

Zoroastrism and its legal system

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***Summary:** Zoroastrism as one of the sources of culture, civilization and science of the ancient world has made a worthy contribution to the development of the civilization of the peoples of the Near and Middle East. It is one of the original laws of the ancient world for more than a thousand years developed and enlightened on a vast territory "from the Northern Black Sea coast to the Altai and East Turkistan, from the Ural mountains in the north to the Iranian highlands." The religious-state and religious-legal system of this civilization is very attractive and requires a deep and multidisciplinary research, it required every person to "correctly think, speak correctly and act properly". The proposed article interprets the legal and linguistic significance of this postulate.*

The modern world civilization has a close connection with the ancient world religions and legislation, one of which is Zoroastrism[3, 67]. Given the international significance of this religion, in 2003 UNESCO decided to hold international scientific symposiums dedicated to the 3000 anniversary of Zoroastrism. About Zoroastrism written many books, monographs and individual works. The authors of these studies believe that Zoroastrism must be perceived as one of the sources of culture, civilization and science of the ancient world, for it has made a worthy contribution to the development of the civilization of the peoples of the Near and Middle East. The main and basic source of this civilization is the sacred book "Avesta", the most complete translation, which was written in Russian by I. I. Steblin-Kamenskii[1].

As noted in the summary of this sacred scripture of Zoroastrism, in this translation and publication for the first time in Russian are presented in the exact and at the same time poetic translation of the seven Avestian yashtas-hymns

addressed to the main deities. It consists of 21 yashts, which are different in volume, time of addition, according to their religious, cultural, historical and legal merits. Before that, some parts and sections of this book were translated into Russian and there are more than ten variants. Indeed, it is thanks to the "Avesta" that Zoroastrism gained worldwide recognition, because it is unique in content and significance.

The religious-state and religious-legal system of this civilization is very attractive and requires a deep and multidisciplinary study, as evidenced by the numerous works of Eastern and Western scholars.

The attractiveness of the Zoroastrian legal system lies in the fact that it is permeated with the requirements of justice and humanism, which did not go unnoticed by the Greek scholars Herodotus, Thucydides and Ctesias.

The legislative concept, interpretations, rights and mechanisms for achieving justice presented in Zoroastrian sources were important not only in the era of the existence and spread of Zoroastrism as an official religion, but also much later.

In the Middle Ages, Arab and Iranian scholars have paid special attention to the study of this civilization and especially the "Avesta"[2,293].

In Europe, thanks to the translation of A. Duperron in 1771 by the written monument of "Avesta" into French, the translation, publication and comprehensive study of the book began, and hence Zoroastrism in other European languages. Later, E. Benveniste, E. Hertsefeld, A. Christensen, M. Muin, M. Boyce, V. V. Struve, K. Bartolome, R. Fry, J. Dumezil and others devoted their studies to this problem.

Since the beginning of the 20 th century, the study of the problem of Zoroastrism has attracted the attention of scholars as one of the sources of civilization. Thanks to the works of A. O. Makovelsky, A. K. Rzaev, I. S. Braginsky, Puri Dovud, Jalil Dustokh, I. M. Steblin-Kamensky, D. Saymuddinov, A. G.

Khalikov and many others carried out a comprehensive scientific interpretation in a synchronous-diachronic aspect. For more than three millennia, this book has been studied as an important historical, cultural source. Especially the last time Zoroastrianism was subjected to historical religious, philosophical, aesthetic, moral-normative, hygienic, medical, archaeological, metrological, and legal studies.

The legal and linguistic features of Zoroastrianism and its main source - "Avesta" - remain unexplored until today. Namely due to legal linguistics and linguistic jurisprudence, its conformity to the criteria of the world civilization is comprehensively revealed. Some legal and linguistic aspects of Zoroastrianism, and especially of the "Avesta", attracted the attention of E. Benveniste, A. Christensen, M. Bois, D. Saymuddinov, and others. However, many of its legal features are still not in the field of view of law scholars. And the study of ancient legal systems, one of which is Zoroastrian, promotes a deeper understanding of the criterion of modern legal families.

The Zoroastrian system of law was developed and enlightened for more than a thousand years on a vast territory "from the Northern Black Sea coast to the Altai and East Turkestan, from the Ural mountains in the north to the Iranian highlands"[1, 5].

For quite a long time, the peoples of Iran, India, Afghanistan, the states of Central Asia and Transcaucasia lived the canons of Zoroastrianism. As noted in the foreword by the Russian edition of the Avesta, Professor L. A. Livshits, during "periods of his rule, Zoroastrianism exerted a great influence on other religions whose adherents fell under the domination of the dominant Zoroastrian church or simply communicated with the Zoroastrians, and researchers also find in Judaism, and in Christianity, and in Islam, and in Buddhism, many elements that go back to the ancient Iranian cults of the teachings of Zarathushtra "(the founder of Zoroastrianism)[6, 14].

He even had a definite influence on the formation and development of the Roman legal system. For the basis of the religious and legal system of Zoroastrianism is based on three vital postulates - good thinking, blessing and benefaction, which are always and everywhere opposed to maliciousness, slander and evil deeds. The symbol of the first three postulates is Ahuro Mazdo and the last three are Ahriman.

In Zoroastrianism, good thinking, complacency and good deeds are seen as a whole concept of the development of human life, the ultimate goal of which is to achieve justice. Pulling this concept, Zoroastrian law contributed to the renewal and resolution of the legal consciousness of people. Zoroastrianism from other religious and legal systems (Jewish and later Islamic) is distinguished by the fact that the primary form of government is secular, while for other religions, as is known, the divine and religious principle of state government is characteristic. Zoroastrian law on behalf of Ahuro Mazdo led people to realize that it is the mind, honor and conscience that are the basis of bliss, blessing and good deeds. Ahuro Mazdo said that "intellectual reflection, lead a person to comprehend honor and dignity, and these two to awaken conscience, which led to the spiritual and legal development of the masses. He says to Zoroaster: "I gave Yim (Jamshed) the first ruler of the world intelligence, honor, conscience and handed him two subjects of government - a gold ring and a gold cane, which will provide him with strength"[5, 61]. Further, it speaks of the state-legal aspect of Zoroastrianism, which requires that leaders and rulers (from the family to the country) are faithful to their duties and this word, otherwise they are severely punished by the god Mitra, the defender of the rights of his subjects.

State legal norms cover legal principles about the forms of government, the justice of the rulers, their rights, duties and responsibilities, powerful state power, etc. These norms and rights were also aimed at regulating society and social relations. State legal norms of Zoroastrianism began with the communal system (the

2nd millennium B.C.) and continued with the patrimonial state system, which indicates the strength and viability of the legal foundations of this civilization.

Judicial-procedural law of Zoroastrism is mainly based on the realization of the hordes, three types of which are considered to be the main ones: garmakvar (hot horde); barksamakvar (barsamakvar - an ordeal with a branch); paurvahuron (use of poison to justify or prove innocence)[2, 764].

Zoroastrian judicial law and litigation are largely related to the name of Rashna, who is considered the angel of justice and justice, and confirms the religious and legal basis of this civilization. It should be noted that in the book of the "Avesta" religious and legal issues and problems, a separate chapter entitled "Vandidod" (Vandidod, the full and correct name of Videvdat) - Laws against demons - is called dev-dev. "Vandidod" consists of 22 parts and defines all then legal norms, which can be conditionally allocated for criminal, procedural, judicial, civil, family, tax, water, environmental law. Therefore, sometimes it is called the "code" or "lawyer" of Zoroastrism and is equated with the legalists of the Indian "Manu" ("Manu") and the Babylonian "Laws of Hammurabi". However, the advantage of Zoroastrism and Avesta lies in the fact that these legal norms and laws are not directed in the interests of any one ruler and legislator. It is through the coverage of vital legal norms, their regulation and systematization, that Zoroastrism, to this day, does not lose its religious, legal and general scientific significance.

Thus, according to Professor A.K. Perikhanyan[4, 9], the Zoroastrian legal system is one of the original laws of the ancient world, and its comprehensive study can reveal new pages of legal norms.

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