



Legal Standards in The Sacred Scripture “Avesta” “Videvdat”

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Abstract: The article discusses the legal norms in the holy scripture “Avesta” and their main role. Aspects of the Videvdat code in the education of Zoroastrians are studied based on the main criteria of good and evil. The types of crimes and what punishments are accepted according to criminal law are considered. The article also focuses on the features of showing deep respect for nature according to the Avesta and regulating property relations of those times.

Key words: Avesta, Zoroastrianism, prescription, establishment, law, Videvdat, Yasna, Visprat, Yasht, legal norms, education, criminal law, civil law, property law, righteous, sinners, fire, earth, water, good, evil, spirit, devas, half-devas, culture, belief.

Правовые Нормы В Священном Писании «Авеста» «Видевдат»

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Аннотация: в статье рассматриваются правовые нормы в священном писании «Авеста» и их основная роль. Изучены аспекты кодекса Видевдат в воспитании зороастрийцев на основе главных критериев добра и зла. Рассмотрены виды преступлений, и какие приняты наказания согласно уголовному праву. Также в статье акцентируется внимание на особенностях проявления глубоко уважения природе согласно Авесте и регулирования имущественных отношений тех времен.



Ключевые слова: *Авеста, зороастризм, предписание, установление, закон, Видевдат, Ясна, Виспрат, Яшт, правовые нормы, воспитание, уголовное право, гражданское право, имущественное право, праведники, грешники, огонь, земля, вода, добро, зло, дух, дэвы, полудэвы, культура, верование.*

Over the thousand-year period of its development, Zoroastrianism not only represented a religious and philosophical system, but also had a great impact on the formation of legal norms, as well as laws in various cultures throughout Central Asia. In legal theory, the formal source of law is understood as the form of external expression of the provisions of the current law. Some scientists associate it with the will of the state, others do not mention it. The legal system of the Zoroastrians is the sacred scripture “Avesta”, where translated from the Persian word “apastak” means “foundation”, “establishment” or “prescription”. The first 7 parts of the Avesta contained the history of the origin of the world and humanity, the next 7 parts collected moral precepts - civil laws and religious duties (morality and ethics), the last 7 parts contained information on medicine and astronomy (science). This scripture includes, in addition to religious teachings, certain rules and norms of social behavior that govern relations between people, as well as laws on property, contracts and obligations. To date, only four parts of the Avesta have survived:

- I. “Videvdat” - instructions and instructions against evil.
- II. “Yasna” - contains prayers and appeals to supernatural beings.
- III. “Visprat” is a collection of prayers and liturgical texts related to chants. Later it received the name “Visperd”.
- IV. “Yasht” is a collection of ancient hymns to Zoroastrian deities associated with mythological elements.

It is important to note that in those days, law closely interacted with the rites and rituals of peoples in order to create law and order in society, focusing on one of the important components of religion - “Good Thought”, “Good Word” and “Good Deed”. It was these words that represented the main weapon of the entire religion in the fight against evil. So, for example, the book “Videvdat” is a code of laws against devas, that is, evil spirits, and is the only source that has been completely preserved to this day, with a total of 22 chapters. This part discusses a set of rules regarding religious, civil and criminal regulations. In Zoroastrian sources in Middle Persian Menog-i Hrad, there were half-devas: “A



half-deva is one who has only a human name and a human nature, while in all matters he is like a two-legged deva. And he knows neither earth, nor heaven, nor good deeds, nor sin, nor heaven, nor hell, and does not think at all about the responsibility of the soul." According to this definition, "Videvdat" contains a description of sinners who committed criminal acts without thinking about responsibility.

During the times of Zoroastrianism, there were classes of sinners - courtesans, highwaymen, homosexuals and corpse burners. The offender was subject to two punishments: one on earth and the other in the other world. So the Zoroastrians believed that the day would come when there would be no living people left on Earth, the Last Judgment would come. The final judgment will determine the righteous and the sinners. Only a moral person who revered fire and water throughout life, did not lie, did not desecrate the earth with corpses, and protected animals (dogs, roosters) could count on heaven immediately after death. According to beliefs, the gods helped and supported only a faithful person who was righteous and did good deeds. Those who did not keep their words and forgot about their promises were severely punished, so an important role was given to the oath, which reads the following quote: "If I break the oath, then all my good deeds that I have done, I transfer to you (the accuser), and for everything the sins committed by you, I will bear the punishment on the Chinwat Bridge. The gods know that I speak the truth..." Thus, having broken an oath, a person must admit his guilt and be honest, first of all, to himself and the Gods. As for earthly punishments, in the Avesta there was a category of them, which consisted of a certain number of blows from Aspahe-astra or Sraosho-karana. Aspahe-astra meant reins, and Sraosho-karana translated as whip. In addition, the historian A.G. Vinogradov noted the existing strange inequality described in "Videvdat" between crimes and punishments "it is safer to kill a person than to feed a shepherd dog with bad food, for the murderer will get off with ninety blows, and the bad owner will receive two hundred blows." The order also lists a number of other penalties, such as:

- Two hundred strokes are awarded if a woman who has just given birth drinks water.
- Four hundred strokes are awarded if someone, while in a state of impurity, touches water or trees.
- A thousand blows are awarded for killing a Vanhapara dog.



• Ten thousand blows are awarded for killing a water dog (beaver, otter). The death penalty was expressly imposed only on the false purifier and the “one carrier.”

That is, the application of punishment was considered based on the physical and moral state of the perpetrators who committed certain acts. But it is worth noting that punishment was not always carried out in the form of blows. So in the times of the Parsis, according to their customs, punishment was presented as atonement for their sins. Examples include forced, physically difficult labor, payment of fines, and atonement through purification.

Redemption through purification according to “Videvdat” occurred through the sinner’s repentance in admitting his guilt, thereby saving his soul only from the punishments of the other world, but not from earthly ones.

The Avesta mentions especially dangerous crimes, called “anapereta”, which translated means “irredeemable”. Such crimes include burning or burying the dead, eating dead bodies, sodomy and self-desecration. Persons who committed one of these crimes were subject to the death penalty.

In addition to criminal law, Videvdat discussed issues of civil law, where legal requirements were established. Starting from Vashtasp during the times of the states of the Kayanids, Achaemenids, Ashkanids, Sassanids, as well as the Bactrians and Sogdians, the ideas of the Avesta were the main source of the formation of the legal system, orders and judicial system. Let's start with the fact that one of the main rules of Zoroastrians is interaction with nature, which carries the symbol of purity “purity for man, after life, the highest good.” Every adherent of this religion is obliged to comply with the requirements of purity not only of the body, but also of the soul. Such an obligation carried legal norms, the violation of which was a great sin. Having the ability to think and act, a person should be all the more zealously concerned about the purity of the other six creations. The Zoroastrians included the entire surrounding world as these creations - plants, animals, air, fire, earth and water. The elements were especially holy:

- Fire – its function is to scare away demons with its bright flame.
- Earth – the goddess Spenta Armaiti (Patroness of the Earth) lived in it. There was a strict ban on desecrating it with corpses, because it was on the ground that priestly rites were performed, which later became a general law for the people.



• Water is the main symbol of purity, which was forbidden to desecrate. The Zoroastrians cared more about her purity than their own. An example is the story in which the Magi overthrew the Persian king, who decided to build baths. For Zoroastrians, water and fire were one of the important sources of purity. Water was a holy creation, protected by Hurwatat (“Integrity”), which could not be polluted. To cleanse any object, first of all, it was necessary to wash the object in cow urine (this was cleansing from dirt), dry it with sand or under the sun. After this, the Zoroastrians took a small amount of water and washed the object. Therefore, violation of these rules was punishable by physical punishment, which included work on the construction of irrigation canals. As for fines, they were assessed depending on the type of punishment, that is, two hundred strokes were estimated as twelve hundred dirhams or three hundred and fifty rupees. This rule concerned fire, which was the main method for cooking and protection from evil spirits. A ban was created on throwing garbage into fires; according to the rules, fires were built from clean and dry wood. Consequently, the legal norms of the Zoroastrians contained all aspects of environmental education and respect for nature.

The legal status of the residents is of particular importance in the Avesta. This status determined what rights and responsibilities residents had. Initially, there were no classes in Zoroastrianism, but with the transition to the elimination of the remnants of the primitive system, the development of productive forces occurred, which became the reason for the division of society into slave owners and slaves. The slaves were mostly prisoners of war, but people were also enslaved for debt. The sale of slaves was free. As for the upper circle, it consisted of the ruling class - the king and his entourage - nobles from among the tribal elite and priests. The development of crafts and trade led to the expansion of cities and the emergence of a layer of the population - traders and artisans. An example is the class stratification in the ancient Iranian-speaking state in the Middle East of Media, which entailed class differences, where the productive force acted as ordinary free peasants.

The Avesta sources regulate the rules regarding the property system. Previously, there was property that was owned by the tribal elders. As an owner, the elder controlled and managed the property of the entire population, which satisfied not only the social needs of the people, but also was the economic basis, as well as the main foundation of military power against external enemies. The scriptures mention the harvest, which is also the property of the owner of the



land or the farmer. At the same time, it is worth noting the connection between spiritual life and man's responsibility to take care of the earth. According to the Avesta, it is stated that sowing seedlings is considered the spiritual duty of everyone, and not sowing brings misfortune and sin.

Later, under the Videvdad legal system, there was the right to manage or transfer property under a contract to another person. That is, free peasants had the right to use communities and private land funds, but their responsibility was to pay taxes, as well as enlist in military service.

In conclusion, it is necessary to note that the legal norms of the book of the Avesta are rich and multifaceted in their ancient culture and beliefs. It is important to note that Zoroastrians strictly adhered to their rules and duties. These rules contained educational significance for all residents, instilling in them such qualities as control, public order, law-abidingness, respect and the value of the environment. According to historical and scientific facts, these norms not only regulate behavior, but also establish principles of morality and justice. It is important to note that changing circumstances in all periods of the existence of this religion also subjected to changes and loss of most of the sacred manuscripts. But, despite this, we can confidently conclude that all the surviving legal norms in the book of Avesta are still recognized as relevant sources that continue to influence the formation of the legal system and values in the modern world.

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