



Legislations in The North of The Arabian Peninsula Until The Fifth Century A.D

A Thesis submitted for Master Degree in Ancient Near East

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Summary
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The Current Study aims the Legislative and customary aspects of the Arabian Peninsula, in general, and the Northern Arabian Peninsula, in particular. It depends on a group of Nabataean, Thamudic, Lihyanite or Safaitic Inscriptions belonging to the Period dating back to the first millennium BC until the Fifth Century AD. In some cases, it refers to the Ancient South Arabian Inscriptions seeking a better understanding of the Legislations, Traditions and Systems that governed the People of this region. The Nabataeans Tombs Inscriptions in Hager are the oldest legislative documents left by the inhabitants of the Arabian Peninsula generally indicating their early knowledge of the legislative aspect before the First Century BC. Through studying several Northern Inscriptions, it is shown that the society in Northern Arabian Peninsula was ruled by a legislative, executive and religious authority. These inscriptions recorded a large number of words such as “King, Ruler, President, Judge, Priest or Idol”.

People in Northern Arabian Peninsula, especially the Nabataeans, recognized the Laws on burials and property tombs. It included the will written by the tomb owner to their successors regarding how they can reacted towards his tomb after his death. In this region, women enjoyed important rights, as they could have their own tombs whether they were private or public. All the inscriptions on the women’s tombs are of a legal form. This confirms Women’s, especially Nabataean ones, legal independence from male guardianship.

People in this region also practiced pilgrimage ritual, They organized some of the tacit legislations related to this ritual, in order to prove the validity of pilgrimage, includes sacrifices, sanctity of fighting and physical and moral purity. The temple in the Northern Arabian Peninsula had its own rights and legislations, Primary among these is the legislation of Taxes, which indicat that the temple and its priesthood share ten percent of every individual’s income, paid each year.

This Northern Arabian Peninsula society, furthermore, organized a marriage system. However, the inscriptions regarding its rules and regulations are limited as they indicated only how to get married. Although These inscriptions referred to divorce, there are no special documents about divorce laws and legislation. The Arabian Peninsula had a male-dominated societ. Hence, man had the right to divorce in many special cases. The Nabataean inscriptions also explicated the system of

affiliation and custody of children, especially that related to mother (Matrilineal Genealogy) in the Nabatean and AL- Ahsa Communities, there was a system of inheritance, but there is no information about it other than those related to heredity of tombs and the burial rights of legitimate heirs. The Nabataean, Lihyanite and Thamudic women also had a share of the heritage of her father and husband.

Northern Communities imposed some severe Penalties. Hence, murder was punishable by revenge and blood money; adultery was punishable by death, theft was punishable by the cutting of the right hand, and the recovery of what was stolen.

This society has also defined various types of important legal economic transactions in any civilized society such as buying, selling, mortgage, and other types of commercial and economic exchanges. The controls of these transactions may have come in the form of written customs or laws; The public authority respected and implemented these transactions.

The current thesis is divided into:

Introduction: The researcher presents an overview of the reasons for choosing the topic, the difficulties encountered in that study, the required results research, and previous studies.

Preface: The researcher deals with the geographical and historical framework of the research topic.

Chapter I: Legislation in Linguistic Sources: The researcher divides this chapter into three sections:

- The first section explains the legal definition of the terms (legislation, law, tradition, and customs) and the difference among them. It also tries to apply that on the the North Arabia society.
- The second section presents the sources of legislation in the North Arabia Peninsula.
- The third section explores the terms related to legislation in the inscriptions of the North Arabia where a number of linguistic terms with legislative connotations were discussed in the Northern inscriptions in addition to some words that indicate the customary legislation imposed by the community not only the law.

Chapter II: The Authorities concerned with Legislation in the North Arabia: The researcher divides this chapter into two sections:

- The first section handles the legislative authority composed of the head of the tribe, the ruler, the king, the judge and the interpreter, and the Role of the Tribe in

Lihyan, Thamudic and Safaitic communities, and their influence on the legislative side in the region.

- The second section focuses on the executive authority and its tasks as well as the role of the priests.

Chapter III: Religious Legislations: The researcher divides this chapter into two sections:

- The first section deals with the legislation related to the tombs represented in the property law of tombs and the violation legislations.
- The second section reviews the legislations related to the temples especially the orders concerning the sanctity of the temples in pilgrimage in addition to the rights of the temple (Taxes).

Chapter IV: Social legislations: The researcher divides this chapter into Two sections:

- The first section deals with family legislation such as marriage, divorce, custody of children and inheritance.
- The second section is concerned with the legislation related to crimes such as murder and the consequent penalties such as revenge and blood money in addition to the crime of adultery and theft.

Chapter V: Economic Legislations: The researcher divides this Chapter into three sections:

- The first section presents the rights of property and its various types such as private and public property and ownership of the temple.
- The second section deals with types of taxes: religious, agricultural and commercial.
- The third section focuses on the transactions of selling and buying including market systems and economic transactions.

Conclusion: The results found by the researcher through this study.

Appendices: They include an Annex of maps and inscriptions mentioned in this Study.

A list of references: which was used in this Study.

An index of vocabulary mentioned in this Study.

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