

## OATHS AMONG THE ANCIENT IRANIANS AND THE PERSIAN SAOGAND-NAMEH.

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### I

The subject of this paper has suggested itself to me in my recent study of the Parsee Rivâyets which contain miscellaneous matters on the subject of the religion, history, ritual, manners, and customs of the Parsees of what may be called the mediæval period of the History of the Parsees of India from the 14th to the 17th century A. C. In many subjects, these Rivâyets may be taken to reflect more the views of the Zoroastrians of Persia than those of the Zoroastrians of India. The Persian books of Rivâyets which contain replies to questions sent to Persia by the Zoroastrians of India on various matters, also contain various treatises or writings, small or large, upon particular topics. I have placed before this society some chips now and then from this great store of miscellaneous subjects, *e.g.*, the paper on the Mâr-nameh, *i.e.*, the Book of snakes, and papers on some incantations and amulets. The object of this paper is to place before the society, a short treatise, entitled Sogand-nâmeh or the Book of Oaths, with a few observations on the subject of oaths from an old Iranian point of view. I will give the text of the Sogand-nâmeh from a Rivâyet known as the Rivâyet of Herbad Hormazyâr, bin Herbad Frâmarz, bin Herbad Kâmdin, bin Herbad Kukâ, bin Herbad Padam, surnamed (*lakab*) Sanjanah, of Naossari. I am thankful to its owner, Mr. Pestonji Navroji Kapadia, for kindly placing it at my disposal for study. From the platform of this scientific Society, I beg to thank him, on behalf of the students of Iranian Literature, for kindly complying with my request and consenting to present this unique manuscript to

the Oriental Institute, founded in honour of one of our former Presidents, the late Mr. K. R. Cama. Students of Iranian Literature will now have it at their disposal for study. This Rivâyet has a number of colophons which give its dates, varying from roz 5 mah 8, year 1012 A.Y., to roz 27, Mah 3, year 1023, *i.e.*, 1643 to 1654 A.C. From these dates we see, that this scribe, Hormazyâr, flourished in the middle of the 17th Century. He belonged to a family, of learned scribes. From the colophon following the Sogand-nameh in this Rivâyet, we find, that the Sogand-nâmeh was written on roz 4 Shehri-var, Mah 12 Asfandarmad, year 1012 (1643 A.C.) (f. 370b). The copy of the Sogand-nâmeh brought from Persia, from which the compiler Hormazyâr entered it into his Rivâyet must have been written some time before. From the dates of the other Rivâyets or epistles brought from Persia and embodied by Hormazyâr in this Rivâyet, in the midst of the copies of which we find the text of the Sogand-nâmeh, it appears, that it was written in Persia at some time in the 10th century of Yazdazard, *i.e.*, in the 16th century A.C. We do not know, whether the Dasturs of Persia, who sent a copy to India in the 16th Century, had put it down in writing for the first time, or had some previous writing from which they copied it. However, whatever the date of its first being committed to writing may be, its contents show, that some of the views, or, at least, its object and aim were old. Now, before giving the Text and my translation of the Sogand-nameh, I beg to say a few words on the subject of the old Iranian view of oaths in general.

## II.

As defined by Beaton, oath "is a solemn act by which one

Oaths, general  
among all people.  
They form a religious  
function.

calls God to witness the truth of an affirmation or the sincerity of a promise and imprecates divine vengeance if he be guilty of a falsehood or violate his promise."

Almost all people practise a kind of oath. As we will see

later on, the ancient Iranians had a general dislike for oaths and that was the result of their love for truth. But still they had their oaths.

Oaths are of two kinds, solemn and ordinary or greater and lesser. The *Saogand-nâmeh* which forms the subject of our paper treats of a kind of solemn or greater oath. The function of such solemn or great oaths becomes a religious matter. At times, they require a certain chosen place, such as a church or altar or an enclosed sanctified place. Again, they require certain requisites for ritual. They are taken in the name of the great God or in the names of the lesser gods or angels. Again, they require the production of certain requisites all of which are held to be, as it were, witnesses to the solemn act. Some swear by things which they esteem and hold dear e.g., their swords, beards, holy books, etc. It is said of William the Conqueror, that before he asked Harold to swear fealty to him in order to aid him to gain the throne of England, he got secretly placed under the altar on which Harold was to take the oath, the relics of some martyrs, in order to secure greater solemnity and fidelity from him. After Harold took the oath, he showed him the relics and pointed out the greater responsibility of being true to his oath, taken over, and in the presence of, such sacred relics.

The ancient Iranian word for oath is Avesta *Saokenta*.

The Old Iranian word for Oath. <sup>سَوگند</sup> <sup>دند</sup> (Vend. IV, 54) from which comes

the Pahlavi word <sup>سَوگند</sup> and then the modern Persian word *saogand* سوگند. Though we trace the modern word *saogand* to the Avesta *saokenta*, we do not find the word so used in any writing of the Avesta, now extant. We find the Pahlavi word *Sogand* used in the sense of oath (*Pand-nâmeh-i Âdarbâd-i Marespand*, 41.)



aware of this deed in the corporeal world, (then it is as if) he were knowingly to approach the hot golden boiling water lyingly, as if speaking truth, (but) lying to Mithra.<sup>2</sup>”

Dr. Haug translates thus: “That such as are in this material world may here understand (the agony) of this exploit there, one knowing a lie should drink up the beneficial, golden, intelligent water with denial of the truth (Rashnu) and breach of promise (Mithra.)”<sup>3</sup> Dr. Haug adds the following note to this translation.

“This refers to an ordeal in which a cup of water is drunk after solemnly invoking curses upon one’s head if one has not told the truth. The water is prepared with great solemnity, and contains various sacred substances, among them some Homa juice, which is referred to in the Pahlavi version by the epithet *gókard hômand* for *saokeñtavaitim*, ‘beneficial;’ and a little gold is added, which accounts for the second epithet in the text. See the *Saugand-nâmah*.”

Prof. Darmesteter translates it thus: “Down there the pain for that deed shall be as hard as any in this world: to wit, that deed which is done, when a man, knowingly lying, confronts the brimstoned, golden,<sup>4</sup> truth-knowing<sup>5</sup> water with an appeal unto Rashnu<sup>6</sup> and a lie unto Mithra.”<sup>7</sup>

Prof. Darmesteter varied his above translation a little, when he translated it later on again (in 1892) after about 12 years.

1 Avesta, p. 50, n. 2.

2 Spiegel, translated by Bleeck, Vol. I., p. 37.

3 Haug’s Essays of the Parsis, 2nd Ed., p. 322.

4 “The water before which the oath is taken contains some incense brimstone, and one danak of molten gold (Grand Ravayet 101).

5 “Doubtful. Possibly ‘bright.’

6 “The God of truth. The formula is as follows: ‘Before the Amshaspand Bahman, before the Amshaspand Ardibehesht, here lighted up . . . etc., I swear that I have nothing of what is thine, N son of N, neither gold, nor silver, nor brass, nor clothes, nor any of the things created by Ormazd (1. 1. 96).”

7 S. B. E. Vol. IV., 1st Ed., p. 47.

“Son crime là-bas sera traité des pires peines connues ici bas, l’homme qui, devant l’eau de soufre et d’or, devant l’eau qui sait, vient, sachant son mensonge, se réclamer de Rashnu et mentir à Mithra.”<sup>1</sup>

Mr. Framji Aspandiarji Rabadi translates thus :

“અને તેના તન ઉપર મોટી શક્તી પોહોચાડે. (એ રવેશે તે આશમોગને એ દુન્યામાં દીનની ખબરદારીથી બંધ તથા તેજેશ કરે). જે પાણી ગોકરનનું છે (યાને હોમનું) કે જે ઝરદ છે તથા ચશદ છે તથા પુર દ્રાએદા કારક છે તે કોઈને દીનની રાહે આપે, પણ તેમાં કાવતરું કરે (યાને ધરમાંનું પાણી આપે ને હોમના પાણીનું નામ લીએ)” (વંદીદાદ, સને ૧૯૦૦ ની આવૃત્તિ, પા. ૫૪.)

Ervad Kavasji Edulji Kanga translates it thus :

“(અગરજે) અહિંયાં (ધંચાને) આએ હાડમંદ દુનિયામાં તેએ આએ કામથી જાણીતા થાએ તો, (તે માણસ) (કે જે) જાણી-જોઈને રશને ધજદની શિખામણની સાંભે થએલો, તથા મેહેર ધજદની સાંભે જુદું બોલેલો (તે) બલતાં, સોનેરી (તથા) ઉકલતાં પાણીની નજદીક પોહોચે. (૨)”

*i. e.*, If a Person, who has spoken against Rashna (the angel presiding over truth), and has sinned against Mithra (the angel presiding over contracts), wants to know in this material world (the consequences of) his actions, he may go before water that is burning (*saokentvaitim*), golden-coloured and boiling water.

Harlez translates it thus : “Il invoque, sachant qu’il ment, l’eau du serment, l’eau dorée révélatrice, en affirmant un droit et mentant à une convention.”<sup>3</sup>

<sup>1</sup> Zend Avesta, Vol. II., p. 63.

<sup>2</sup> વંદીદાદ, 3rd Ed., Do. p. 105.

<sup>3</sup> Avesta, p. 50.

I take the substance of this passage to be this:

“If you want to know in this world what punishment you will receive for a breach of promise or perjury, go before a cauldron of boiling hot water and think of passing through it. That will give you an idea of what the punishment of perjury, &c., will be in the other world.”

Most of the above translators, though they differ in their translations, suggest that the passage refers to perjury or false oath, or breach of promise. Now, though, as said above, the word *Saokent* is not used in the sense of oath in the 54th para of the 4th chapter of the Vendidad, which, with other adjoining paras, treats of false oaths, perjury, breach of promise, &c., the word seems to have given to us the Pahlavi and the Persian word *Saogand* or Sogand.

The word *Saokent*, itself, irrespective of its meaning in the sense of *Saogand*, *i. e.*, oath, but in its sense of “burning,” is properly derived from *such* سُح Sans. सूच Pers. سوختن *sukhtan* to burn. I think, that in the sense of *Saogand* or oath also, it may be derived from the same root *such*, to burn. Though there is no direct connection between “to burn,” which is the meaning of the word *such* and the word *Saogand* *i. e.*, oath, I think, it is the fact of the process of taking the oath referred to in the 54th para. of the 4th chapter of the Vendidad, that has given the word *Saogand* its meaning of oath. In the old Iranian process of oath, one had to stand before the sacred fire which is burning, and, I think that fact, that idea, has given the word *Saokent* its meaning of *Saogand* or oath.

The words for oath in various languages seem to have no direct connection with the roots from which they are generally derived. The old

Various words for oath have no direct connection with the meaning of their roots.

Anglo-Saxon word, corresponding to English “oath,” German *eid*, is *adh*. I will not be surprised if somebody traces it to a ritual.

The etymology of these words is not ascertained. ‘Serment,

the French word for oath, comes from Latin Sacramentum, sacrament, which itself comes from Latin *sacer* sacred and means a sacred thing. Sacrament was a holy ceremony, a sacred mysterious pledge. Thus, the French word for oath is traced to a ritual or ceremony.

Shapath शपथः, the Sanskrit word for oath, also suggests some similar idea. It comes from a root *Shap* शप, which first means 'to curse,' and then, to swear or to take an oath. The idea at the bottom seems to be, that one who takes a false oath, is cursed. I think, in the Avesta word *saokent* and the subsequent Pahlavi and Persian words *saogand*, the view similarly taken is, that one who takes a false oath is condemned to be burnt or thrown into boiling water. It is the word for some kind of ritual or ordeal or punishment for false oath, that has created or produced various words for oath.

Among the ancients, oaths had always some connection with religion. When one broke his oath, he was automatically believed to have been liable to punishment. In an article on "The Oath in Babylonian and Assyrian Literature," reviewed in the Journal Asiatique of May-June 1918 (p. 545), we find this matter referred to at some length.

### III.

Now, I will give the text and the translation of the Saogand-nâmeh, as given in the above-mentioned old Manuscript of Hormazyâr Framroz's Rivâyet (Folio 369a-370b), written (1643-1654 A.C.) about 275 years ago. (*Vide* my Introduction to Darab Hormuzdyâr's Rivâyet p. 17).

زگستاخی بنده نوشیروان .: بدارید معذور پیرو جوان

بندای تو د سوگند سو

بنام ایزد صهربان سوگند نامه می نویسم

سوگند نامه بدان که عمل کنند بدانگه کسی را چیز بی یکسی باید داد و منکر شود و سوگند خورد و ناچار این سوگند نامه باید خواند



باشد که بترسد و حق را جواب دهد سوگند نامه اینست و چند گونه سوگند بوده است یکی آنکه از آتشی گذر می باید کردن و گونه دیگر آنست که آهن گرم و سرخ کرده بر زبان می نهاده اند القصر می و سه گونه سوگند است که میدهد اند اکنون برین مختصر کرده اند که اگر کسی را چیزی بکسی باید داد و شیطان او را از راه برده باشد و ناچار او را سوگند باید دادن براین گونه می باید که آن کس که سوگند خواهد دادن و آنکس که خواهد سوگند خوردن هر دو باید که از یک دیگر خونخورد شوند باید که این سوگند نامه بخوانند که شاید بترسند و میانچی باید کرد تا زود زود سوگند ندهند و چند انکر توانند دفع افکندن و کوشیدن و یکشب رها کردن تا بخویش باز شوند دیگر روز هم بکوشیدن و چیزی بگذارند تا سوگند نخورند و چون این قسم کنند و فایده نکند پس گفتن که ازین مثال بی گناهیم و مزد و بزه بگردن شماست که سوگند میخورید و میدهد سوگنده دهنده بی گناه باشد پس اگر خشنود نشوند بفرمودن تا آنکس که سوگند خورد سر را بآب فروبرد و چاه شسته بپوشد پنجم 1 بدماغ بیگرد و دستور یک دایره بگرد او کشیدن تا آن دایره کشند ایشاهو و یریو بپایند خواندن و 2 مچمیری آتش بخوامتن و قدری عود و بوی خوش بر آتش نهادن و طامسی 3 بشستن و قدری آب اندر و کردن و نانی بیآوردن 4 بپهلوی آب نهادن یا در آب انداختن و آنکس که سوگند خواهد خوردن بفرمودن تا نخست نپایش خورشید بگردن با ترس عظیم بر نشستن و دیگر باره بگفتن که سوگند خوردن را باقی کنید چرا که چون سوگند میخورید ازینجهان بیرون نشوی تا علامت زشت بر تو بدیدار نیاید چرا که بسیار گسان سوگند خورده اند و علامت زشت دیده اند و بر این جماعت علامت زشت بدیدار آمده چون فایده ندهد پس باید گفتن که بگو که من فلان بن فلانم سوگند میخورم برامستی پیش دادار اورمزد ریوسند خور- و منده پیش بهمن امشاسفند و پیش اردی بهشت امشاسفند که پیش فروختر است و پیش شهریور امشاسفند در پیش من نهاده است و پیش اسفندار صد امشاسفند که من درو ایستاده ام و پیش خورداد امشاسفند که در پیش من نهاده است و پیش امرداد امشاسفند که در پیش من است و مرا می باید خورد سوگند

1 Panâm is for paitidâna; later padân, mouth-cover.

2 Mijmar, a censer for incense.

3 Mis written for Shustan to wash, clean.

4 Pahlû, side.

می خورم بروان فروهر زرتشت اسفندتمان و بروان آذرباد مهر-  
 سفندان و بروان هما فروهر اشوان هستان و بودان که پیچ چیز از تو که  
 فلان بن فلان من ندارم نه از زرین نه از سیمین نه از آهنین و نه  
 جامه تن نه از هر چیزی که دادار اورمزد بیا فریده است آگاه ندارم  
 و نه میدانم که که دارد پیچ جایی نهاده ام و پیچگونه خبر ندارم و اگر  
 چیزی ازین بابت مانده باشد که نکفتم آنچه خواهد بپاید فرمودن  
 تا بگوید و هر که این سوگند میخورد ازین و روان خویش بیزارست  
 و از روان پدر و مادر و زن و فرزند و نیاکان مزار باشد و از روان زرتشت  
 اسفندتمان بیزار باشم و او از من بیزار باشد و از گاه و از گوش اورمزد  
 بیزارم و از جمله اوستا و زند بیزارم و از خرگه دین و مازدیسنان  
 و از خرگه آزر گشسپ و آور برزین مهره و دیگر آتشفها بیزارم  
 و ابیشان از من بیزار باشند و اگر این سوگند بدروغ خورم هر گناهی  
 که ضحاک چادوگر کرده از روزی هشت ساله کرده بود تا آنگاه که او  
 را در بند کردند که هزار سال بود من بچنود پول باده فراه آن بکشم  
 و هرگاه سوگند بدروغ خورم هر گناهی که افراسیاب چادوگر از آن گاه  
 که پانزده سال بود تا آنگاه که او را بکشند مرا باده فراه بپاید کشیدن  
 و اگر این سوگند بدروغ خورم هر کوفه که من کرده ام بقوی فلان بن فلان  
 دادم و هر گناهی که تو فلان بن فلان کرده بچنود پل پاد  
 فراه آن بکشم و مهر سروش رشن راست میدانند که من راست  
 میگویم و میدویی را راست میدانند که من راست میگویم و امشاسفن دان  
 میدانند که من راست میگویم و روان من میدانند که من راست  
 میگویم و دل و زبان من یکسانست و در دل چیزی ندارم و بزبان  
 چیزی دیگر نمیگویم و پیچ حیلست بدین سوگند نمی آرم و به ایزد که  
 چنین است که میگویم و اشیم و هورا یکبار خواندن و آب و نان  
 که در پیش او نهاده و بدو دادن تا بخورد ز سوگند خوردن دروغ  
 و ز راست حذر کن که سوگند یکسو خطاست

The substance of the Saogand-nameh is as follows:—

As far as possible, avoid the taking, or giving, of oaths. The two parties shall try to settle their case amicably. They must at first read this Saogand-nâneh, because, possibly, the strict view indicated therein of the consequences of false oath may frighten them (be-tarsand) and prevent them from taking oaths, and bring them to some satisfactory terms. The *miânchi*, i.e.

The interceder, whose business is to give oaths, must not be hasty in giving oaths. He must try to avoid that necessity as much as possible. The matter may even be postponed for one night, even after meeting for the purpose, so that the matter may be amicably settled the next day. The next day also, all possible attempts shall be made to avoid resorting to oaths. If all this fails, then the defendant may say to the other party : " I am innocent of such and such a fault and the responsibility and the sin are on your shoulders ; you take an oath or give me an oath." If, even after this, they do not come to a settlement, then the person taking the oath may go through the following ritual :—

1. He must have a bath.
2. Put on a new set of clothes.
3. Put on a panâm (paitidâna or padân), *i.e.*, the mouth-cover generally put on by priests while saying prayers, especially prayers before the fire.
4. Then a Dastur or Head priest may draw a circle round the person.
5. While this is being done, all others connected with the suit or matter, may recite the sacred formula of Yathâ Ahû Variyô.
6. They must also go on placing sandal wood and incense on fire which must be brought there.
7. Then a metallic dish, full of water, may be provided, with a bread placed in it.
8. Then the oath-taker shall recite the Khorshed *nyâish*, *i.e.*, the Hymn in honour of the Sun.

Then, before proceeding further, he may once more try to come to terms and to be saved from the consequences of a false oath.

9. If that last attempt also fails, then the oath may be given him as follows :—

“ I swear for truth, in the presence of the Brilliant and Glorious Dadar Ormazd, in the presence of Bahman Ameshâspand in the presence of Ardibhesht Ameshâspand who (*i.e.*, whose fire is) is burning before me, in the presence of Shehrivar Ameshâspand who (*i.e.*, whose metal in the form of the metallic dish) is standing before me, in the presence of Aspendârmad Ameshâspand on whom (*i.e.*, on the ground of whom) I am standing, in the presence of the Khordâd Ameshâspand who (*i.e.*, whose water) is placed before me, (and) in the presence of Amerdâd Ameshâspand who (*i.e.*, the bread produced from whose vegetation) stands before me and which I have to eat; and (I swear) by the Ravân (soul) and Farohar (the guiding spirit) of Zartosht Asfantamân, by the soul of Âzarbad (Âdarbâd) Marespand, and by the Farohars' of all the Righteous, whether living or dead, that I do not possess anything from you A,<sup>1</sup> the son of B<sup>1</sup> either of gold, or of silver, or of iron, or of a dress for body or of anything created by God. I am not in possession of these, nor do I know who possesses these. I have not placed (*i.e.*, concealed) these anywhere. I do not know anything of it. If in this matter there remains anything which I have not said, let it be ordered (*i.e.*, asked), so that it may be said. He who takes this oath is absolved (or free) from his body and soul and is absolved from (responsibility to) the soul of his father and mother and wife and children and ancestors, and is absolved from the soul of Zarthusht Asfantaman, and he (Zarthusht) absolved from me, and he (*i.e.*, the person who takes oath) is absolved from any kind of diminution (*kâh i.e.*, harm) and pains (*kosh*) from Ohrmazd, and absolved from all Avesta and Zand, and I am absolved from the splendour of the good Mazdayasnân religion and the Glory of (the fires), Âdarkhoreh

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<sup>1</sup> Here, the name of the opponent with that of his father is mentioned.

and Âdar Goshasp and Âdar Burzin Meher and other fires, and all these are absolved from me. And if I take this false oath, I draw upon myself on my body and soul, the punishment of all sins which the magician Zohâk committed from the day of his eighth year till the day of his being imprisoned, which was a period of 1,000 years. Every time I take a false oath, I may draw upon myself the punishment of all the sins which the magician Afrâsiab committed from the age of 15 years till he was killed. If I take a false oath, I give up (the merit of) all the good actions that I may have done to you A, the son of B, and I take upon myself the punishment at the Chinvat Bridge of all the sins that you A, the son of B, may have committed. Meher, Sarosh and Rashna Râst know, that I speak the truth, and the Righteous Spirit knows that I speak the truth. The Ameshâspands know that I speak the truth and my soul knows that I speak the truth. My heart and my soul are uniform; I do not entertain one thing (thought) in my heart (mind) and say another thing by my tongue (*i.e.*, I say truly what I feel or think) and I have no trick (or deceit) in this oath; and by God (I say that), the matter is as I say."

10. After taking the oath, the person recites once the sacred formula of the Ashem Vohu prayer and eats the above bread and water which are before him.

#### IV.

A few important points referred to in the Saogand-Nâmeh.

I will now refer at some length to some important matters mentioned in the Saogand-nâmeh.

First of all, we notice from this Persian Saogand-nâmeh, that

1. Dislike for Oaths. there was apparently a great aversion for oaths. It is advised, that one must avoid, as much as he can, taking an oath. Parties shall come to terms and not drive themselves to the necessity of taking oaths. They may sleep over the question for one night. Even the *miânchi*, *i.e.*, the person who has to administer

the oath, is asked to do his best to avoid matters being driven to the extreme of oaths. The Saogand-nameh gives the advice at the end, that a person must avoid oaths whether true or false.

سوگند خوردن دروغ و ز راست .: حذر کن که سوگند یکسر خطاست

*i.e.*, Be aware of taking (lit. eating) oaths, whether true or false, because oath is altogether wrong.

In this advice, the Sogand-nâmeh follows the Pahlavi Pand-nâmeh of Âdarbâd Mârespand (s. 41) which advises :

دو ۱۱۵ (دروغ) دو ۱۱۵ و نه ۱۱۵ و نه ۱۱۵ او-۱۱۵-۱۱۵

Do not ta (lit. eat) oaths whether for truth or for falsehood.

Even now, Parsee priests who observe Bareshnûm for officiating at the inner liturgical services are prohibited to take oaths. If unavoidably, they have to go to a Court of Justice in response to a summons and take oaths there, they have to cease officiating at the liturgical services until they went through the Bareshnûm purification, which qualified them to officiate. The Bareshnûm cannot be gone through during the wet season. So, I know cases of Parsee priests doing their best to avoid being approached by the person who serves summons, and even concealing themselves for that purpose, when they came to learn beforehand that they were to be summoned as witnesses in any case. That was so especially in the rainy season, when their Bareshnûm, once being vitiated by attendance at the Court and taking oath, could not be renewed till after the rains, and so they were to be disqualified for their inner sacerdotal work. The idea seems to be, that one must take an Iranian priest by his word. If he is not so taken by his word and he has to take a formal oath, that was, as it were, a slur on his honour. If he takes the oath, he is, as it were, taken to be wanting in self-respect. So, he has to go through the Bareshnûm purification to be duly qualified again.

This Iranian dislike for oaths was not of later or recent growth. It comes down from very ancient times. We find this from what Herodotus and other classical writers speak about the beliefs and manners and customs of the ancient Iranians. They pre-eminently loved truth and hated falsehood. Herodotus said "Their sons are carefully instructed from their fifth to their twentieth year, in three things alone,—to ride, to draw the bow and to speak the truth."<sup>1</sup> As George Rawlinson says: "The special estimation in which truth was held among the Persians is evidenced in a remarkable manner by the inscription of Darius, where *lying* is taken, as the representative of all evil" (Behistun Inscription, col. I, para. 10. *Vide* also col. IV, pp. 4, 13, 14).

Herodotus further on says: "they held it unlawful to talk of anything which it is unlawful to do. The most disgraceful thing in the world, is to tell a lie; the next worst, to owe a debt, because among others, the debtor is obliged to tell lies. If a person has a leprosy, he is not allowed to enter into a city or to have any dealings with the other Persians; he must, they say, have sinned against the Sun." This reference to "sinning against the sun" is the reference to, what is spoken of in old Parsee books as, Mithra Druji or Meherdruji, Mithra, the Angel of Light, who is always associated with Khorshed, the Sun, has a whole yasht in his praise, where he is represented as presiding upon Truth, Promise, Contrast, Justice, &c. So, sinning against the Sun, is the sin of a breach of promise and of speaking untruth. The Avesta and Pahlavi books are replete with passages about extreme Love of Truth and Hatred of Lie.

It was this extreme love for truth that led the ancient Iranians to dislike anything like public markets or bazars. According to Herodotus (Bk. I, 153) Cyrus in his interview with a Spartan herald expressed his dislike against "a set place in the middle of their city, where they come together to cheat each other

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<sup>1</sup> Bk. I, 136, Rawlinson's Herodotus, Vol. I, p. 277.

and forswear themselves . . . . Cyrus uttered these words as a reproach against all the Greeks because of their having market places where they buy and sell, which is a custom unknown to the Persians, who never make purchases in open marts and indeed have not in their whole country a single market-place."<sup>1</sup>

We see from the above that the Iranian's love of truth led them (a) to hate debt, (b) dislike public markets, (c) to be much afraid of leprosy, taking it to be a punishment for lying.

What is said of the influence of solemn oaths upon the ancient Romans, by Mr. Fowler,<sup>2</sup> is true of similar influence upon the Iranians. Such oaths had a kind of civilizing power. They elevated the conception of truth and good faith. The solemnity and strictness of the oath made it prudential for men to speak the truth under all circumstances.

The second point that draws our attention in the Saogand-nâneh, is the religious importance given to this solemn oath-taking. The bath, the putting on of a new set of clothes and of the *padân* or the ceremonial mouth-veil, the drawing of a circle round the oath-taker by the Dastur or Head-priest, the recital of the sacred formula during the process by others present, all these show that oath-taking was a serious religious affair. Again, the wording of the oath, also points to the religious element in it. He swears in the name of God, his six Ameshaspands and by the name of the souls and spirits of some departed worthies like Zoroaster and Âdarbâd.

We learn that certain things are required and referred to by name in the ritual. They are: (1) Fire which is under the special guardianship of the archangel or Ameshaspand Ardibehesht,

2. The oath-taking a religious rite.

3. Requisites in the ritual.

<sup>1</sup> Rawlinson's Herodotus, Vol. I, p. 291.

<sup>2</sup> Roman Ideas of Duty, by W. Warde Fowler (1914), p. 43.



(2) a dish of metal, which is under the guardianship of Shehrivar, (3) the ground, over which the oath-taker stands and over which Spendârmad presides, (4) water, over which Khordad presides, and (5) bread, over the vegetable creation of which Amerdad presides. In the oath, the oath-taker refers to these as things before him and standing, as it were, as witnesses to his solemn act of swearing. I have referred above to various things, such as sword, beard, &c., required to be pointed out in the oaths of other people.

The bread and the water presented in the ritual are required to be eaten and drunk by the oath-taker. It is this "eating" which seems to have originated the Iranian word used with oath. The Pahlavi Pand-nameh of Âdarbâd Mârespand speaks of taking the oath as "Saogand vasht-muntan," *i.e.*, eating the oath. Similarly our Saogand-nâmeḥ uses the words "saogand khurdan," *i.e.*, to eat the oath. The modern Guzrati words  $\text{ಸಾಘಂದ್ ಖರ್ದಾನ್}$  have come down from the above phraseology.

There seems to be a special reason why the oath-taker has to mention the name of Âdarbâd. This divine flourished in the reign of Shapur II (309-379 A.C.). He is said to have gone through a Fire-ordeal, spoken of as "var-nirang," *i.e.*, the nirang or ritual on the breast (var). He is said to have thrown melted metal upon his breast to prove his purity. The Pahlavi Virâfnâmeḥ (Ch. I., 16) refers to this matter (Âtrôpât-î Maraspandan mûn patash pavan sâhkt-i pavan Dinkard ru-i vatâkhtê madam var rikht, *i.e.*, Âdarbâd Maraspand, on whose breast, according to the tale of the Dinkard, melted brass was poured). This ordeal is referred to in the Dinkard (Bk. VII, Chap. V, 5).

The Dinkard refers at length to various ordeals such as Barsam ordeal (Baresmok-varih), and Fire ordeal (garemok-varih).<sup>1</sup> Prof. Darmesteter compares the story of Aderbad's

4. Eating the bread and drinking the water of the oath-ritual.

The Prelate Adarbad Marespand, referred to in the Sogand-nâmeḥ.

ordeal with that of the Dominican monk Savanarola Guilame who flourished at Florence in the 15th Century.

The ritual of the Saogand-nâmeḥ shows, that the administration of an oath is a kind of religious function. Modern Parsee It therefore involves the necessity of oath with the cap on. taking it with covered head and not bare-headed. A modern Parsee in European costume, when he has to take an oath in the Court, places his hand on the head and covers it for the time being to give sanctity to his oath.

## V.

The Flamines, who were the fire-priests of the ancient Romans, had many customs which were similar to those of the Âthravans, the fire-priests of the Iranians. For example, they held in their ritual a kind of metallic rods or wires or branches similar to the Barsam of the Iranians. They put on a mouth-cover over their faces when they went before the sacred fire to protect it from their saliva or breath. This mouth-cover was similar to the padân which Parsee priests still put on, when they go before the sacred fire. Similarly the ancient Flamines had, like the Âthravans of the Iranians, the prohibition of taking oaths. ("Roman Ideas of Duty" by W. W. Fowler, pp. 40-43).

We find some other points of similarity between the Roman and Irânian oaths. (a) According to the Saogand-nâmeḥ, the swearer takes an oath in the name of Dadar Ormazd, the Iranian God. Among the Romans, they connected the name of their Jupiter with the oath. There was a regular religious rite for such oath-taking. (b) According to the Saogand-nâmeḥ, the oath-taking was, as it were, an open affair in the presence of God, his angels, his principal objects of creation, such as Water,

<sup>1</sup> Dinkard Bk. VIII, Chap. XIX, 38; XX, 12. *Vide* also XX, 14, 16.

Fire, Earth, &c. So, among the Romans also, it was a public-affair. In case of solemn swearing one had to go out of the house in the open. (c) Just as the Iranians united with Ahurā Mazda the soul or the spirit of some departed worthies, the Romans united with their Jupiter, the Penates or household Gods.

Firdousi describes at some length the oath which king Kâus gave to his grandson Kaikhosru to avenge

An oath as described by Firdousi. the death of his father Siâvaksh at the hand of his (Siavakhsh's) maternal grandfather Afrasiâb. Kaus thus asked Kaikhosru to take an oath :

کنون از تو سوگند خواهم یکی	∴	نباید که پیدچی ز داد اندکی
که پر کین کنی دل ز افراسیاب	∴	دم آتشی اندر نیاری باب
*		*
بگوز و بتیغ و بتخت و کلاه	∴	بگفتار با او گردی ز راه
بگویم که بنیاد سوگند چیست	∴	خرد را و جان تو ابد چیست
بگوئی بدان خورشید و ماه	∴	بتاج و بتخت و بمهر و کلاه
بدان فریدون و آئین و راه	∴	بتخون سیارش بجان تو شاه
بفر و بنیک اختر ایزدی	∴	که هرگز نپیدچی بسوی بدي
*		*
چو بشنید از او شهویار جوان	∴	سوی آتش آورد روی و روان
بدان دارنده سوگند خورد	∴	بروز سپید و شب لاجورد
بخورشید و ماه و بتخت و کلاه	∴	بمهر و بتیغ و بدیهم شاه
*		*
یکی خط نوشتند بر پهلوی	∴	بمشک از بر دفتر خسروی
گوا کرد دستان و رسم بران	∴	بزرگان لشکر مهر همچنان
بزنهار بر دست و رسم نهاد	∴	چنین عهد و سوگند و این رسم داد

(Vuller's Edition, Vol. II, pp. 770-772).

We learn from this account of Firdousi, that at times (a) oath was taken in the name of God, and that of the heavenly luminaries, in the name of the good virtues of past worthies like Faredun, and in the name of all that was near and dear to the person, for example his own crown and throne and even his own

life; (b) that it was taken before fire, (c) and duly endorsed in a document; (d) which was duly attested by two witnesses, (in this case by Jal and Rustam) and (e) duly deposited with somebody (in this case with Rustam). Khusro Parviz asks his subjects to swear by Âzar Gustasp. In the mortal fight between Sohrab and Rustam, when Sohrab fallen and stabbed, declares himself to be the son of Rustam, Rustam doubts the statement. Thereupon Sohrab indignantly affirms his words saying: "Man! Who art thou, who dost deny my words? Truth sets upon the lips of dying man. And falsehood, while I lived was far from me," (Arnold's Sohrab and Rustam, p. 84).

Different nations have different ways and forms of oaths.

Different forms of  
oath among differ-  
ent nations.

Herodotus thus describes how the ancient Scythians took their oaths: "Oaths among the Scythians are accompanied with the following ceremonies a large earthen bowl is filled with wine, and the parties to the oath, wounding themselves slightly with a knife or an awl, drop some of their blood into the wine; then they plunge into the mixture a scimitar, some arrows, a battle axe, and a javeline, all the while repeating prayers, lastly the two contracting parties drink each a draught from the bowl, as do also the chief men among their followers."<sup>1</sup> It is said of the ancient Scythians that when they wanted to take very serious oaths, they took them by the name of their king. They believed that if they took false oaths in the name of their king, that act of theirs would bring harm to their king. When the king fell ill, the priests enquired and investigated if any of the subjects recently took a false oath in the name of the king, because they thought that the illness of the king must be due to some one of his subjects taking a false oath in his name.

As said by Rawlinson, according to Dr. Livingstone, there exists a similar custom even now in South Africa. Dr. Living-

<sup>1</sup> Bk. IV, 70. Rawlinson's Herodotus IV, pp. 58-59.

stone says: "In the Kasendi, or contract of friendship, the hands of the parties are joined; small incisions are made in the clasped hands, on the parts of the stomachs of each, and on the right cheeks and foreheads. A small quantity of blood is taken from these points by means of a stalk of grass. The blood from one person is put into a pot of beer and that of the second into another; each then drinks the other's blood, and they are supposed to become perpetual friends and relations." (Livingstone's Travels, Chap. XXIV, p. 488).

Among the ancient Lydians also, there prevailed in the ritual of taking oaths, a kind of drinking. Herodotus (Bk. I, p. 74) says: "Oaths are taken by these people in the same way as by the Greeks, except that they make a slight flesh wound in their arms, from which each sucks a portion of the other's blood."

It is said that there were three forms of oath prevalent in China at one time. One was to break a cup or saucer or any other piece of porcelain. The second was to burn a piece of paper over which certain words referring to oaths were written. The third most binding oath was to cut the throat of a perfectly white cock which had not a single feather of any other colour.

Tacitus in his Annals (XII, 47) speaks of a similar custom among the ancient Armenians.

Mr. Boswell, in his "An Irish Precursor of Dante" (p. 21) says of the Irish oath: "This compact was solemnly sworn to by the contracting parties; the formula of the oath was founded upon that, whereby the kings in pagan times had been wont to bind themselves in matters of great moment, and which survived, with necessary modifications, for some centuries, after the introduction of Christianity. They took to witness the Sun and Moon and all the other elements of God, the apostles, Gregory, the two Patriarchs and other Irish saints. The terms of the oath explain the form of St. Patrick's famous hymn."