THE LAND OF ASSUR
& THE YOKE OF ASSUR

STUDIES ON ASSYRIA
1971–2005

NICHOLAS POSTGATE
Front cover: two strips from the bronze ornamentation of gates erected at the Temple of Mamu at Imgur-Enlil (modern Balawat) by king Assur-nasir-apli II in the early 9th century BC. The cuneiform captions tell us that the upper strip shows the King receiving the tribute of Kudurru the ruler of Suhu, and the lower strip has him standing before the gates of Imgur-Enlil receiving further tribute from the same ruler. Drawing by Marjorie Howard; see the forthcoming volume on The Balawat Gates of Ashurnasirpal II by R. D. Barnett et al. (British Museum Press). The strips were conserved at the British Museum and placed on display in the Mosul Museum but were mostly looted in 2003.
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FOREWORD

This collection of papers brings between two covers some thirty years of engagement with the nature of Assyrian society and government. Most of the articles included here are broadly synthetic, dealing with general issues, and in a sense this collection is not a substitute, but an apology, for having failed to bring my work on this subject together into a more general study of Assyria.


Most articles are photographically reproduced from the first publications, with the insertion of this volume’s page numbers in addition to the original pagination. In the case of items 15 and 18 I have taken the opportunity to insert a brief addendum or corrigendum. Item 27 is published here for the first time, in advance of the proceedings of the Copenhagen conference (see p. 331).

For permission to reprint articles first published in their journals or collective volumes I am much indebted to the editors and publishers: The School of Oriental and African Studies, University of London (1), Prof. Norman Yoffee, as Editor of the *Journal of the Economic and Social History of the Orient*, and Brill Academic Publishers, Leiden (2), Librairie Orientaliste Paul Geuthner (3), Prof. Dominique Charpin and the *Revue d’Assyriologie* (4 and 8), Prof. Jorge Silva Castillo (5), Prof. Mogens Trolle Larsen and the Akademisk Forlag (6 and 27), the Editors of *Anatolian Studies* (7), Aris and Phillips Ltd. (9), Dr. M. Weszeli, Editor of the *Archiv für Orientforschung*, Vienna (10 and 16), the Akademie Verlag, Berlin (11), the Editors of the *Journal of Semitic Studies* and Oxford University Press (12), Prof. J. Rodgers, and the American Oriental Society (13), Prof. Ph. Talon, M. Lebeau and L. de Meyer (14), Prof. Giovanni Lanfranchi (15), Taylor & Francis, and Prof. T. Gosden, Editor of *World Archaeology* (http://www.tandf.co.uk) (17); Otto Harrassowitz Verlag (18), Prof. Dr. Hartmut Waetzoldt and the Heidelberger Orientverlag (19), Prof. Dr. Manfried Dietrich
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This seems a good opportunity to express my gratitude to the institutions whose support has enabled my study of Assyria – Trinity College, Cambridge, the School of Oriental and African Studies, University of London, the British School of Archaeology in Iraq, and the Faculty of Oriental Studies in the University of Cambridge, and not least the Iraqi Directorate-General of Antiquities and its successors – and to my teachers, in the first instance James Kinnier Wilson and Margaret Munn-Rankin, but also Wolfram Freiherr von Soden and Dietz Edzard on my visits to Münster and Munich respectively. I would also like to acknowledge the immense debt that I, like all those who work on Assyria, owe to the two great projects created by the vision and initiative of Kirk Grayson and Simo Parpola, the Toronto Royal Inscriptions of Mesopotamia and the Helsinki State Archives of Assyria.

Nicholas Postgate
June 2007
LAND TENURE IN THE MIDDLE ASSYRIAN PERIOD: A RECONSTRUCTION

By J. N. Postgate

This article is an attempt to assemble and reassess the evidence relating to the problems of land tenure in the Middle Assyrian period, and to show that all private land was normally held as a concession from the crown in return for the performance of ilku obligations. The subjects are treated in five main sections:

1: ilku and military service (pp. 496-502)
2: the Middle Assyrian laws, tablet A, § 45 (pp. 502-8)
3: allocation of tenures by the crown (pp. 508-12)
4: evidence from the land sale documents (pp. 512-17)
5: conclusions (pp. 517-19)

1: ilku and military service

Since this article is largely concerned with the association of land tenure with personal service for the state, it will be useful to start by considering ilku, the one word which seems at all periods to refer to personal service of one kind or another. As we have only a few scattered occurrences in Middle Assyrian texts, it is particularly necessary to treat these in detail, and this should help to clear the ground for a more general discussion. I have deliberately refrained from making comparisons with usages of the word in other groups of texts, since this would inevitably prejudice the conclusions.

The most problematic of the relevant passages is that in KAJ 7; the text has often been discussed, and in general I can refer to D'yakonov's treatment in Ancient Mesopotamia, Moscow, 1969, 231-33 [written in 1949], where ll. 20-6 are translated ' Asuat-idiglat and her progeny are "community members" (ilku) of A.' (the slave's master) ' and of his children; they will perform the service of "community membership" for A. and his sons, . . . '. This is a passage from a document in which a slave redeems (for marriage) a free-born girl from her 'owner'. Unfortunately the text does not tell us of what their service might have consisted, but some conclusions do seem to be possible about their liability to that service. Since, however, there is no unanimity among scholars as to the exact meaning of the phrase ilku 'a la ilātišt; it seems best to consider three possible interpretations of it first.

(1) According to D'yakonov's interpretation, the ilku 'a la ilātišt was a state-imposed obligation, to which those who owned land in each village ('community', ilku) were ipso facto liable; here, however, the owners of the land have transferred the obligation to inferior dependants of their house (D'yakonov, 232). This theory implies that, if they had not done this, they would themselves have been liable not just to ilku, but specifically to ilku 'a la ilātišt 'service of community membership', and moreover, that they would have been ilku 'community members'. However, in the preceding phrase the text states that the slave and his wife are 'villagers' (ilātišt) of their master, Amurru-nasir, and the natural assumption must be that ilātišt here means precisely this status of theirs as his dependent 'villagers'; such a meaning of ilātišt could obviously not be applied to Amurru-nasir and his family, and so this exact interpretation cannot be accepted.

(2) In CAD, 1 (A), Pt. 1, 391a, the passage is translated: 'PN and his children will remain villagers of PN, and of his sons and he will perform services as the village residents to PN and his sons'. This seems to imply (although it is not stated unequivocally) that the ilku here mentioned is not the same as ordinary state ilku, but a kind of private service exacted by the house of Amurru-nasir from these dependants, the slave and his wife. Such an interpretation is not supported by any other occurrence of ilku, but the translation does have the advantage of giving due weight to the connexion between the use of ilātišt in the previous phrase and the ilku 'a la ilātišt; the translation 'services as village residents' must be substantially correct.

(3) In order to reconcile these two points of view, a more complicated solution is necessary, but one which I hope is nearer to the truth. As is obvious, ilātišt means a person who lives in a village, but the usage here suggests that it is not a term which would have been applied to any free man who owned land in the relevant village (and was thus a 'community member'). As CAD has noted, ilātišt, both here and in the Middle Assyrian laws (see below, § 2), is a 'dependent villager'. It seems therefore that the 'villager of Amurru-nasir' (or of 'the palace') must be a dependant whose prime characteristic is that he (or she) lives in a village (as opposed to one who lives in the family house or in a town, viz. Assur). We may fairly assume that his master does not live in the village himself, and that the function of the villager is to cultivate the land which Amurru-nasir (in this case) owns. We need not suppose that he owned a whole village, but he may well have had property in a number of different places, in all of which he may have had 'villager dependants'; the existence of families in Assur which owned land in outlying villages is well attested in the

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1 This article is a considerably expanded and revised version of ideas put forward by me in a dissertation submitted to Trinity College, Cambridge, in August 1970, entitled 'Taxes and military conscription in Assyria'. I am indebted to the Master and Fellows of the College for permission to make use of this material in this article.

2 KAJ 7, 20-6: ilku 'a la ilātišt; see also D'yakonov (232) recognizes that the simple translation 'community member' is too broad to fit the context, and says that the word here 'is defined by the lines that follow: they are those who perform the service of community membership'; he does not, however, make any attempt to justify this restriction in the word's meaning.
MAss. ilku payments, the two can therefore only refer either to the horses or to the corn. (envelope, Nigria, Luriidi, return from the army). The final clause reads: 'at the return of the army he shall give service on lands which... service is... as villagers... for' with... debts were regulated. One of the parties to the transaction is presumably an official, but there is some reason to suppose that both may have been, and it is therefore conceivable that state officials did not have to fulfil their ilku obligations by going on military service in person, but were able to make some kind of substitute payment such as is attested for Neo-Assyrian times. But this is purely speculative at present, and must await further evidence.

Confirmation that ilku did not refer exclusively to personal service in the army may perhaps be sought in a couple of texts from Assur, KAJ 233 and 253. KAJ 233, 1–6, reads: ‘Anum-sarna-ees has received 16 homers 4 stitu of corn (as) horse-fodder, sa ilku, belonging to (i.e. from) Parpariu 13; KAJ 253 is very similar, 13 but reads instead sa ul-ki sa il PN, ‘in the charge of PN’, which shows that the corn must have been an administrative issue made by that person, and therefore excludes the possibility of combining the first-named person in each text (the giver) with sa ilku and thus translating ‘of the service of PN’. The sa ulku can therefore only refer either to the horses or to the corn, and since the animals, for whom the corn is destined, must be the raison d’être of the issue, we must assume that the recipient is drawing fodder for the horses; they will have been brought into the administration in connexion with, or in fulfilment of, ilku duties, and he will be only the ‘government groom’, applying for supplies from his superior department. It would be rash on this basis alone to suggest that the supply of horses could serve as a substitute for personal execution of ilku service, but these texts do at least confirm the association of ilku with the army.

hurudi

As we have just seen, TR 3005 connects ilku unequivocally with the term hurudi, and another Tell el-Rimah text (TR 2021+) gives further interesting details about this word, which I am provisionally translating ‘army’. The text records the loan of a lance (ulumu) and accompanying item(s) to a certain Šilli-amurri; the final clause reads: ‘at the return of the army he shall give (back the lance) and break his tablet’. In other words, when the lance has been returned his obligation is acquitted. It seems certain that Šilli-amurri was an ordinary person being called up for military service in the hurudi, but unfortunately the terse phraseology of the text makes it impossible to decide whether we should envisage his service as lasting for a whole year or more, or

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merely for the duration of a seasonal campaign. In either case a comparison with TR 3005 makes it likely that he was thereby fulfilling his išu obligations, and it is therefore particularly vexing that the exact length of his service cannot be established.

In view of these new instances of the word išurātu, it seems advisable to review the other usages of the word, references to which have been culled from the dictionaries. The derivation from the root īrd shows that išurātu must originally have meant 'watch', 'guard', or 'garrison'; this would fit well with some of the Middle Assyrian passages (see below), but the wider usage, roughly 'army', which is found in the texts from El Amarna and Boğazköy, may also be derived from Middle Assyrian. From Assyria proper the word is not in fact very common, and the major source is KA V 119, which lists a total of 4 men missing, of the išurātu, in the charge of PN: 15 above this summation the men are described individually, with their names, villages, and commanding officers, and extra details are given: for the first three, 'the išurātu which brought provisions to Sinamu', 16 and for the fourth man, 'the išurātu which laid (?) the bricks of Sinamu'. 17 Points to note here are that each išurātu was clearly a separate entity, whatever its functions; that each man is assigned to a different officer; and that they are all associated with a particular town, Sinamu. 18 This last point is echoed by a text, quoted in AHw., 367, s.v., which gives three references to 'PN ili-ri-dā sā LN (= name of land)', and also of course by TR 3005 (above), where the unit is associated with Niḥriā. 19

A slightly different picture is offered by the text Billa No. 12, which is an administrative transcription and probably refers to the supply of provisions (of a rather exotic kind) to 'the king's camp of the išurātu' which (is) in the land of Katmuštī. 20 We may deduce from this that the išurātu could operate in camps, as opposed to town garrisons, and that since it might be under the command of the king himself, it could constitute the chief fighting unit of Assyria. This is confirmed by the title of a dignitary called Ninurta-apla-iddina, who is called, not only on his own stele but also on that of his son, the rab išurātu and the rab 21

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16 LI. 6-7: ili-ri-dā sā lid. nasi. niš mēn su a-nā = il-ri-mu sā-su a-nā.
17 LI. 10-11: il-ri-dā sā nīm. il-ri-mu sā-su a-nā = il-ri-mu sā-su a-nā; the translation given follows the emendation of von Soden (in AHw., 552b) to ili-ri-mu a-nā. If sā-su could be taken to refer to 'brick-work', we might consider a derivation from lārd, which would then dispense with the need for emendation, and yield the general sense 'the išurātu which besieged Sinamu'.
18 Sinamu is known to lie in northern Mesopotamia (see J.-R. Kupper, Les codemes de Mesopotamie, pp. 123, 230, n. 1).
19 Niḥriā is well known from Old Assyrian and Old Babylonian texts; it is variously located in the Urfa region (Garelli, Les assyriennes en Cappadoce, 98), or in the neighbourhood of Mardīn (see M. Astour, A. F. C. XXVI, 1, 1957, 20-23). It is therefore hardly likely to have lain in the same administrative district as Tell al-Rimāš, and in any case it was itself a local capital (later ?), RLA, II, p. 439, stele No. 66. This shows that the išurātu organization transcended provincial boundaries.
20 See Einleiter, JCS, VII, 4, 1953, 126, 153; II. 16-20 must have read much as follows: [išu] an-ru lu lu a-nā mādālu lu lu ili-ri-dā lu lu 1st sā nā kur katmuštī ta-ad-na-at?] ili-ri-dā sā lu lu.
21 UK, 99, rev. 14'-16', a passage which will be treated in the writer's study on Neo-Assyrian taxation.

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22 Ungnad, RLA, II, pp. 368-9, stele No. 67 and No. 87 (dated by Ungnad to Tiggath-pileser II for reasons not specified).
23 We should probably include in this category the passage from Assur-ērēš I, quoted in Weidner, Die Inschriften Tukulti-Ninurta I. und seiner Nachfolger (A J. 6, Berlin 13), p. 58, No. 70: 9su-a-nā=il-ri-mu sā a-nā, where išurātu -- išurātu. Here the word seems to be contracted with 'ashurātu', and refers to infantry, although it may not necessarily means foot-soldiers.
24 See Postgate, Neo-Assyrian royal grants and decrees (Studia Pohl, Scr. Maior, 1), 10 ff., and references in index, 129. Whether the Shalmaneser I passage KAI, I, 13.13.0 9su-a-nā a-na lā 9su-a-nā a-na belongs here is uncertain, see CAD, 12a (D), 14a.
25 The best instance of this is Harper, A J, 99, rev. 14'-16', a passage which will be treated in the writer's study on Neo-Assyrian taxation.
Having considered the occurrences of the word ḫulta, we now turn to texts which deal with questions of land tenure, in particular with the conditions under which land might be held from the state. We shall not return to ḫulta until the final section.

Our concern is first with the section of the Middle Assyrian laws mentioned above, which treats the problems encountered when the husband of a woman who has no other male relatives to support her is taken captive.85

...and these two verbs are perhaps the most crucial of the taqabbi; they shall write to the king's labour is known to me outside the laws, it is of course possible, one should at least consider the alternative meaning of the phrase 'to belong to'... if this were correct the passage would stress the legal rights of the husband, although of course the general import of the passage would not be altered, and is not in dispute.

The distinction is important, because with the translation 'come' the clause suggests that she is to come forward to the very authorities who are responsible for drafting the law. Since it is not specified in the text where, or to whom, she is to come, this does not give us any direct evidence as to the identity of the promulgators of the law; but it is at least possible that they are the judges mentioned below in l. 62. In this combination πa·ni mu-ti-la is used here in its regular form for the Assyrian D stem infinitive and permansive of verbs I'ayin; if it is correct, the translation is rendered by Cardaaaoia as 'elle demeurerait ... fidele à son mari' (cf. CAD, III, 25: 'a has to wait for her husband'). Although the sense 'wait' is possible, one should at least consider the alternative meaning of the phrase 'to belong to'; if this were correct the passage would stress the legal rights of the husband, although of course the general import of the passage would not be altered, and is not in dispute.

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...and she shall do it work, if she is the 'wife' of a ḫupu, she shall belong to her husband, (her 'palace') shall seal her, and shall she do it work. If she is a villager of a palace, (her 'palace') shall seal her, and shall she do it work. If she is the 'wife' of a ḫupu, she shall belong to her husband, (her 'palace') shall seal her, and she shall do it work. If she is a villager of a palace, (her 'palace') shall seal her, and shall she do it work. If she is the 'wife' of a ḫupu, she shall belong to her husband, (her 'palace') shall seal her, and shall she do it work. If she is a villager of a palace, (her 'palace') shall seal her, and shall she do it work. If she is the 'wife' of a ḫupu, she shall belong to her husband, (her 'palace') shall seal her, and shall she do it work. If she is a villager of a palace, (her 'palace') shall seal her, and shall she do it work. If she is the 'wife' of a ḫupu, she shall belong to her husband, (her 'palace') shall seal her, and shall she do it work. If she is a villager of a palace, (her 'palace') shall seal her, and shall she do it work.
clearly be impossible according to earlier interpretations of the section, but if the land was sold on her behalf, as I have suggested, then she may easily be said here to have sold it herself.

In Cardascia’s translation is realized by the editor himself: he is forced to translate *la tabdînu-ma iddaan an ‘salam (les conditions auxquelles) il/aient été (anterioriément) concédé ou vendu (au) et l’evidence (et) en elles ne se fier que* to ‘they have to take as referring to the payment of rent (or similar) by the first husband on the same terms as the second husband, and he rightly remarks that ‘on étonne que le rédacteur ait édité le vocable qui ci éclaire sa pensée: par exemple bîlles iddaan . . . ’. The idea that we have to do with rent is in any case contradicted by the phrase ana ému game, which is used regularly by Middle Assyrian documents with no difficulty to describe a completed sale, and could not be applied to a pledge or payment of rent. The use of this phrase here is confirmation that in ll. 66–7 the property was indeed being sold, and not merely ‘assigned’.

In [Fr. 17, 17], it would be possible to read in aBabum as ‘the fortress’ or ‘in the armed forces’ (of the king). However, this rendering is itself uncertain, and danasatu (danasatu) or danasatu is not known elsewhere in Middle Assyrian texts with any such meaning; moreover, as realised by other commentators, it is awkward to have a man supposedly re-entering the armed forces even before he has reigned his wife and land. Rather, we require in this context a phrase which will in some way preclude the land’s resale to its original owner, and such a condition is more likely to apply to the land than to the man. I therefore take that the subject of ému is the land, and this is supported by the preterite tense of the verb, which makes the action previous to the man’s return (ému is used by itself, without bêtu, in ll. 64 also). Therefore I would propose that the phrase in some way describes the assumption of the lands into the royal domain, from which they cannot be redeemed by the owner himself: (exact semantic shift of *danasatu uncertain*).

**Discussion**

Since my version of the law differs considerably from that of earlier editors, it may be useful to summarize their position before drawing conclusions from my revised translation; this will define the points at issue. To do this I rely chiefly on the translation and commentary of Cardascia (219–29), who has selected the best of the previous versions and made improvements of his own.

In general there is agreement about the meaning of the opening section of the law (ll. 46–57). From ll. 57 onwards, according to Cardascia (pp. 221 ff.), we are concerned with the case of a soldier who is provided with a ‘fief’ in return for his military service; he is of superior social standing to the two previously mentioned classes, since his wife is not required to work for her living during his absence. Further, during the two years which she must wait for him, her maintenance is provided for her, by the enjoyment of a house and field assigned to her by the authorities. Cardascia here takes analogies from Old Babylonian practice to support his contention that, in the absence of the holder (or any eligible substitute), the land must in theory revert immediately to the crown (here represented by the authorities, i.e. the judges and the mayor)

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legal connotation which still eludes us, but which will have been similar (at least) to CAD’s suggested translation (ibid., 231a) ‘to conclude a sales agreement’. It is difficult to separate this Neo-Assyrian usage from the law’s *mikku = nôddan* and hence I would maintain that our clause must stand as they shall sell. However, it is evident from the remainder of the law that the house and field were not sold to the abandoned wife, and we must therefore render the dative suffix on the verb as ‘for her’, ‘on her behalf’, and assume that the judges (or perhaps the mayor and elders) are acting in place of her husband in selling the property to someone else.

This interpretation agrees well with the fact that she goes with her son to the house of her brother-in-law, thus joining his family group; she could hardly remove them from her father’s authority if he were alive. We must assume, however, that the *la-la-ri-ri-ma§* of ll. 20, which is different from the *la-la-ri-ma§* of ll. 68, is supported by a *sarrum* of ll. 1, 20, which should introduce a new topic (or we could translate ‘the other’ (== *sarrum*) *Bûlimu* ‘). I know of no other instance where *parrum* stands for *parrum* in *MA*, although it is