

The Sabaic Fragmentary Inscription BM 125130=C 432 in the British Museum. A dedication with a legal transaction record

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[The article analyses the Sabaic Fragmentary Inscription BM 125130=C 432 and offers an interpretation from both a philological and historical perspective. A new translation of the document is also proposed.]

Keywords: Ancient South Arabian, legal document; Semitic lexicography.

1. *Introduction*

The inscription BM 125130=C 432, currently housed in the British Museum (see the photograph below),¹ is a fragment of a larger document inscribed on a stone mutilated on both sides. Given this fragmentary state of preservation, the inscription cannot be read in its entirety, and its full understanding is thus compromised. For this reason, the document had not received due attention thus far.

The extant part of the inscription, however, presents several interesting aspects, which deserve a more in-depth analysis. In this note, some linguistic and philological problems are discussed, and a tentative reconstruction of the document's general content is proposed.

2. *Epigraphic problems*

After closer examination of the original stone, it appears that the style of the script of lines 1 and 2 differs substantially from that of the rest of the document. In lines 1 and 2, the upper horizontal part of the letter *b* shows a curved shape that does not occur in the other lines. The letter *r* is completely rounded in shape whereas it presents a more angular shape in the other lines. The letter *m* is slightly more angular whereas it appears to be rounder and wider in the other lines. Furthermore, it is particularly striking that in lines 1 and 2 the two parallel lines inside the letter *q* are arranged diagonally from top right to bottom left, whereas they are oriented in the opposite direction in the other lines. It is, therefore, reasonable to advance the hypothesis that two different scribes were responsible for lines 1 and 2, on the one hand, and the rest of the text, on the other.

This hypothesis seems to be corroborated by the fact that the size of each letter and the distance between them are perfectly balanced and show no change throughout the first two lines. By contrast, in the rest of the document, the size of each letter and the distance between them decrease from line to line until the letters become extremely small in the last line on the lower edge

1. In the context of the MENCAWAR project organised by the University of Pisa (2008-2009), I was able to inspect the original document at the British Museum, and I would like to take this opportunity to thank Dr. A. Porter and the British Museum staff for their help and support during my visit.

of the stone. Furthermore, the word *s^llmn*, written in large letters on the right side of the stone, seems to have been engraved before lines 3-5, as the letters of line 3, written above *s^llmn*, are smaller than those written after *s^llmn*, with the latter word being placed in the middle of lines 4 and 5.

The decreasing dimensions of lines 3-6, as well as their arrangement around the term *s^llmn*, point to the possibility of these lines being added at a later time.

The reading of the sign in line 5 in front of the word *s^llmn* is problematic. A closer examination of the original stone shows that half of the sign *r* is still legible, which confirms the reading in CIH.² This allows the reconstruction of the term *rb 'm*, which suits the context.

The reading of the expression following [...]w in line 6 was read by CIH as *q-yhymnn*,³ whereas closer examination of the stone shows that the sign *y* must be corrected into *z* such as *q-yhzmmn*,⁴ which is fitting for the context.

Transcription and translation of the text

¹ [...] (bn)w *q-N'mn 'dm q-Rymn bn[yw?]*

² [...] *rtq-d-hw 'ttr q-Dbn w-'lmq[h]*

³ [...] H]w^f *tt bn 'tln w-Lhy 'tt q-S²r 'n w-'* [...] ...]

⁴ [...] 'r]ys² -hw w-' *rm-hw w-'rdy-[hw]*

⁵ [...] 'n (r) *b 'm f-'l s' 'l 'ys' 'm 'h-h[w]*

⁶ [...]w *q-yhzmmn bn qn s²'mn w-kwn qn (q)[... ...]*

¹ [...] (bn)w *q-N'mn vassals of q-Rymn 'constr[ucted?]*

² [...] **has put him under the protection of 'ttr q-Dbn and 'lmq[h]**

³ [...] H]w^f *tt bn 'tln* and *Lhy 'tt q-S²r 'n* and ' [...] ...]

⁴ [...] 'its/his wo]o den buildings? and its/his dams and its/his lan[d]

⁵ [...] ... a sec tion (of an installation); thus let no one make any claim against ano[ther]

⁶ [...] ...]and what they will be protected on the basis of this purchase; and was constituted this ... [...] ...]

3. Analysis of the document

The structure and content of the document appear to match the epigraphic observations made above. It seems that in lines 1-2, some people called '*bnw q-N'mn vassals of q-Rymn*' might have carried out works on their land properties, and that they had placed someone under the protection of the gods '*ttr q-Dbn* and '*lmqh*'. These two lines, therefore, seem to have formed the original and oldest part of the document. The possibility of an individual's dedication may be corroborated by the word *s^llmn* engraved in large letters below these two lines. As the word *s^llmn* is attested as a personal name in Sabaic, as well as in the rest of Ancient South Arabian (hereafter ASA), it may refer to the person entrusted to the deities, probably a member of the family. Given the typology of

2. See CIH, 122. This reading is accepted by SW.

3. See CIH, 122.

4. This correction is accepted by SW.

the document, the quality of the stone⁵ and its monumentality,⁶ the inscription is likely to have been intended for a temple.⁷

Lines 3-6 seem to report a different content as they deal with the purchase of land and properties (dams, land, possibly wooden buildings and sections of land/real estate), and mention different individuals *Hwf'tt bn 'tln* and *Lhy'tt d-S'r'n* (and probably someone else missing in the lacuna) to the '*bnw d-N'mn* vassals of *d-Rymn*' occurring in lines 1. This part of the document has a legal character, as can be seen from the typical legal formula '*l s'm s'l*' that refers to a procedure preventing possible legal disputes. This formula is used in various areas of the law, including economic transactions, and could relate to the purchase referred to in the document. Notably, the use of the demonstrative *dn*, in relation to the term *s'mn* "*this purchase*", indicates that the purchase is dealt with in this part of the text. As the latter is engraved on the stone bearing the original dedication, it must have been added by the '*bnw d-N'mn* vassals of *d-Rymn*' themselves. This implies that '*bnw d-N'mn* vassals of *d-Rymn*' must have been the purchasers of those properties. Consequently, the hypothesis that the other people *Hwf'tt bn 'tln* and *Lhy'tt d-S'r'n* in line 3 are the vendors cannot be ruled out. The prominent role of the two Sabaic deities, *'ttr d-Dbn* and *'lmqh*, suggests that the dedicators were a family of some social importance and perhaps of considerable financial means.

4. Tentative reconstruction of the document's content

On the basis of the abovementioned data, a tentative reconstruction of the document's content can be proposed. The '*bnw d-N'mn* vassals of *d-Rymn*'⁸ originally commemorated the construction of some buildings and placed a member of their family, named *S'lmn*, under the protection of the two major deities *'ttr d-Dbn* and *'lmqh*. The inscription was engraved on a large stone and displayed in a temple. Later, members of this family (the *bnw d-N'mn* vassals of *d-Rymn*) purchased some land property from people belonging to another family, *Hwf'tt bn 'tln* and *Lhy'tt d-S'r'n*, and had the transaction inscribed on the stone bearing the older text of the previous commemoration. This part of the document, therefore, was to certify and guarantee the legal validity of the purchase. The reason why the stone bearing the dedication was also used to record the acquisition of properties remains uncertain. Nevertheless, the original dedication had a specific function as it consisted in placing someone under the protection of deities (note the technical expression *rt-d-hw*). It is likely, therefore, that the part of the document reporting the details of the purchase was included in this dedication so that the legal validity of the purchase was entrusted to the gods.

5. Note that that the surface on which the inscription is inscribed is a shelly fine-grained limestone, a type of stone of the highest quality.

6. For its dimensions, see the information reported in https://www.britishmuseum.org/collection/object/W_1872-0619-3.

7. Note that traces of colour are still visible on the surface of the stone, indicating that the inscription was originally coloured red. Traces of colour are also found on the Sabaic inscription C 611; on the use of painting the surface of inscriptions, see Mazzini - Porter 2009, 288.

8. The family names *d-N'mn*, *d-Rymn* and *d-S'r'n* are well known in Marib and in the central high plateau, as are the two deities *'ttr d-Dbn* and *'lmqh*, which are among the most important gods in the Sabaeen religion.

5. Philological observations

Line 1

The two letters *bn* in front of the lacuna might be tentatively restored as *bnyw*, the third person plural of the perfective verb pattern, from the root *bny*. Such reconstruction is suggested by numerous ASA parallels, where public and private constructions were commemorated through monumental epigraphic documents.

Line 2

Notably, the expression ‘*ṛṭd-hw* + various deities’ frequently occurs in Sabaic and in ASA more generally to indicate a certain type of dedication of individuals and/or properties who/which were entrusted to certain deities. Normal dedicatory documents are intended to thank a deity for a useful intervention, and the dedicator had to compensate the divine favour by means of a valuable offering. By contrast, entrusting someone to the gods points to the acceptance of divine protection, which may have implied a sort of special bond linking a deity with a human and his properties.⁹

Line 4

At the beginning of the line, the proposed restoration ‘*r]ys²*’ is reasonable in view of the context, mentioning dams and land properties. The parallel with the Sabaic construction inscription Ja 2867, 4, where the term ‘*rys²*’ occurs along with a number of architectural structures connected with land properties, supports this restoration.

The root ‘*rs²*’ is rare in Sabaic and is attested as a nominal pattern standing for a type of building or real estate that might have been made of wood.¹⁰ In this inscription and in Ja 2867, 4 the term ‘*rys²*’ occurs as a broken plural of the pattern *f’yl*,¹¹ while in Jabal Riyām 2006-17, 1, it occurs as a different broken plural ‘*rs²*’ of the pattern *f’l*,¹²

The term ‘*rm*’, broken plural from ‘*rm*’, is typically Sabaic¹³ and indicates a type of “dam”,¹⁴ in particular in relation to the well-known dam of Marib. This term is unattested elsewhere in ASA and can be compared with Akkadian *arammu*, indicating various “types of dams”. Notably, the

9. On the idea of the bond between the gods and humans in ASA culture, see Mazzini 2020a, 100-103.

10. See the interpretation by SW “*leichte Holzkonstruktionen; Hütten, Schuppe*” based on parallels with Classical Arabic and MSA; see also Stein 2012, 75. However, the parallel with Akkadian *erēšu*, suggested by SW, is incorrect as the latter derives from the Semitic root *hrt*.

11. Stein 2012, 75; 2013, 61, 4.3.2.

12. Stein 2013, 61, 4.3.2.

13. It does not seem to be attested elsewhere in ASA. In the Qatabanic small fragment ATM 86B, 1, the sequence of signs ...]m)w’*rm* could suggest the same term ‘*rm*’. However, the lack of any word divider makes the identification of ‘*rm*’ uncertain. Notably, there is also the epithet *ḡ-W’rm* in the Qatabanic inscription HZ-M 2, 2 referred to the *Hrb*, possibly a deity (see Maraqtan 2017a, 77, 78), so that the reading w’*rm* could indicate this epithet. The preceding sign, however, is likely to be *m* (instead of *ḡ*) which would also invalidate the hypothesis of the epithet. In the inscription CSAI I, 203= R 3858, 10, the term ‘*rm*’ in the passage w-s’*b’t* ‘*nhlm b-’rm ḡ-ḡylm*’ can be interpreted both as a noun for “dam” and a toponym (according to Rhodokanakis 1922, 43, both interpretations are possible, while for Avanzini 2004, 280, ‘*rm*’ is a toponym). The attestation, therefore, of the term ‘*rm*’ “dam” in Qatabanic remains uncertain.

14. See Maraqtan 2017b, 117-118 and SW.

Classical Arabic terms *‘arim*, *‘arima* and *‘arama* also designate the “*dam*”¹⁵ but they are considered to be borrowings from Sabaic.¹⁶ The Akkadian parallel, therefore, suggests that Sabaic *‘rm* is either an archaic lexical feature or a loanword from Akkadian.¹⁷

The term *‘rḏy* is notable due to the unusual presence of a non-etymological *y*. The possibility of a *mater lectionis* is problematic, as the term *‘rḏ* is in the singular, which implies a short *i*,¹⁸ short vowels not being written in the Sabaic graphic tradition. If this *y* is a *mater lectionis* for a long vowel inside a word,¹⁹ it could point to a secondary phenomenon of vocalic lengthening. Notably, in Akkadian, nouns in the singular of the oblique case with a suffix pronoun (*status pronominalis*) have a lengthened vowel. Thus, the writing *‘rḏy-hw* could reflect a similar phenomenon which is normally not recorded in the ASA defective graphic tradition.²⁰

Line 5

The term *rb ‘m* stands for a section of a type of “*installation*” linked to a building or land, such as in C 371, 2, R 3954, 1, R 3955, 3 and R 4513, 3. This term is in keeping with the context listing the various parts (possibly assets) of the purchased property.

The expression *f-’l s’l’l ‘ys’m ‘h-h[w]* is a legal formula (see the observations above).²¹ Note, however, that this formula is usually attested as *’l (y)s’l s’l’l* or *’l ḏ-s’l’l*, while here the subject *‘ys’m*²² is placed after the verb and linked to the expression *‘h-hw*, which is equally unusual in this context. The postposition of *‘ys’m* seems to indicate a pronominal expression of reciprocity *‘ys’m ‘h-hw*, as also suggested by Nebes’s rendering “*so erhebe niemand gegenüber einem anderen Anspruch*”.²³ This interpretation appears to be more acceptable than the literal one proposed by SW “*niemand fordere von seinem Bruder [...]*”, in view of the general meaning of the document, where one family would have bought the properties from another.

Line 6

The expression *ḏ-yhzmnn bn ḏn s²’mn* is unique in ASA.²⁴ The root *nzm* refers to the protection afforded by the gods to humans.²⁵ Here, the people who concluded the purchase seem to

15. See Kazimirski 1860, 234; Lane 1874, 2025.

16. This hypothesis is suggested by the fact that the term *‘arim* occurs in the Qur’ān (34, 16) as the specific designation of the ‘dam of Marib’, as proposed by Grimme 1912, 159. The presence of the term *‘arim* in Jemeni Arabic, meaning “*dam*” (al-Selwi 1987, 151 and Behnstedt 1996, 822), may further support this hypothesis; see Zammit 2009, 296 and Müller 2014, 90.

17. On the possible Akkadian loanwords in Sabaic referring to architectural structures, see Mazzini 2025.

18. See Stein 2013, 37, 1.3.4.

19. Such as *‘ys’* in line 5; see the observations below and Stein 2003, 45; 2013, 37, 1.3.4.2.

20. See Stein 2013, 37, 1.3.4, 1.3.4.2.

21. On the use of the root *s’l’l* and this formula, see Mazzini 2020a, 271.

22. The presence of the *y* in the form *‘ys’* points to a *mater lectionis* for a long *i* (see the observations above in relation to *‘rḏy*), such as Classical Hebrew *ṭs*, as suggested by Stein 2013, 33, 1.3.4.2. This form is less attested than the more recurrent one *‘s’l*; see its attestations in SW.

23. Nebes 1995, 55; on this pronominal construction, see also Mazzini 2020a, 62-63.

24. On the root *s²’m* in Sabaic and ASA in a comparative perspective, see Mazzini 2009, 162.

25. In MB 2005 I-88, 4 (*‘lmqh* saved an individual), NNAG 15, 4 and X.BSB 139, 6 where the verb *hzm* is followed by the preposition *bn* with a prohibitive function referring to negative events and misfortunes. Furthermore, the

be safeguarded by the law and/or by the gods, as the verb pattern *yhzmnn* may emphasise the divine protection of the document's legal validity. The root *nzm*, therefore, also appears to have a legal connotation, as further indicated by its use in the legal Sabaic minuscule document YM 11749, 3, 4.²⁶

The expression *w-kwn dn* (q)[... ...] in the concluding part of the document is the formulaic pattern 'w-kwn + type of legal document + eponymic date'.²⁷ Unfortunately, any reliable reconstruction of the lacuna is impossible, but the presence of *q* suggests the restoration of the term *qyfn*.²⁸ The latter, however, refers to a stela exclusively used for religious and ritual purposes,²⁹ and hence its use in the legal formula mentioned above does not seem appropriate in this context.

Nevertheless, the specific nature of this inscription might justify the exceptional use of the term *qyf* here.³⁰ As previously noted, the legal section of the document seems to have been a later addition to the original dedicatory text. As such, this part of the text may have been conceived as integrated within a religious document devoted to the gods. The legal formula above, therefore, may have used the term *qyf* to indicate a religious stela containing a reference to the legal details of the purchase of private properties.

verb pattern *hzm* also occurs in 612+C 522, 6 *w-d-S'mwy f-r' k-hzm* [m][hr]m-hw "and as for d-S'mwy, behold! he saved his temple" (the context suggests the restoration *mhrm*; on the joining of the two fragments C 612 and C 522, see Multhoff - Stein 2008, 13 footnote 35). The document reports a number of crimes against the temple of the god d-S'mwy which required the god's intervention, hence the use of the verb *hzm*. Here, the connotation of the verb can be both concrete (to save the building) and abstract (the integrity of the sacred area), with the latter bearing a legal implication.

26. Note the following context *w-b-hdmn l-k bn mqbl Mtrn f-t'br hdmn d-yftln b-lb-hw b-kn th 'lmn w-lkm yh 'n-h k-l-gyr-k 'l hfnw*, where the expression *hdmn bn mqbl Mtrn* is parallel to *d-yhzmnn bn dn s'2'mn* occurring in the inscription under examination, where the verb is linked to *mqbl* (a type of rarely attested legal document, only occurring in YM 11730, 2 and possibly in C 604, 6) through the preposition *bn* (Ryckmans - Müller - Abdallah 1994, 64 and Stein 2006, 393 interpret *hdmn* in view of Classical Arabic *damān* "guarantie, caution, assurance", while it should be considered as a H- stem infinitive from *nzm*, as suggested by SW, the oscillation *z/d* being typical of the minuscule Sabaic texts; Stein 2010, 40-41). In both cases, the context suggests that *bn* cannot convey a negative (prohibitive) sense, as it does in its concrete use (NNAG 15, 4 and X.BSB 139, 6, see the previous footnote). It must indicate the abstract result of the action conveyed by the verb pattern *hzm* "to protect from", which implies the idea "to give protection on the basis of"; note the rendering by SW where the preposition *bn* seems to be interpreted as prohibitive "bezüglich dessen aber, von dir vor dem Dokument von Maṣrān geschützt zu werden, so überbringe dem das Schützen dessen, der in seinem Herzen Klage führt". The rendering, therefore, of the expression *d-yhzmnn bn dn s'2'mn* by SW "[...] was sie vor (?) diesem Kauf schützen werden" does not seem to fit the context. On the non-prohibitive meaning of the preposition *bn*, see also Mazzini 2020a, 167-168, 187-188.

27. On this formula, see Mazzini 2020a, 144; 2024, 8.

28. On the attestations of the term *qyf*, see SW. A possible alternative restoration would be the term *qtr*, indicating a type of legal document (this is an exclusively Sabaic term, the meaning of which remains unclear; SW proposes "Schrift vergrößern Vereinbarung, Abmachung; Schriftstück, Dokument") occurring in the same formula *w-kwn qtrn* ... in X.BSB 18, 1; X.BSB 38, 6; X.BSB 69, 4.

29. See recently, Agostini 2023, 145.

30. Note that there are a few cases in Sabaic (see the attestations in SW), where this formula is used in dedicatory texts with the noun *hqnyt*, instead of one indicating a type of document which points to the flexibility of this formula and the possible interference between the legal and religious vocabulary; see Mazzini 2024, 8 footnote 25.

6. Concluding remarks

The fragmentary inscription C 432 documents an interesting case of interplay between the religious and legal spheres. Here, the acquisition of private properties is incorporated into a document celebrating the dedication of an individual under divine protection (*ṛṭd*). A significant parallel is provided by the Qatabanic inscription CSAI I, 206=Thah.³¹ In this document, the private properties owned by the dedicator are placed under the protection of the gods (*ṛṭd*),³² with emphasis on the legal validity of both inherited and acquired private properties. It seems, therefore, that the religious act of “putting under divine protection”, expressed by the technical verb *ṛṭd* (common to all ASA),³³ may interfere in the area of law. The gods not only exercise their protective influence over individuals, according to a specific religious bond, but can also become guarantors of certain legally acquired properties. This is an interesting feature of ASA law³⁴ and one that may find parallels with various areas of the ancient Near East, where the two spheres were intertwined.³⁵

However, the way this interaction worked and where the boundaries between the two spheres were are still complex issues that deserve further investigation. A systematic analysis of this subject may help shed new light on ASA civilisation.

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31. Note also the Sabaic inscription Ja 411 A/B=C 660+C 587 commemorating work on important real estate properties (see Mazzini 2012, 233). Significantly, in the concluding section of the inscription (line 7), all these real estate properties are put under the protection (*ṛṭd*) of one of the main Sabaic deities (*ʾlṭr Sʿrqn*), and it is also emphasised that this protection is requested against anyone who might cause harm (*bn mhb 's'm*). This seems to refer to possible attacks on private buildings, as also reflected in the Qatabanic royal edict ATM 866 (see Mazzini 2020b, 113-118). The protection, therefore, implies a legal guarantee of the invoked deities.

32. See Mazzini 2023.

33. Notably, the root ASA is unique to all ASA languages as it does not find any clear parallel in the rest of the Semitic languages. The dedication, therefore, indicated by the verb derived from the root *ṛṭd*, is very interesting as it points to a specific cultural and religious feature of Pre-Islamic South Arabia.

34. See some observations on this aspect in Mazzini 2020a, 165-176.

35. See in general Westbrook 2003, 25-26, where the author emphasises that the king as the main figure in the administration of the law “was subject to the jurisdiction of the gods”. Crucial cases are the Hammurabi Code, the Mosaic law, the phenomenon of prophetism in the Ancient Near East; on the religious premises of the Ancient Near Eastern law, see in general Otto 1994.

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