances[43], rather it implies that the system of divine decision-making was based on the concept of justice.[44] However, as will be discussed later, the gods could always issue an unfavorable decision against the will of humans. Therefore, a question such as "should I attack the enemy?" could be considered a potential future, a case that should be decided. In fact, the gods do not predict the future of the attack, but decide whether the king should attack or not. On some occasions, the repetition helped the fluidity and adaptability of decisions, that is, if the client did not like the divine decision, he could ask again and hope for a favourable decision a second time. Francesca Rochberg notes that divine decision-making is probably connected to the notion of fate (*šīmtum*).[45] However, in divinatory texts there is a distinction between the concept of *šīmtum* and that of *purussûm*, such as in this text from Adad-nirari (I)[46]

> *ilū rabûti gāmirūt purussê mušimmū šimāti*
> The great gods who make the decisions, who decree the fates.

As Ulla Koch notes, Mesopotamian divination seeks a favorable decision and a firm answer, not a fate that was probably a "blueprint" and a general path of destiny for both humans and the world[47]. The decision(s) taken by the gods and obeyed by humans, is the right order of the world, that is, *kittum* and *mīšarum*. However, a decision, unlike fate, can be altered.

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39- Rochberg 2016; Guinan 2014; Glassner 2012; Wilcke 2007; Fincke 2006; Maul 1994. On divine assembly in Mesopotamian literature, see Bernardo Ballesteros Petrella's Oxford dissertation from 2018.

40- Rochberg discusses the judicial terms used in divinatory texts, as well as in the names of temples: "Divine decisions are also attested to in the names of temples constructed with EŠ.BAR (=*purussû*), for example, É.EŠ.BAR.AN. KI "House of Decisions of Heaven and Earth," EŠ. BAR.ME. SI.SÁ "(House which keeps in Order Decisions and me`s," and É.EŠ.BAR.ZI.DA "House of True Decisions (Rochberg 2004: 195).

41- Bottéro 1974: 157-160.

42- KAR 421 ii 4.

43- Compare with the attestations of *ḫablum* (wronged person, oppressed) in the legal context, e.g. CH xl. 73.

44- Wilcke 2007: 209-244.

45- Rochberg 2004: 196.

46- KAH 2 84: 5; CAD Š/III, P. 12.

47- Koch 2013: 140-141.

The concept of judgment and judicial decision is well attested in Old Babylonian prayers to the gods Šamaš and Adad for the act of extispicy:[48]

[*šamaš*] ⸢*bēl dīnim*⸣ *adad bēl ikribī u bīrim* ⸢*našiākkunūšim*⸣ *šām māri šâti ellam*
Šamaš, lord of judgment, Adad, lord of prayer and divination, I bring you a sheep, a pure offspring of an ewe.

The seer asks the gods to place a true judgment in the extispicy (i.e. organs of the sacrificial animal):[49]

[*ina*] ⸢*têrti*⸣ *eppušu ina ikrib akarrabu kittam šukunān*
In the extispicy I make, in the prayer I pronounce, place a true (judgment).

After the introductory lines, the seer directly addresses the god Šamaš:[50]

tadîn dīn ilī rabûtim tadîn dīn umāmim tadîn dīn tenēšītim
You judge the case of the great gods, you judge the case of the beasts, you judge the case of mankind.

The judgment should be placed in the dedicated lamb:[51]

amtaḫarka ina puḫād akarrabu kittam šuknam
I beseech you. In the lamb that I offered you, place a true (judgment).

ūmam dīn annanna māri annanna dinā-ma ina imitti puḫādim annîm kittam u šumēl puḫādi annîm kittam šuknān
Today, (Šamaš and Adad!), judge the case of so-and-so, son of so-and-so, and place the true (judgment) in the right side of this lamb, and place the true (judgment) in the left side of this lamb.

Furthermore, the seer invokes all the gods who were decision-makers in divinatory consultations:[52]

irbam šamaš bēl dīnim irbam adad bēl ikribī u bīrim irbam sîn šarri agîm u bēlet bīrim išḫara wāšibat kummim guanna šassukkat ilī nāgirat anim nergal bēl kakkim ilam bēl têrti eppušu šuzizzānim-ma ina têrti eppušu kittam šuknān ina šiknāt ilī rabûtim ina ṭuppi ša ilī tākaltum līšib nisaba ṭupšarratum lišaṭṭer dīnam nusku immeram liṭeḫḫi ana puḫur ilī rabûtim ana ⸢*šulum*

48- Starr 1983: 30 HSM 7494 1-2; see also Goetze 1968. There is also a Neo-Assyrian text with a similar content, see Dossin 1935; Von Soden 1936; Wilcke 2007. For *šām māri šâti* (*šu'u*: sheep; *šâtu*: ewe), see AHw: 1256; CAD Š/III: 168 & 417; and Starr 1983: 47.

49- Starr 1983: 30 HSM 7494 6.

50- Starr 1983: 30 HSM 7494 11.

51- Starr 1983: 30 HSM 7494 8 and 12. We expect šuknam, though this form could also be an imperative second person plural followed by a ventive (*ni*), referring to Šamaš and Adad: [*šamaš*] ⸢*bēl dīnim*⸣ *adad bēl ikribī u bīrim* (Starr 1983: 30 HSM 7494 1).

52- Starr 1983: 30-31 HSM 7494 13-21.

dīnim⸣ lišbū-ma dayyānū ilū rabûtim wāšibū kuṣṣât ḫurāṣi ākilū paššur uqnim maḫarka ina kittim u mīšarim lidīnū dīnam ūmam dīn annanna māri annanna dīnā-ma ina imitti puḫādim annîm kittam u šumēl puḫādim ⸢annîm⸣ kittam šuknān puḫādam anniam ana šulum annanna māri annanna eppuš ana šulmim

Enter, Šamaš, lord of judgment, enter, Adad, lord of prayer and divination, enter, Sîn, king of the crown, and Išḫara, lady of divination, who dwells in the Guanna cella, accountant of the gods, herald of Anu, Nergal, lord of battle. Make the god, the lord of the extispicy stand in the extispicy I perform. Place the true (judgment) in the extispicy I perform. In the session of the great gods, in the tablet of the gods, may a *tākaltum* be placed. May Nisaba, the scribe (of the gods), write the case, May Nusku bring close a lamb for the assembly of the gods, for the well-being of the case (?). May the judges, the great gods who sit on the golden thrones, who eat at the offering table of lapis-lazuli in front of you, judge the case in righteousness and judgement. Today, judge the case of so-and-so, son of so-and-so, and place a true (judgment) in the right side of this lamb, and in the left side of this lamb. I will perform this lamb for the well-being of so-and-so, son of so-and-so, for well-being.

In the text above, *puḫur ilī rabûtim*, the assembly of the great gods, is a court, that is, a session of decision-making, where a case (i.e., a question) will be dealt with by the gods, who are actually the judges and decision-makers.[53] They deliberate over the question and reach a final result. The multiplicity of gods shows that they were all influential in decision-making. As the text asserts, the result of their negotiation and discussion over the case was written down by Nusku on the tablet of the gods (*ina ṭuppi ša ilī*).[54]

In a passage of his 2005 paper, Piotr Steinkeller notes the close resemblance between extispicy and the standard Babylonian court case:[55]

> As imagined by the Babylonians, the procedure by which deities offered an insight into the future – or "established the truth" as it was known in Akkadian – resembled very closely the standard Babylonian court case, in that the person for whom the extispicy was performed assumed the role of the defendant, while his future, the subject of the inquiry, became the case that the divine tribunal was to decide. As in a real-life trial, the "case" was examined, deliberated over, and decided by the gods, with their being subsequently made known in the entrails of the sacrificial lamb. Metaphorically, the message was written down by the scribe of

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53- Lieberman 1992: 129-132. The divine meeting is usually accompanied by a banquet (Jacobsen 1943: 167, n. 49; Lieberman 1992: 133). Herodotus denotes the Persian custom of decision-making while eating and drinking: "They are accustomed to deliberating on the most serious business while they are drunk, and whatever decisions they reach in these sessions, it is proposed to them again the next day by the host in whose house they had deliberated the night before. Then, if the decision still pleases them when they are sober, they act on it. Conversely, whatever provisional decisions they consider while sober, they reconsider when they are drunk (Herodotus 1.133 = Purvis 2009: 72). This costume also has an analogy in Tacitus, Germania 22 (Peterson 1914: 294-1297). David Graeber notes that "in traditional societies that have been practicing consensus for centuries, the usual solution is to make a meeting fun: introduce humor, music, poetry, so that people actually enjoy watching the subtle rhetorical games and attendant dramas (Graeber 2013: 226).

54- Maul 2013: 103; Glassner 2012: 46; Frahm 2010: 98.

55- Steinkeller 2005: 14.

> the divine tribunal on the entrails – primarily on the liver – as on the clay tablet. In this way, the liver became a written message or – by analogy with legal documents – an inner tablet, with the lamb taking on the function of the clay envelope in which the message was encased.

So, from an emic point of view, it can be suggested that what the diviner observed on the liver was construed as the details of the divine judgement and the final outcome of the divine assembly. This fact is explicitly expressed in textual examples, such as in the following passage from an Esarhaddon inscription:[56]

> *šamaš u adad… ša epēš bīti šâti udduš atmanīšu ušašṭirū amūtu*
> Šamaš and Adad…who ordered (their decision) for building the temple and renewing its shrine to be written on the liver.

As Stefan Maul notes, Mesopotamians did not believe that the signs had already existed in the body of the sacrificial animal, rather they would appear only when the diviner summoned the gods and invited them to the banquet.[57] In fact, the message of the gods is written only on the limbs of the sacrificial animal when they hold a meeting to discuss a question.

The final answer and the rules of consensus decision-making

The Akkadian expression for the act of extispicy is *têrētum epēšu*. The G-stem of the verb *epēšu* is used from the perspective of the agent of the text (e.g., (*têrētim ēpuš*) "I performed extispicy"). The Š-stem (*têrētam šūpušu*) is used, in case the agent of the text asks someone else to perform the divinatory consultation (e.g., *têrētim ušēpiš*).[58] The word *têrtum* means 'message and instruction' in general, and is equivalent to divination and divinatory consultation in particular.[59] As Jean-Marie Durand notes, *têrtum* is a noun consisting of ta-prefix corresponding to the D-stem attached to a form of the verb *wu"urum / wârum* 'to go up, to instruct, to give order' in the D-stem. The term *wu'urtum* from the same root is translated by François Thureau-Dangin as "permis ou ordre d'aller."[60] Since the word *têrtum* alludes to both the process of consultation and the final divine response, Durand argues that "the word *têrtrum* is basically the permission to take action, given by the deity in answer to a question."[61] Selz points out that UKKIN (assembly) may consist of two elements: uĝ (people) and kin, where kin/kiĝ may denote *šipru* (work) and *têrtu* (instruction).[62] So the word *têrtu* has a double connotation in extispicy: it refers to both the ritual and the results that are obtained.

The common Sumerian and Akkadian words denoting "(ominous) sign" are GISKIM and *ittu* (*giskimmu*) respectively. The word GISKIM (=*ittu*) includes the signs of heaven, earth, time, dreams, and people.[63] There is no firm evidence to show that GISKIM (=*ittu*) refers to the features observed on the liver. As Ulla Koch notes, "the Babylonians distinguished between two different kind of subsections of the liver: *šīru* (flesh)

56- Borger 1956, Esarh. 3 iv 6.

57- Maul 2013: 39.

58- Durand 2008: 492.

59- Durand 2010: 6.

60- Thureau-Dangin 1936: 174 n. 7.

61- Durand 2010: 6: "Le *têrtum* est fondamentalement la permission d'agir que donne la divinité en réponse à un questionnement."

62- Selz 1998: 301.

63- Maul 2003: 51-64.

and *uṣurtu* (drawing)," where the *šīru* denotes the constituent parts of liver and the term *uṣurtu* refers to the impressions caused by the pressure of the internal organs on the liver.[64] In extispicy omen lists, the word GISKIM (=*ittu*) usually indicates something other than the liver. Koch translates *ittu* as "defining characteristic," as in the following example:[65]

> *šumma manzāzu kabsu šalimtu u lā šalimtu laptat nabalkutu ša manzāzu u danānu šumma ittašunu ana pānīka*
> If the Presence is effaced, the favorable and not favorable (extispicy) becomes affected. "To turn" concerning the presence and the Strength, you have their defining characteristic before you.

Therefore, it seems that the extispicy features are not *ittu* (e.g., an eclipse, birth malfunctions, etc.) in the exact sense of the word. Given the *ikribu* text cited before[66], divination was actually a decision reached by the gods sent and written on the liver. Thus, it can be extrapolated that the extispicy features were encrypted messages,[67] denoting decisions of the gods expressed in the divine assembly in favour (*damiqtu*) or against the human's request (*lemuttu*).[68]

   Although our extant documents lack enough information to elaborate on every detail of the divine assemblies, as will be discussed later, to see a consensus decision-making model in ancient Mesopotamian divine decision-making processes is not far off the mark. Thorkild Jacobsen points out that the term *šitūlum* "to ask one another" is well attested in Akkadian texts with references to the divine assemblies, denoting discussions and negotiations among the gods in the divine assembly. Through this method of consensus and empathy "the issues were clarified and the various gods had the opportunity to voice their opinions for or against."[69] This interpretation is aligned with the general rule of extispicy[70], in which a high and absolute majority of signs determines the final answer, as indicated in the below passage from the text Multābiltu:[71]

> *šumma têrta tēpuš damqātūša ma'dā lemuttūša iṣū têrtu šī šalmat*
> If you made extispicy and its favorable signs are many and its unfavorable signs few, that extispicy is favorable.

And conversely:[72]

> *šumma têrta tēpuš lemuttūša damqātūša ma'dā damqātūša iṣū têrtu šī laptat*
> If you made extispicy and its ufavorable signs are many and its favorable signs few, that extispicy is unfavorable.

64- Koch 2000: 38; Glassner 2012: 47-50; Meyer 1987: 68; Maul 2013: 68.
65- Koch 2000 153 20 10.
66- Starr 1983: 30-31 HSM 7494 13-21
67- Glassner 2012: 50.
68- Jeyes 1989: 51.
69- Jacobsen 1943: 168.
70- See the section "Definitions."
71- Koch 2005: 138 Multābiltu Tablet 3 A7'.
72- Koch 2005: 138 Multābiltu Tablet 3 A8'.

As can be deduced from the reports on the actual practice of extispicy, the general rule of extispicy (i.e. a high and absolute majority of signs) cited above was the most common method adopted by diviners to announce the final result of a divinatory consultation.[73]

Our documents indicate that the discussions in the divine assembly took place at different levels and groups of gods.[74] As Piotr Steinkeller argues, the gods of night, who acted as the defendants of the person for whom the divinatory consultation was performed, together with other gods were involved in the procedure of extispicy.[75] In order to find out more about how the Mesopotamians imagined the divine assembly, Old Assyrian assemblies present insightful examples. On the basis of evidence from an Old Assyrian trading colony, Marc Van De Mieroop summarized the role and characteristics of the Assyrian assemblies in the following passage:[76]

> Seemingly, the council was divided into three groups in order to facilitate the deliberations. When a majority was in favor of considering the case, the secretary was ordered to convene the entire assembly. This assembly may have been divided into seven groups, and its decision required a majority as well. We do not know how majority opinion was determined. Was a vote taken? If so, how? Further information about the proceedings of the assembly is not available unless we take into consideration the literary descriptions of meetings of gods, as Jacobsen did.

Van de Mieroop's description of the Old Assyrian assemblies is in alignment with characteristics of the procedure of consensus decision-making in various cultures. Anthropological studies show that in communities based on this kind of decision-making, different layers of councils are placed at different levels of decision-making.[77] In tablet XI of Gilgamesh, Enlil was criticized by Ishtar and Ea for not consulting all the gods before creating the deluge; a passage of the text reads: "You, the sage of the gods, the hero, how could you lack counsel and cause the deluge?" (*atta apkal ilī qurādu kī kī lā tamtalik-ma abūbu ⌜taškun⌝*).[78]

However, in a consensus-based culture no decision can be made against the will of the minority, and anyone can block a proposal. This is why Ishtar and Ea blamed Enlil for not involving all the gods in his decision. In the same vein, if the extispicy features correspond to the divine opinions, one expects to find features representing opposite views, which could alter the final outcome. Since the extispicy features on the liver (or on a relevant organ) correspond to individual divine opinions in a divine assembly, one expects to find the minority votes of the assembly represented in the minority of the signs on the organ. There were two types of signs called *niphu* (lit. blaze) and *pitruštu* (lit. separated apart) that could change the whole result, even in the case that favorable signs were heavily outnumbered by unfavorable signs or

73- Richardson 2002; Koch 2002; Starr 1990; Kraus 1985; Nougayrol 1967; Goetze 1957.

74- Jacobsen 1943: 168-169.

75- Steinkeller 2005: 46; Maul 2013: 39-46. For the text see Dossin 1935; Von Soden 1936; Wilcke 2007.

76- Van De Mieroop 1999: 150.

77- In the village of Khuriet, for instance, there are different communities, each of which are in charge of some sets of enterprise or goods, and "each group has autonomy over his affairs," while members may belong to more than one group (El-Hakim 1978: 58). In Rojava, the autonomous district of North and East Syria, the councils exist at four levels, including the commune, the neighborhood, the district, and, at the highest level, the people's council (Knapp, Flach & Ayboğa 2016: 87-91).

78- Gilg. XI 183-184 = George 2003: 714.

vice-versa.[79] Ulla Koch states that the *nipḫu* sign functions like a joker in card playing.[80] A passage in the text Mulābiltu reads:[81]

> *šumma têrta tēpuš damqātūša ma'dū lemuttūša išū u nipḫu šakin ana qātīka tatâr*
> If you made extispicy, its favorable signs are many and its unfavorable few, and there is a *nipḫu* sign, return it to your hand (repeat it).

There is no doubt that Mesopotamian scholars never restricted the omen lists to a single rule of divination, and the corpus of omen texts contain countless combinations of these two Jokers with other negative signs that are effective in the final result.[82] However, in the practical and basic examples as attested in the extispicy reports, the mere presence of a negative sign was sufficient to indicate an unfavorable or dubious outcome. As mentioned in the example of the Mari letter (ARM XIV 84), collective decisions in ancient Mesopotamian assemblies could always be met with dissenting opinions. So the presence of Jokers, particularly *pitruštu* (a feature that is placed apart) may well indicate the important role of consensus blocking.

Conclusion

Mesopotamian texts on extispicy clearly show that the features appearing on the internal organs of the sacrificed animal were considered to be messages resulting from a meeting of the gods in the divine assembly, which was held to discuss a decision or question. These texts assert that what appears on the organs of sacrificial animals was written by the gods, that is, they were not accidental messages. Although we lack enough details to have a complete picture of the procedure of decision-making in ancient Mesopotamian assemblies, there is good evidence to argue that decision-making was a collective task. No matter whether the gods or humans gathered for a decision, all divine, juridical, political, and military issues had to be decided in assemblies and councils that sought consensus for decisions through discussions and deliberations.

The tendency of Mesopotamian kings to use divination for their decisions, was, in fact, a return, or rather, an escape back to the method of collective decision-making.[83] The king always discussed his decisions and asked for the opinions of advisors, and divination was a ritual to accomplish this purpose. In other words, any leader is a concrete embodiment of the difficulty, if not impossibility, of individual decision making.[84] This collective characteristic argues against the traditional image of eastern kings with

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79- Multābiltu Tablet 2-3: 147.

80- Maul 2013: 94-100.

81- Koch 2005: 138 Multābiltu Tablet 3 A9`.

82- Maul 2013: 98; Koch 2005: 277-278.

83- There is evidence to suggest that the city of Uruk had egalitarian characteristics in the fourth millennium BC, see Wengrow 2018: 32-35. Wengrow questions the extent of the leadership of the male figure in pictorial arts of the late fourth millennium BC. He states, "we cannot know whether his office was permanent and hereditary, or granted on a temporary basis by popular consent" (Wengrow 2015: 15).

84- The role of divination as a method of decision-making that helped decision makers to overcome the anxiety of heavy burden of responsibility has been discussed in Parsa Daneshmand's unpublished PhD dissertation "Ancient Mesopotamian Divination: Anxiety and Methods of Decision-Making" (Daneshmand 2019).

undisputed power. As David Wengrow points out Mesopotamian temples may not have had political power in the fourth millennium BC, and in the later periods, "autocratic institutions existed alongside civic assemblies, tribal councils, and other decision-making bodies whose influence was based on consensus and popular representation, rather than coercion or top-down control."[85] In his essay on "infrastructural power" in ancient Mesopotamia, Norman Yoffee argues that councils and assemblies established "the concept of a 'heterarchy of power' in Mesopotamia, which is a counternarrative to assertion of totalitarian power by kings and central governments."[86] Stefan Maul notes that this democratic aspect of Mesopotamian culture has been distorted by our modern biases of Greek democracy:[87]

> Der in unserer eigenen Kultur gepflegte Mythos vom Ursprung der Demokratie in der griechischen Polis verstellt allzuleicht die Einsicht, daß eine Kultur des Aushandelns nicht zwangsläufig an die Agora und an die uns vertrauten Formen und schon gar nicht an Aufklärung und Säkularisierung gebunden ist.

In consensus decision-making, the final result is based on unanimity and super-majority (yes/no) versus a very small number of dissenting opinions, and not on putting them to a vote. Of course, there are occasions when discussions come to loggerheads and there is strong opposition. These cases are treated by re-discussing the issue to the point where the largest number of participants agree with it. All this process is reflected in the way the diviner reads and interprets the signs. From the emic Mesopotamian perspective, the decision of the gods preceded its writing on the organs of the sacrificial animal. The omen texts and reports of actual extispicies indicate that the procedure of observing the features and achieving the final result conforms to the characteristics of consensus decision-making. If the analogy of the divine assembly and decision-making by consensus holds, the features observed on the liver should correspond to the opinions expressed by the gods; hence the rule of the final result on the basis of the excessive number of yes/no features. The Jokers, on the other hand, reflect a veto, which necessitates a consensus solution.

The main question of this essay is that if the method of rendering the final result does not follow mathematical rules, which seems certain, it should have been taken from a phenomenon, socially and culturally, well known to the people of Mesopotamia. The divine and human assembly had a long tradition in ancient Mesopotamia. The procedure of reaching a collective decision mentioned in the examples discussed in this paper corresponds to the characteristics of consensus decision-making. If all elements of consensus decision-making, including assemblies, ad hoc meetings, discussions, and opinions written on a tablet exist in the procedure of extispicies, which is the case, then one could expect to make an analogy between the technique of reaching a final decision in decision-making by consensus on the one hand, and the method of determining the final outcome in extispicy on the other.

85- Wengrow 2015: 16 and 17.

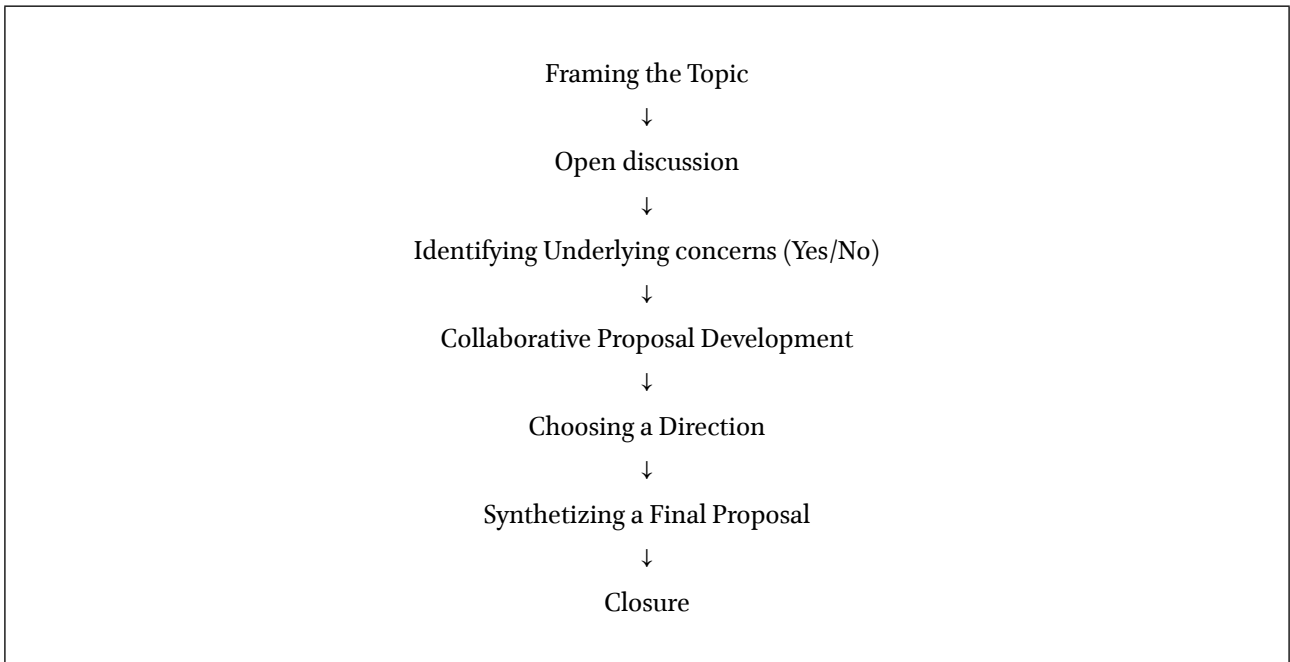86- Yoffee 2016: 1053.

87- Maul 2013: 323.

Framing the Topic

↓

Open discussion

↓

Identifying Underlying concerns (Yes/No)

↓

Collaborative Proposal Development

↓

Choosing a Direction

↓

Synthetizing a Final Proposal

↓

Closure

Figure 1: An Outline of the Consensus Decision-Making Process.[88]

Human Question / Decision

↓

Ritual: Invoking the gods - Offering the Sacrificial Animal

↓

Divine Assembly – Elaborating on the question

↓

Different Opinions (Yes/No; Block)

↓

Writing the details by the Divine Scribe on the Divine Tablet

↓

Mirroring the details on the Liver – Decoding the Message

↓

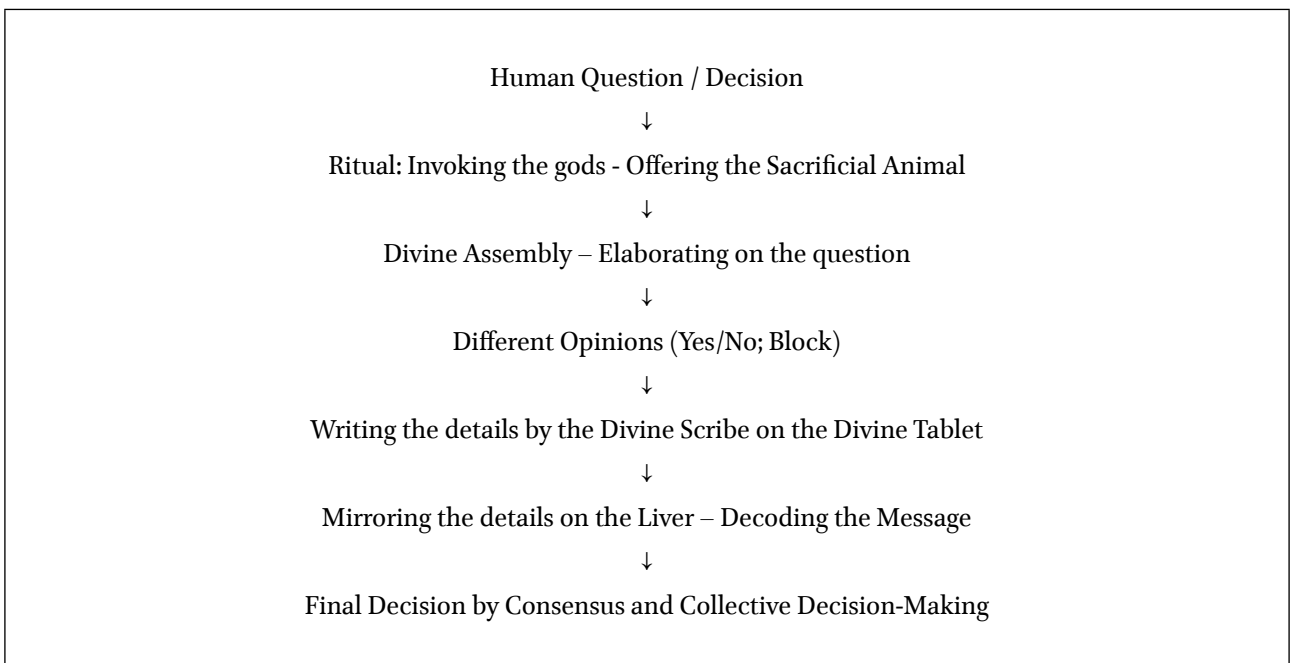Final Decision by Consensus and Collective Decision-Making

Figure 2: An Outline of the Extispicy Procedure

88- Based on Hartnett 2011: 37-38.

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