Indo-Iranian parallels of the Slavic water rites of the oath and guilt confirmation attested in Medieval Latin accounts and Slavic law codices

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In this article are presented Slavic rituals of the contract, and confirmation of oaths through water, mentioned in the historic accounts and law codices. Connections between the deities given in the historic accounts and descriptions of the rituals are proposed. Parallels between the Slavic and Indo-Iranian water oath rites, as well as their semantics and related deities, are offered. An attempt to justify the validity of the reconstruction of the missing elements of one mytho-religious space with the use of another, a better-known space, is presented, given that the elements of the interest satisfy the homomorphic mapping between the spaces. It is suggested that the mapping of the water oath rites and their associated deities in the Slavic and Indo-Iranian mytho-religious spaces satisfy the homomorphic mapping criteria.

KEYWORDS: Slavic mythology, oath-taking rituals, Indo-Iranian parallels, mytho-religious spaces, homomorphic mapping, "Slavic Varuna", "Slavic Mitra"

INTRODUCTION

Close similarities in the mytho-religious Slavic and Indo-Iranian vocabulary and theonyms (Gilferding 1853, Schmidt 1872, Rozwadowski 1914-15, Vasmer 1923, Sobolevskiy 1924, Meillet 1926, Abaev 1949, Zaliznyak 1962, Trubachev 1967, 1999, Toporov 1987, 1989, Vasilyev 1998), parallels between Slavic folklore and Indo-Iranian religious texts (Afanasyev 1865-9, Toporov 1968, 1973, 1977, 1978, 1995), common motifs in art (Kalmykow 1925, Trever 1937, Lelekov 1978), and literary and archaeological evidence of the close contacts between the Slavs and nomadic Iranian tribes (Niederle 1924, Gimbutas 1971, Rybakov 1982, Sedov 2002) have been subjects of interest for researchers since the 19th century, have continued through the 20th century and to date. Recently, this theme, in various aspects, was advanced by Čausidis (1998), Zaroff (1999), Loma (2004), Paliga and Teodor (2009), Šmitek (2010), Golema (2013), Trkanjec (2013), Borissoff (2014), Dynda (2014), Rakhno (2014), and Álvarez-Pedrosa (2015).

From the beginning, researchers split into two camps that favoured different pro-to-Slavic homeland hypotheses; therefore, they had different views on the closeness and continuity of the Slavic-Indo-Iranian influence. Those who preferred the North-Western

hypothesis, such as Schmidt, Meillet, et al., concentrated attention more on the Balto-Slavic and Indo-Iranian connections, hence, more ancient parallels, while those who leaned to the South-Eastern ones, for example, Rozwadowski, Vasmer, et al., emphasized more the exclusive—and, hence, later—Slavic and Iranian connections. Nevertheless, the predominant consensus acknowledged that the lexical parallels in the mytho-religious vocabulary stemmed from the times of the Indo-European unity (Zaliznyak 1962: 28-33; Trubachev 1965: 81).

Jakobson (1950: 1025-6), Gimbutas (1967: 739), and Puhvel (1987: 230-1) advanced the thesis that Slavic pre-Christian religion, while being virtually unknown from the primary sources, hypothetically could have had very strong similarities with the Indo-Iranian one, and could be reconstructed from it. Even more, if the Slavic-Indo-Iranian mytho-religious parallels stem from the much more ancient Proto-Indo-European roots (which may have been lost in other cultures) the Slavic-Indo-Iranian mytho-religious reconstructions may be especially valuable for the general Proto-Indo-European mytho-religious research.

Of course, comprehensively defining myth and religion is a daunting and rather boundless task, for even those Enlightenment and Romantic thinkers and modern scholars who took this on, such as Fontenelle, Vico, Heyne, Schelling, Grimm, Feuerbach, Buslaev, Müller, Marx, Potebnja, Tylor, Frazer, Lévy-Bruhl, Durkheim, Weber, Jung, Malinowski, Dumézil, Losev, Eliade, Lévi-Strauss, Meletinskiy, et al. (not to mention such ancients as Xenophanes, Euhemerus, Cicero, Proclus, Porphyry, or St. Augustine), touched only different aspects of it. For the limited purpose of this article, we will accept the "Ciceronian" model of the principal aspects of myth and religion that many modern theorists, whose approaches seem reasonable to us, were building and extending upon. Cicero suggests *relegere* as an etymological root of the term *religio* (i.e. re-reading, re-hearsing, or re-doing traditional rituals), which may look ridiculous, but which back the higher beliefs. This is in opposition to the practically driven magical superstition, and Cicero suggests that function was even understood by the simple-minded ancestors who created those religious rituals (Nat.Deo. II.70-72).

In the model accepted in the article, a myth is understood as not an "entertaining lie or error", but rather as parabolically and captivatingly expressed sacred "truths" (captivatingly, in this context, entails durably), either plainly irrational, or culture-specific, or beneficial to society, which are not rooted in the individual considerations of the profane survival and profit—if something else, then why bother to come up with such inventive, deep, and sophisticated narratives? We will understand the term "religion" in a sense of the regular exercising of its formalized rites, which are supposed to remind us about those "truths" of the associated myths.

The collection of the objects, persons, places, actions, verbal formulae, etc., as found in the myth and associated religious practices, will form a set of elements on which operations will be defined—such that they join some of these elements, yielding other elements of the same set, through the revealing of the mythical meaning of these connections. By doing that, we will treat mytho-religious systems as "groups" or "spaces" in the mathematical sense. Under such a model, functional parallelism of the rituals, which will carry the operations in this model mentioned above, becomes crucial in establishing a

parallelism, or a mapping, of the mytho-religious spaces to each other as a whole. In the following discussion, we will attempt to see what mytho-religious elements and ritualistic operations could be identified, and what parallelism could be established between them, within the Slavic and Indo-Iranian mytho-religious (sub)spaces concerning the oath, guilt, the contract, and justice.

PARALLELS

In addition to the Slavic-Indo-Iranian lexical and narrative mytho-religious similarities mentioned above, we can see parallels in the Slavic and Indo-Iranian rituals of the contract and oath confirmation, both in their forms (verbal and actional), as well as within the meanings. Here, we will review such rituals attested in the Latin historical sources and Slavic law codices, as well as their parallels found in Indo-Iranian mytho-religious and legal literature.

The following short fragment from Saxo Grammaticus' *Gesta Danorum* concerning the Slavic water rites related to the matters of trust and contractual relationships have been overlooked for quite some time by the researchers of Slavic mythology and religion, and was recently rediscovered as an important account of Slavic rituals and beliefs (Marinas 2013).

A quo oblationem suam liquida fide prosequi rogatus, pignoris loco lapillum se aquae iniecturum asseruit. Siquidem icturis foedus barbaris religioni erat calculum in undas conicere seque, si pacto obviam issent, mersi lapidis exemplo perituros orare (Being asked a confirmation in the sincerity of his requests' aims, he offered to conduct a local pledge, in which a stone was thrown into a body of water to be consumed by it. The barbarians' superstitious rite, [which Dombor] offered to perform, was to contemplate over the prophecy of the waves; if a treaty is [to be] forgotten, the sinking of the stone will foretell the doom [of the violator]) (Holder 1886: 517.25–30).

In the fragment above, we see an association of such categories as trust and being true to one's own word, especially in kingly matters, with the aquatic nature element (possibly, there could have also been a Slavic personification of that element). In Zoroastrian sources, *Apąm Napāt*, "Son of the Waters," was such an aquatic personification (Yt 8 (Tishtar).4, .34), who, also, was an overseer, keeper and distributor of *Khvarenah*, the "royal glory" that is given to the worthy kings who maintain *aša*, the "right", the "true" world order (Boyce 1975: 41–3; Gershevitch 1959: 6–7). If they do not stay true to their obligations, like what happened to Yima, who allowed a "lying, untrue word" into his mind, *Khvarenah* leaves them in a sorry state, and, in a form of a bird, goes to the bottom of the sea where *Apąm Napāt* seizes it (Yt 19 (Zam).34, .51). *Apąm Napāt* does not maintain *aša* alone, but paired with Mithra; however, if the latter does it by "pacifying" councils of the lands in turmoil, the former "restrains" them (Yt 13 [Fravardin].95), which establishes a parallel to the Vedic Varuna the Binder (RV 1.24.13,.15, 1.25.21, 2.28.5, 6.74.4, 7.28.4, 10.85.24; AV 4.16.7–9), who also has another name, *Apām Napāt*—an overseer of the "right world order" *ṛta*, and that parallel Boyce pushes to proposing a

common Indo-Iranian deity *Vouruna (Boyce 1975: 44–8), who was associated with the abstract categories of truth, oath, and aquatic elements, as well as one who is young and had created all things in the world (RV 2.27.2, 2.28.4, 2.35.2,.4,.8, 7.49.2–3, 10.8.5–6, 1.2.8, 1.23.5, 1.152.1, 7.60.5, 7.66.12–3; AV 4.16.3, 4.29.1, 5.11.3, 20.123.2). Mahabharata mentions that to keep one's oath, the person should release his wrath, which tempts him to break the oath, into the waters, into the ocean—Varuna's domain (Mbh 1.171.15–21).

An aquatic ordeal related to Varuna and concerned about verifying denial of the broken word, which Boyce cites using legal texts of *Yājñavalkya* (YDh 2.108–9), is more dramatic than the one described by Saxo. The man accused of breaking his oath is submerged in water; he asks Varuna for protection, and at that moment an archer shoots an arrow, which a swift runner should retrieve. If, by the time the runner returns, the accused man is found alive, he is cleared from the accusation. If not—well, he would share the destiny of the stone in Saxo's account (Boyce 1979: 8). A similar account is found in other law books, though not so vividly described (ViDh 12.7–8; NSm 20.25–7).

The expression "to drink brimstone water," has survived to contemporary Persian, where it means "to take an oath;" *Vidēvdāt* mentions oath by water and blazing fire, and ordeals by the "truth-knowing" water (Vid 4.46, .54–5). P. V. Kane cites *Āpastamba Dharmasūtra* (ADh II.11.29.7), which states that the witness in the court of law should be telling the truth, standing before the kindled fire and the vessel of water, in the presence of the king, and warned by the judge that he should be fair to both sides of the dispute (also *Arthaśāstra* of *Kauṭilya* iii.11) (Kane 1946: 342). *Vaiṣṇava Dharmaśāstra* instructs the witness to take an oath by truth of the fire and the water, along with other elements of nature, as representation of truth of the gods (ViDh 8.19–39). *Mānava Dharmaśāstra* says that a witness who lies will be bound by Varuna, and he, helpless, spend one hundred of his lifetimes. However, a witness' lie is acceptable should it save the defendant's life; still, the false-testifying witness should excuse himself before Varuna, giving him oblation with the formula: "Untie, Varuna," (RV 1.24.15) (Kane 1946: 353) and three such formulae addressed to water (RV 10.9.1–3) (MDh 8.82, .103–6). *Nārada-smṛti* agrees that the false testifying person will be tied by Varuna, and clarifies there will be one hundred ties, and each one will be released once every thousand years (NSm 1.186–7; *Nārada-smṛti,* unfortunately, has number of different fragment enumerations; here the one from Lariviere 2003 edition is used).

The earlier, among the post-Vedic legal literature, Laws of Manu (*Mānava Dharmaśāstra*) knew two original, apparently, more ancient, ordeals: by water and by fire, which were administered as confirmations of the oaths, and were not distinguished from the oaths by heads of a person's wives and children (MDh 8.111–6). The later *Yājñavalkya-smṛti* extended number of ordeals, suitable to resolve important matters and clear defendants from acquisitions, by ones of balance, holy water, and poison. The ordeal of balance was suited for the weak: women, ill, elderly, Brahmins, the ordeal of fire for Kshatriyas, by water for Vaishyas, and by poison for Shudras (YDh 2.95, .98). In the ordeal of holy water, the person taking the oath should have drunk the water in which weapons of the deity, the one which the defendant believes in, were immersed. In case of a false oath, he was expected to fall ill from the water, or other dire consequences coming from the water

should have followed (BSm 10.23–4; ViDh 14.4–5; NSm 20.43–4; YDh 2.112–3). The Laws of Manu describe similar consequences that happen not with the person taking an ordeal, but to the false-testifying witness (MDh 8.108). The later, minor law books added more and more ordeals, multiplying them to seven and then nine, also extending list of the exceptions; for example, ordeal by fire was not suitable for a blacksmith; for ordeal by water, for a fisherman; and ordeal by holy water was not suitable for nonbelievers or conscious evil-doers, as well as making exceptions for times of the year and weather conditions (ViDh 9.18, .25, .29–31; NSm 20.42, .45, .47–8).

Additional ordeals to the original ones of water and fire, and more exceptions and clarifications on their use, were added, apparently, to fine-tune the legal system to the changing social structure of the society, making the ordeals more like mere utilitarian judicial tools, rather than manifestations of the social rules of behaviour blessed by the divine authority. Still, the understanding persisted that these procedures were not ordeals *per se*, which would verify particular actions, but rather means of verifications of the oaths. This understanding can be easily seen in the ritual verbal formulae prescribed for the defendants undergoing the ordeals: "I have not done this," or similar, referring to the "invisible spies" of Mitra and Varuna (or Varuna, as a King of Waters, himself) from Vedas who can witness innocence of the defendant (ViDh 11.11–2, 12.7–8, 14.3; NSm 20.22–4, 20.31; YDh 2.104). *Nārada-smṛti* explicitly elaborates that the purpose of these ordeals is to distinguish between truth and lie, and are primarily in the interest of the defendant, to clear him from the accusation. The best ordeals for this purpose are those of the fire and water. The latter one is even better, because fire originates from water (NSm 20.5–7, .30). Kane points out that some Dharmashastras do not distinguish oaths and ordeals at all (MDh 8.109–14; NSm 1.218), while the later commentaries on them do recognize the distinction in a rather technical sense, when one or another is applicable to accusations of crimes of different degree of aggravation, or by the time a decision can be made (Kane 1946: 358).

There were also other procedures that were less obvious in connecting water and contractual relationships, such as renouncing property rights by touching the water when giving a gift (YDh 1.229–35), casting money in the water if the creditor died (NSm 1.113), or breaking a vessel with water and sprinkling the head of a slave when the master releases him to freedom (NSm 5.40–1). During the adoption procedure, in presence of the fire and water vessels, the parent releases the dominion over his or her son with the verbal formula: "I give (him to you)," and the adopter confirms the contract of acceptance with the words: "I take thee for the fulfillment of my religious duties," declares *Baudhāyana Dharmasūtra* (BDh 8.5.9–12), while *Vāsiṣṭha Dharmasūtra* adds that the adoptee, or the person who has been banished from the family, can be readmitted after the water from the vessels pours onto his head, and the same formula addressed to the Waters, which is used to forgive the false witness (RV 10.9.1–3), is recited (VaDh 15.20). Sarkar points out that similarly the contractual relationships between parents and daughter are transferred to the groom during the wedding ceremony with the same water rite (MDh 3.35) (Sarkar 1891: 368, 379–80). Because the king answers to nobody among men, punishment for his unjust deeds is a business of Varuna, the chastiser of the kings (MDh 9.245), and the

one who gives them their crowns. During the coronation procedure, a priest sprinkles the king, who is expected to take on the duty to support the law (BrUp I.4.14), with water, and recites mantras addressed to the Waters and Varuna. If the king collected unjustly high additional tax, he had to throw it into the water, invoking Varuna's name (YDh 2.307) (Kane 1946: 97, 77, 176).

Xuanzang (Hiuen Tsiang), a Chinese Buddhist monk, after traveling to India in the 7th century, describes an ordeal of throwing a defendant in a sack into a deep water, and expecting him to float, as well as an ordeal by a hot piece of metal that is expected not to harm the defendant if placed on his hands, feet, or tongue. He also describes ordeals by balance and poison (Xuanzang II.13). Eleventh-century Persian scholar Al-Beruni, after his travels in India, wrote that in the Indian court, if there is not enough written and witness accounts, the defendant may take an oath that he is innocent. Depending on the importance of the suit, it may be a simple oath, or one supported by the ordeal verification via drinking holy water, with the expectation it will not harm the defendant in case he is telling the truth, or by throwing him into a deep well or a river, after the defendant pronounced the formula: "Water, you know the secret and public, kill me if I lie, and preserve me if I speak the truth," or by a kettle, boiled and with a piece of gold thrown inside, which the defendant must fetch from the water, or by a hot piece of metal, near its melting point, that should be carried in the defendant's hands for some distance. An ordeal of balance is also mentioned (Al-Beruni II.LXX).

There is no mention in Saxo's account of a personified figure of the waters; however, we may find one in Adam of Bremen's description of the city of Wolin:

Ibi est Olla Vulcani, quod incolae Grecum ignem vocant (vocans; vocant ignem in other manuscripts), de quo etiam meminit Solinus. Ibi cernitur Neptunus triplicis naturae: tribus (Tribus) enim fretis alluitur illa insula, quorum (quor. unum virid. aiunt esse) aiunt unum esse viridissimae speciei, alterum subalbidae, tertium (tercius vero) motu furibundo perpetuis saevit tempestatibus (There is Vulcan's Cauldron, which is called Greek fire by the locals, [and] which was mentioned by Solinus. There is known Neptune of the triple temperament: for three seas/estuaries surround this [pen]insula, which, it's said, on one [side] is of freshest quality, on another whitish [muddy], and on the third—continuously and frantically stirred by raging storms) (Adam II.XXII).

Especially interesting here is that the Slavic analogue of *Vouruna*-Apam Napat, described here as a certain Neptune (Lüders also calls Varuna an Indian Neptune [1951: 9]), is accompanied by a certain Vulcan (or his attribute—the cauldron)—possibly the Slavic analogue of *Vouruna*'s companion Mit(h)ra, who, in Indo-Iranian tradition, is the fiery figure (Yt 10 [Mihir].3, .127; Yt 19 [Zam].49; RV 7.66.10). One of the three sacred fires of Bundahishn bears the name of Mithra (Burzin-Mitro) (Bd 7.8), as well as the Zoroastrian fire temples *dar-e mehr* (Duchesne-Guillemin 1973: 72).

Usually, like in Adam's fragment above, the Latin *natura* is translated as literally "nature," though "character" or "temperament" are also legitimate translations, and the latter one is chosen here. Latin *viridissimus*, usually translated as "greenest," is also "freshest", or "youngest", and *species* is not only an "appearance", but also a "quality", or "type." Another important detail is that Adam does not simply describe the geography

of Wolin, but uses the verb *aiunt* (3rd, pl. pres. act. ind.)—"[they] say". which indicates he talks about the narrative tradition, perhaps more concerned not with geography, but rather hyperbolically describing qualities of the deity. That triple character of the Slavic Neptune (which is violent, greenest/freshest/youngest, and white/old at the same time), is particularly interesting because *Vouruna*-Apam Napat is also a "terrible sovereign", (RV 7.66.13) a life-giving youthful water patron, (RV 2.27.2, 2.28.4, 2.35.2,4,8) and, in company with Mitra, a worldly truth and order overseer (RV 7.49.2–3, 10.8.5–6, 1.2.8, 1.23.5, 1.152.1, 7.60.5, 7.66.12–3; 6.62.9, 7.28.4, 7.40.4,7, 8.25.4; AV 4.16.3).

Although we have no description of such a fiery rite in Saxo's account of Slavic rituals, we do have evidence on the easy acceptance of the ordeals by fire among the Wendish Slavs of Oldenburg, as well as an account of the connection of the oaths with water, trees and rocks, and some jurist deity or deities manifested by these natural phenomena, in Helmold of Bosau's *Chronica Slavorum*. Furthermore, we learn from him that Svantovit is associated with the category of trust. He is the guarantor of oaths, which are the part of the rituals conducted in his temple. Yet another ritual, related either to Proven, or Siwa or Radigast, involves passing a vessel with a liquid (water? mead?):

Est autem Sclavorum mirabilis error: nam in conviviis et compotationibus suis pateram circumferunt, in quam conferunt, non dicam consecrationis sed execrationis verba, sub nomine deorum, boni scilicet atque mali, omnem prosperam fortunam a bono deo, adversam a malo dirigi profitentes. Unde etiam malum deum sua lingua Diabol sive Zcerneboch, id est nigrum deum, appellant. ...Inter multiformia autem Sclavorum numina prepollet Zvantevith, deus terre Rugianorum, utpote efficacior in responsis.... Unde etiam in peculium honoris annuatim hominem cristicolam, quem sors acceptaverit, eidem litare consueverunt... Mira autem reverentia circa fani diligentiam (i.e. curam, custodiam templi) affecti sunt: nam neque iuramentis facile indulgent, neque ambitum fani vel in hostibus temerari patiuntur (However, the Slavs have an astonishing wrong [custom]: for their banquet and drinking party, they send around a saucer, in which they join saying, I would not say words of religious dedication, but rather spells, under the name of deities, namely good and bad, professing all prosperous fortunes as [words] coming from the good deity, and the opposites as [words] coming from the bad one. In particular, on their language they call the bad deity Diabol ol Chernobog, which means Black deity... Out of the multitude of Slavic deities, however, prevails Svantovit, the deity of the land of Rugia, since [he is] efficient [trustworthy] in his answers... In particular, as a [material] manifestation of honouring him, they have become used to annually sacrificing a Christian, whom the lots point to... However, they endowed the [Svantovit's] temple with attentiveness (care of it) out of the astonishing respect: for they neither allow [themselves] to easily take oaths [in it], nor let inconsiderable foreigners in or around it) (Helmold I.52).

Illic inter vetustissimas arbores vidimus sacras quercus, que dicate fuerant deo terre illius Proven, quas ambiebat atrium et sepes accuratior lignis constructa, continens duas portas... llic omni secunda feria populus terre cum reguio et flamine convenire solebant propter iudicia... Iurationes difficillime admittunt, nam iurare apud Sclavos quasi periurare est, ob vindicem deorum iram... Hii enim simuiachrorum ymaginarias formas pretendunt de templis, veluti Plunense ydolum, cui nonien Podaga; alii silvas vei lucos inhabitant,

ut est Prove deus Aidenburg, quibus nulle sunt effigies expresse... Inter multiformia vero deorum numina, quibus arva, silvas, tristitias atque voluptates attribuunt, non diffitentur unum deum in celis ceteris imperitantem, illum prepotentem celestia tantum curare, hos vero distributis officiis obsequentes, de sanguine eius processisse et unumquemque eo prestantiorem, quo proximiorem illi deo deorum... Et inhibiti sunt Sclavi de cetero iurare in arboribus, fontibus et lapidibus, sed offerebant criminibus pulsatos sacerdoti, ferro vel vomeribus examinandos (There, among the ancient trees, we saw sacred oaks that were dedicated to the deity of this land—Proven, around which a wooden hall and a fence were carefully constructed, which had two gates... Here, every second day (of the week), people of the land, along with the king and the priest, used to gather to have a counsel/ trial... They abstain from committing the oaths, for taking a vow almost [certainly means] breaking it, thus [becoming a subject] of punishing/spearing by anger of the deity... Some pitch temples over statues depicting their imaginary [deities], like the idol of Plune, which is named Podaga; others inhabit woods or groves, like Prove, deity of Oldenburg, who does not have any statues depicting him... Among multiple deity-like spirits, with whom they associate fields, forests, sadness, and pleasure, they do not deny one god in the sky also, who omnipotently controls the entire heavens, [while] these [spirits] distribute assignments to comply, from his nature originated, and each one the more senior, the closer [he is] to the god of gods... And since then the Slavs have restrained themselves from taking oaths before trees, springs and rocks, instead brought caught criminals to the priest, to execute [ordeals] by iron or plough) (Helmold I.83).

The last phrase is one more explicit piece of evidence, in addition to other Germanic and Scandinavian legal documents, witnessing the survival of the pre-Christian fiery ordeals (Seaton 1917: 530–3), probably of the Indo-European origin, in the Medieval Christian Europe. Still, the easy acceptance of Germanic ordeals by the Slavs may also be evidence of the survival of similar cultural rites of the Wendish Slavs, also rooted in the Indo-European past, independently from the Germano-Scandinavian world. In legal documents of the Western, Southern and Eastern Slavs of 11th and later centuries, there are also references to the fire, water and duel ordeals.

Cosmas of Prague, in his *Chronica Boemorum,* writes that in 1039, Duke Břetislav, pronouncing his law code over the tomb of St. Adalbert in Gniezno, Poland, mentioned that those accused of homicides and denying the accusations should be tested by the ordeals of water and fire:

Similiter et de his, qui homicidiis infamantur, archipresbiter comiti illius civitatis nomina eorum ascribat, et comes eos conveniat; et si sunt rebelles, in carcerem redigat, donec aut penitenciam dignam agant aut, si negant, ignito ferro sive adiurata aqua, utrum culpabiles sint, examinentur (Similarly, [concerning] those who dishonor [themselves] with homicides, a superior elder of the people's assembly must write their names, and summon them obligingly to the assembly; and if they are rebellious, put them in jail, [and hold them] until their proper repentance, or, if they refuse, examine them with hot iron or oath water, whether they could be blamed) (Cosmas II.4).

The Czech law code of the first half of the 14th century *Prava Zeme Ceske/Kniha Starého Pána z Rosenberka (Jus Terrae Boemiae* in Latin translation*)* preserved quite

an extensive list of rites of the oath and guilt verification by water and hot metal, and the evidence that those rites were dedicated to some deity (in this case, to the Christian one):

69. Z plena práwo sě zprawiti zemským práwem, jemuž (komuž) winu dáwají, samému třetiému. Ale byloliby (byloby) prawějše, aby pówod přisáhl napřed z své škody: tehdy práwo byloby otpowiédači otpřisiéci sě; (tehdy práwo byloby otpierati neb otpowiedati otpřisiezci sě) potom za wodu dwa pomocnlky otpřisezta, že je newinen, z nehož popřisiéžen (The law of damages may be corrected by municipal law; [therefore] whoever is accused threefold (i.e. quite likely), however, would be firm that the plaintiff is lying about the damages, he has the right to deny or present a different story, with the help of [his] two witnesses who would take an oath on water that he is innocent) (KSPR 69).

70. Ježto swědky za wodu (zawodié/zawadie), z dluhów, nebo z dědin, nebo což we dsky slušié: též práwo, jako w úředě; ledno woda sešla mezi nimi z toho, ale ledno za wodu wrci hřebě (ale jedné ten kuoň wrci za wodu, na kterémž běžal). Tehda, když swědky postawié před křížem, rciž: swědek, nebo swědci, práwo wezmú (If witnesses testify about debts or inheritance, or who know or oversee the laws, [then therefore] the right[-determining] water divination decides who is right, [or, additionally] the right[-determining] lots are thrown (by the same person who made the water divination), at the time when the witnesses, being placed before the cross, speak: "witness (or witnesses) upholds truth") (KSPR 70).

73. Ježto sě zprawiti samému swú rukú. Zrady práwo sě otepřiěti samému swú rukú, jemuž winu dáwají; sirotčié práwo. Pakliby žalowal z toho pówod, a otpowiédač jemu nebránil, na otpowědi pówodowi wésti práwo za wodu; z přiwedenié takéž, z žitié, z přijetié takéž (If the accused accidently told on himself, [which would then lead] to his conviction, he has the right to renounce [what was said], by the orphan law. However, if the same was the plaintiff's complaint, and the accused doesn't argue, the plaintiff, in his turn, may ask for [verification by] water; the same [law is true] for foster care and adoption) (KSPR 72).

143. Když pówod žaluje cožkoliwěk, že je wzchowal (budto že je wzchowal) na swém hnoji i žiwo i mrtwo: tehda práwo postihnúti pówodu swědky, jakž draho zceněno; práwo, jako z dluhu na kříži. 144. Pakli proti tej žalobě otpowěď taká, že dié: »ten kóň, nebo cožkoliwěk, jehož sě Mikeš z Unhošče u mne jal (jehožby sě Mikeš neb Jan z Hostiuého jal), ten sě je rodil na mém hnoji i žiw i mrtew, na to jmám prawějšé ludi" (pakli otpowié a dié: tento kóň jest sě urodil u mne na hnoji a zchowán, a jmám na to prawějšie lidi): tehda práwo o to hřebi, čím sě swědkóm práwo dostane, ale woda (úwoda) neslušié (If the plaintiff complains about something [while the accused behaves] like being petrified in his own dung, lifeless, then the court should listen to witnesses of the plaintiff with all the importance, like [they are] witnessing on the cross. However, if the response of the accused is such as Mikesh from Unhoshche (or Jan from Hostieho), who said: "who, or whatever, made the adversary to stay in his dung lifeless, is the right person", then the procedure of the witnesses' trial by lots or water is not needed) (KSPR 143–4).

155. Pakli chce wše z té pře přihnati k najdalejšému roku, to móž do šesti neděl; cožby rok byl dále jedniem dnem šesti nedel (cožby rok byl dále jeniém dnem šesti neděl, to pře ta ztracena; jestli rok blíže šesti neděl), že nenié méně k roku čtyr neděl, a je s práwem

z té pře sehnáno. Práwo woda (However, if one wants to have a court hearing, which will rule on the dispute, to be called at the furthest possible time, it should be no longer than 6 weeks (a day later will be a mistrial), if the hearing of the dispute is sooner than 4 weeks, it will be still according to the law, via the water [ordeal]) (KSPR 155).

156. Ze zlodějstwa, což pomění (promění), jeden póhon; též práwo pohoniti jako z plena; práwo woda. 157. Z lúpeže jeden póhon; týmž práwem pohoniti jako z plena; práwo woda. 158. Z lesa porubăimie (posěčeniě) jeden póhon; jako z plena; práwo woda. 159. Ze wzebránie úrokóv jeden póhon; takéž pohoniti jako z plena; práwo woda. 160. Z jetié jeden póhon; práwo pohoniti jako z plena; práwo woda. 161. Ze zlata jeden póhon; práwo pohoniti jako z plena; práwo železo; nemóž (a také móž) pohoniti k malému úřadu. 162. Wěchów zawinutié, násilím požitié, jeden póhon; z ohně jeden póhon; práwo pohoniti jako z plena; o tu při práwo železo. 163. Z wýboje jeden póhon; práwo pohoniti jako z plena; práwo železo. (For the minor crimes, there will be one hearing, by the procedure like for [covering] damages, via the water [ordeal should be used]. For the robbery, there will be one hearing, the same legal procedure as for the damages should be applied, via the water [ordeal]. For the lumbering, one hearing, will be the same procedure like for the damages—the water [ordeal]. For usury, one hearing, by the same procedure like for damages—the water [ordeal]. For stealing, one hearing, by the same procedure like for damages—the water [ordeal]. For the gold-[related crimes], one hearing, by the same procedure like for damages—the hot iron [ordeal], if [the accused] is incapable [of enduring that], then send him to the local [law-enforcing] office. For the [illegal] hay mowing and grain harvesting, and the arseny, one hearing, by the same procedure like for damages—for that dispute is the hot iron ordeal. For the property destruction, one hearing, by the same procedure like for damages, via the hot iron [ordeal]) (KSPR 156–63).

210. Opowiédati práwo plen, wýboj, lúpež, zlodějstwo, wzebránié úrokóv, oheň, i to wše, což práwo woda i železo z toho (Notify about laws on damages, injuries, robbery, lesser crimes, usury, arseny, and those for which water and hot iron [ordeals are used]) (KSPR 210).

212. Opowiédati práwo chromotu, i wšelikaké ohawy, rány modré i krwawé i wšelikaké. Opowiédati práwo z hlawy i z příhlawného dobytka. Opowiédati práwo sweřepice, wčely, ščepy, a to wše, což jest nárok, trój póhon, práwo woda i železo (Notify about laws on handicapping or other injuries, hematoma, or open, or whatever wounding. Notify about laws on cattle and lesser livestock. Notify about laws on horses, bees, gardens, and all that involves [breaking] contract, [for which there will be] a triple hearing via the water and hot iron [ordeals]) (KSPR 212).

238. Přiwesti komorníka práwo na škodu, když sě škoda stane, wýboj, plen, oheň i wše nároky, což je práwo woda i železo. Takéž práwo komorníka přiwoditi ke wšem ranám (A court officer should be invited to the crime scene that involves property destruction, damage, arseny, and all contract breaching, which are dealt with via the water and hot iron [ordeals]) (KSPR 238).

Of course, it could be argued, similarly to Helmold's account, that these mentions of the ordeals of fire and water in Czech legal documents were just reminders of the

German influence. However, we find that similar ordeals also appear in Serbian and Old Rus' legal documents.

Serbian law document *Законикь Срьбскыи Цара Стефана Душана Сильнаго,* of 1349, talks about ordeals by the boiling water:

64. Соудби ине да нѣсшь за котьль, ни оправе никое. кто се оправи, да не дава соудїамь оправе. роуке на соудоу да неима, и опаданїа, и две. тькмо да се соуде по закону (There should be no other trials after the boiling water cauldron ordeal, and no [other] rulings. Who vindicated himself should not be judged by the court. There should not be bribery, nor unfair trial, nor gifts; only the law should be [respected] by the court) (ЗС 64).

78. Дворане властелсцїи, ако оучини кое зло оть нихь, кто боуде пронїіаревикь, да га оправе очина дроужина поротом, аколи есть себрь, да хвати оу котель (If courtiers of nobles committed a crime, those who are landowners should be judged by the jury of elders, otherwise, those who are commoners should take the boiling water cauldron ordeal) (ЗС 78).

The first known Old Rus legal document *Правда Роусьская,* it could be argued, bears signs of the influence of Scandinavian legal thinking, which is not surprising considering the close dynastic ties between Vladimir Svyatoslavich and Yaroslav Vladimirovich with Sweden and Norway, however, the first Short Edition of the *Правда Роусьская* in the 11th century did not have mentions of the ordeals of water and fire, and, by the time the Extended Edition was created around the end of the 11th or beginning of the 12th centuries, those ties had been severed. The Great Schism did not help cultural exchange between the German and Scandinavian world and Old Rus, either, so the direct inheritance of those ordeals from the Indo-Iranian, or even Indo-European past, is more likely than the Germano-Scandinavian reborrowing:

12. Искавшие ли послуха и не налѣзоуть, а истьця начьнеть головою клепати, то ти имъ правьдоу желѣзо. Тако же и въ всѣхъ тяжахь, и въ татбѣ и въ поклепѣ; оже не боудеть лиця, то тогда дати іемоу желѣзо изнѣволѣ до полугривны золота. Ажели мьнѣ, то на водоу, оли до двою гривноу; ажели мьнѣ, то ротѣ ити іемоу по своѣ коуны (If witnesses were not found if the plaintiff accuses [somebody] in murder, then use on him the [hot] iron ordeal. The same is for all cases, for the robbery and other accusations; if there will be no evidence, then force to him the [hot] iron ordeal, [for the case worth] less than half a hryvnia [of gold]. If the case worth less, and more than the two hryvnias [of silver], than use the water ordeal; if [even] less—then believe in his oath) (ПР 12).

The multi-headedness of the Svantovit statue, as well as the other Wendish statues of the Slavic deities, was pointed to by many Latin authors. Saxo's account has an emphasis on the omniscience of the deity:

Ingens in aede simulacrum, omnem humani corporis habitum granditate transscendens, quattuor capitibus totidemque cervicibus mirandum perstabat, e quibus duo pectus totidemque tergum respicere videbantur. Ceterum tam ante quam retro collocatorum unum dextrorsum, alterum laevorsum contemplationem dirigere videbatur (Inside the temple a giant statue was seen, whose size was greatly exceeding any typical human

body, from which, surprisingly, four heads on four necks were erected, from them, two were [looking] ahead, another two—in the opposite [direction]. Also, whatever direction one would look at them: from front or back, from left or right, he would meet their line of sight. (Literally: Also, whatever [was] the placement [of the pairs of heads]: front or back, one [of the pair]—to the right, another—to the left, the line of [their] sight was seen.)) (Holder 1886: 565.3–10)*.*

The omniscience, the multitudes of eyes and ears are also quite particular characteristics of Mit(h)ra and Varuna (Yt 10 (Mihir) .82, .107, .7, .45–6, .91, .141), (RV 1.25.16, 2.27.3, 8.90.2, 1.15.6, 7.34.10, 7.49.3, 7.60.6–7), (AV 4.16).

This is especially interesting in the context of the Zoroastrian-like purification rites that the priest of Svantovit was performing in the temple before festivities:

Huius sacerdos, praeter communem patriae ritum barbae comaeque prolixitate spectandus, pridie quam rem divinam facere debuisset, sacellum, quod ei soli intrandi fas erat, adhibito scoparum usu, diligentissime purgare solebat, observato, ne intra aedem halitum funderet; quo quoties capessendo vel emittendo opus habebat, toties ad ianuam procurrebat, ne videlicet dei praesentia mortalis spiritus contagio pollueretur (The priest [of the divinity], showing the strict observance of the length of hair and beard according to old traditions of the ancestral community; the day before [the feast] [the priest] had to perform an even more important service to the divinity; the temple, which only he had traditional right to enter, he used to clean most diligently with a broom, making sure he would not breath inside the temple; when he needed to breath in or out, he ran to the doors, to prevent pollution of the pure divine presence by the contact with mortal spirits) (Holder 1886: 565.27–35).

Mary Boyce points out that although we only have codification of the laws in *Vendidād* and Pahlavi texts, their similarity to the ones of Indian Brahmins suggests that similar rites existed not only during the prehistoric times of Zarathushtra, but also during the pagan times of Indo-Iranians, and even Indo-Europeans overall. The laws of purity in Zoroastrianism come natural from their key concepts of the opposition to the creation of Ahura Mazda/Spenta Mainyu, to the destructive influence of Angra Mainyu that includes decay, pollution, illness and, most importantly, death. Therefore, the duty of an Ashavan, the follower of the "right world order" or *aša*, includes obligation to fight uncleanness of himself and the elements of nature that include metal (which is representation of the sky), water, soil, animals, and plants (Boyce 1975: 285, 6, 310). Breath is also considered as polluting the already cleansed objects. Zoroastrian houses, especially if used as places of worship, especially at festival times, have to be dusted, swept, and scrubbed. The clothes of the priest performing services indoors are strictly functional, without flowing pieces that are used for the outdoor ceremonies, to prevent possible contamination of the cleansed objects by the closes. Hair, for the same reason, is also concealed under the headdress, and the mouth and nose is covered by a piece of cloth, termed in Middle Persian as a *padān*, which resembles a surgical mask and prevents contaminating action of breath (Boyce 1975: 300, 9, 10, 11, 22). According to the images that survived, in Achaemenian times Zoroastrian priests wore Scythian style hats with flaps that covered their mouths (Dandamayev 2009: 95).

CONCLUSIONS

If we treat mytho-religious systems as groups or spaces in a mathematical sense, and want to establish their structural similarity that will allow us to reconstruct the structures of the lesser known with the similar structure of the better known, we need to demonstrate that the mapping of one mytho-religious space to another is isomorphic, or, at least, homomorphic. Which means that, if there exists objects, actions, verbal formulae a1, b1, c1, ... and deities or other actors d1 of one mytho-religious space, and they can be mapped to the objects, actions, formulae a2, b2, c2, ..., and deities d2 of another mytho-religious space, and we can map them to each other: a1->a2, b1->b2, c1->c2... d1->d2, and there exist mutually mappable ritual operations op1 and op2, such that they take elements of the mytho-religious space, and, through revealing the mythical meaning or reference, produce another element of that space, for example a deity associated to the rite: d1 = op1(a1, b1, c1...) and d2 = op2(a2, b2, c2...), we need to show that there has already existed the mapping d1->d2. If that is the case, such a mapping and mytho-religious spaces are homomorphic in terms of the abstract algebra. Of course, one may hardly expect a strict compliance of such categories as myth and religion to the mathematical definitions of the group or space, or their relationships being isomorphic, in which strict one-to-one relationships in both directions are maintained between elements of two spaces. However, a simple homomorphism still provides preservation of the structure of those spaces' elements that could be mapped into elements of another space, while those elements that do not have analogues in another space, and are unique to the particular one, could be called a kernel (null subspace) of that mytho-religious space.

For our particular example of the Slavic oath-confirming rituals of water, according to the Mediaeval Latin chroniclers' accounts, we can discern the following elements of the Slavic mytho-ritual subspace concerned with justice: the very water (either an abstract Domboro's one, or Oldenburg's streams, or the vessels with it), the oath-taking participant or an object (stone) substituting him, actions of submerging or making contact of the ritual's subject and the water, verbal formulae proclaiming the water being a witness of the oath, or a punisher of its violators. All these elements, quite directly and undoubtedly, can be mapped onto elements of the Indo-Iranian mytho-religious subspace of justice. From the water deities such as the Wolin's Neptune, of the "triple temperament": green-young, violent, and white (old-wise?), may be mapped onto the Indo-Iranian figure *Vouruna*-Apam Napat (Son of the Waters): the life-giving youthful creator of all things, who is terrible, yet merciful, and the truth and contract overseer. Oldenburg's Proven, related to justice, and, indirectly, to streams, is also mappable to *Vouruna*-Apam Napat. Rugen's Svantovit, the trusted one, who is represented by the multi-eyed statue, and whose temple was treated by the Zoroastrian-like purification rituals, can be mapped to Vedic Mitra-Varuna and Iranian Ahura Mazda. We have no accounts about what deity was behind Domboro's oath-guarantying function of water (though, it is quite reasonable to expect such a personification), and whether Wolin's Neptune had the oath-related rituals associated with him. However, we do know about the strong direct association of some of Oldenburg's justice rites with Proven. They were taking place in groves, but

other details were left unspecified. There is also an indirect association with him of the oath-taking rites on the water streams, and a common Slavic guarantee of the oaths by their deities, especially by Svantovit. Of course, such evidence from the chroniclers' accounts of the oath-taking rituals (mytho-religious space operations) referring to the water- and justice-associated deities is more weaker and partly hypothetical for the Slavic mytho-religious space than for the mappable operations of the Indo-Iranian space, but, supported by the much stronger evidence from the Slavic law codices about dedication of these rituals to the cross (and, apparently, to the deity behind it), it is still traceable and satisfies the conditions of the homomorphic mapping of the mytho-religious spaces.

Having demonstrated that, we can not only give more ground to the theses of Jakobson, Gimbutas, and Puhvel, but also vindicate aspects of the approach of the "mythological school" of Russian folklorists to reconstruct the sources of Slavic folklore, especially that of Afanasyev, who widely used Indo-Iranian themes in his approach. We can point out that such an approach, on the new level, of course, could still be a beneficial and useful tool for the reconstruction of the Slavic pre-Christian mytho-religious space. As a continuation of this argument, we may also side with the remark of Gimbutas that, because we know so little about Slavic deities from the contemporary written accounts (what functionalities hide behind these names or even whether they point to the same or different ones), it is pretty much irrelevant what we would call them: supposedly authentic Svantovit and Proven from the Mediaeval Latin accounts, or Slavic Vulcan and Slavic Neptune from the same accounts, or "Slavic Mitra" and "Slavic Varuna" from the modern age comparativist works, or even completely made up contemporary names, as long as we understand that those names are only mappings to elements of the more rich and complete mytho-religious spaces that we may use to reconstruct the Slavic space from.

BIBLIOGRAPHY AND ABBREVIATIONS

Абаев, Василий Иванович, 1949: Происхождение древнерусского Хорс и Сванского Džgərāg «св. Георгий». Мещанинов И. И. (под ред.) *Осетинский язык и фольклор*, I. М: Издательство Академии Наук СССР", 595–596

[Abaev, Vasyly I., 1949: Proishozhdenie drevnerusskogo Hors i Svanskogo Džgərāg «sv. Georgy». Meschaninov I. I. (ed.), *Osetinsky jazyk i folklor*, I. M: Izdatelstvo Akademii Nauk SSSR, 595–596].

Adam - Schmeidler, Bernard, 1917: *Adam von Bremen, Hamburgische Kirchengeschichte, Monumenta Germaniae Historica, Scriptores, Scriptores rerum Germanicarum in usum scholarum separatim editi*. Hannover und Leipzig: Hahnsche Buchhandlung.

Афанасьев, Александр Николаевич, 1865–1869: *Поэтическія воззрѣнія славянъ на природу: опытъ сравнительнаго изученія славянскихъ преданій и вѣрованій, въ связи съ мифическими сказаніями другихъ родственныхъ народовъ*. М: Издание К. Солдатенкова

[Afanasyev, Alexander N., 1865–1869: Poeticheskija vozzrenija slavjan na prirodu: opyt sravnitelnago izuchenija slavjanskih predanij i verovanij, v svjazi s mificheskimi skazanijami drugih narodov. M: Izdanie K. Soldatenkova].

Al-Beruni – Sachau, Edward C., 1971: *Alberuni's India*. New York: W. W. Norton & Co. Inc.

Álvarez-Pedrosa, Juan Antonio, 2015: The reconstruction of the pre-Christian Slavic religion and Iranian lexical borrowing: a methodological review. *Ollodagos - Tome XXX (2014),* Bruxelles, 61–80.

AV – *Atharvāveda* – Chand, Devi, 1982: Atharvaveda, repr. 1997, 1999, 2002, 2007, 2014. Delhi: Munshiram Manoharlal Publishers Pvt. Ltd.

Bd – Bundahishn – West, Edvard William, 1860: *The Bundahis-Bahman Yast, and Shayast La-Shayast, Sacred Book of the East*, v. 5, p. 1. Oxford University Press.

BDh – *Baudhāyana Dharmasūtra* – Bühler, Georg, 1882: *The Sacred Laws of the Aryas, As Taught in the School of Apastamba, Gautama, Vasishtha and Baudhayana, part II, Sacred Books of the East*, v. 14, repr. 1965, 1969, 1975, 1984, 1991, 2001. Delhi: Motilal Banarsidass Publishers.

Borissoff, Constantine L., 2014: Non-Iranian origin of the Eastern-Slavonic god Xŭrsŭ/Xors. *Studia Mythologica Slavica* XVII – 2014, Ljubljana, 9–36.

Boyce, Mary, 1975: *A History of Zoroastrianism*, v. 1, repr. 1988. Leiden: E. J. Brill.

Boyce, Mary, 1979: *Zoroastrians: Their Religious Beliefs and Practices*, ed. 2001, repr. 2007. Abington: Routledge.

BrUp – *Bṛhadāraṇyakopaniṣat* or Brihadaranyaka Upanishad – Madhavananda, Swami, 1950: Brihadaranyaka Upanishad. Mayavati: Advaita Ashrama.

BSm – *Brihaspati-smṛti* – Jolly, Julius, 1889: The Minor Law Books, The Sacred Books of the East, v. 33, part I, Narada, Brihaspati. Oxford: The Clarendon Press.

Чаусидис, Никос, 1998: Словенските пантеони во ликовниот медиум: Сварог. *Studia Mythologica Slavica I - 1998*, Ljubljana, 75–92

[Čausidis, Nikos, 1998: Slovenskie panteony vo likovniot medium: Svarog. *Studia Mythologica Slavica I - 1998*, Ljubljana, 75–92].

Cosmas – Bretholtz, Bertold, 1923: *Die Chronik der Böhmen des Cosmas von Prag, Monumenta Germaniae Historica, Scriptores Rerum Germanicarum, Nova Series, tomus II, Cosmae Pragensis Chronica Boemorum*. Berlin: Weidmannsche Buchhandlung.

Дандамаев, Мухаммад Абдулкадырович, 2009: *Месопотамия и Иран в VII–IV вв. до н. э.: Социальные институты и идеология*. СПб.: Факультет филологии и искусств СПбГУ

[Dandamayev, Muhammad A., 2009: Mesopotamija i Iran v VII–IV vv. do n.e.: Socialnye instituty i ideologija. SPb.: Fakultet filologii i iskusstv SPbGU].

Duchesne-Guillemin, Jacques, 1973: *Religion of Ancient Iran, translation of the La religion de l'Iran ancien* (1962). Bombay: Tata Press Ltd.

Dynda, Jiří, 2014: The Three-Headed One at the Crossroad: A Comparative Study of the Slavic God Triglav. *Studia Mythologica Slavica XVII - 2014*, Ljubljana, 57–82.

Gimbutas, Marija, 1967: Ancient Slavic religion: a synopsis. *To Honor Roman Jakobson: Essays on the Occasion of his Seventieth Birthday, vol. 1*. The Hague: Mouton & Co. P.V. Publishers, 738–759.

Gimbutas, Marija, 1971: *The Slavs*. New York: Praeger Publishers.

Golema, Martin, 2013: Slavic Mitra. Benevolent and Legal Pole of the Function of Religious Sovereignty in the Slavic Mythology and Epic. *Studia Mythologica Slavica XVI – 2013*, Ljubljana, 81–104.

Helmold - Pertz, Georgius Heinricus, 1868: *Helmoldi Presbyteri Chronica Slavorun, In usum scholarum ex Monumentis Germaniae historicis recudi fecit*. Hannoverae: Impensis Bibliopolii Hahniani.

Гильфердинг, Александр Фёдорович, 1853: *О сродстве языка славянского с санскритским*. СПб: в типографии Императорской Академии Наук

[Hilferding, Alexander F., 1853: O srodstve jazyka slavjanskogo s sanskritskim. SPb: v tipografii Imperatorskoj Akademii Nauk].

Holder, Alfred, 1886: *Saxonis Grammatici Gesta Danorvm*. Strassburg: K. J. Trübner.

Jakobson, Roman, 1950: Slavic mythology. Leach, Maria (ed.), *Funk & Wagnalls Standard Dictionary of Folklore, Mythology and Legend, v. II*. New York, Funk & Wagnalls Company, 1025–1028.

Kalmykow, Andrew D., 1925: Iranians and Slavs in South Russia. *Journal of the American Oriental Society*, v. *45*, 68–71.

Kane, Pandurang Vaman, 1946: *History of Dharmasastra (Ancient and mediaeval Religious and Civil Law)*, v.3, repr. 1973. Poona: Bhandarkar Oriental Research Institute.

KSPR – *Kniha Starého Pána z Rosenberka* – Palacky, František, 1840: Archiv Česky cili Staré Pjsemné Památky České i Morawské, Kniha Starého Pána z Rosenberka. W Praze: W Kommissj u Kronbergra I Řiwnáče.

Лелеков, Леонид Аркадьевич, 1978: *Искусство Древней Руси и Восток*. М: Советский художник

[Lelekov, Leonid A., 1978: Iskusstvo Rusi I Vostok. M: Sovetskiy Hudozhnik].

Лома, Александар, 2004: Димом у небо: Обред спаљивања мртвих у старим и традиционалним културама. Његово осмишљење у есхатолошким представама индоевропских народа, са посебним освртом на паганске Словене. *Кодови словенских култура 9 – Смрт*, Београд, 7–64

[Loma, Alexandar, 2004: Dymom v nebo: Obred spalivaia mrtvyh u starym I tradicialnym culturama. Niegovo ocmyshlenie u eshatoloshkim predstavama indoevropskih naroda, sa posebnym osvrtom na paganske Slovene. Kodovi slovenskih cultura 9 – Smrt, Beograd, 7–64].

Lüders, Heinrich, 1951: *Varuna, aus dem Nachlass heraus gegeben von Ludvig Alsdorf, I, Varuna und die Wasser*. Gottingen: Vandenhoeck & Ruprecht.

Marinas, Enrique Santos, 2013: Reassessment, Unification, and Enlargement of the Sources of Slavic Pre-Christian Religion. *Russian History, v. 40, i. 1*, Leiden, 27–40.

Mbh – *Mahābhārata* – Buitenen, Johannes Adrianus Bernardus, 1973: *The Mahabharata, The Book of the Beginning*, Translated and Edited by, repr. 1980. Chicago: The University of Chicago Press.

Meillet, Antoine, 1926: Le vocabulaire slave et le vocabulaire indo-iranien. *Revue des études slaves, tome 6, fascicule 3–4*, Paris, 165–174.

MDh – *Mānava Dharmaśāstra* – Olivelle, Patrick, 2004: The Law Code of Manu, repr. 2009. Oxford: Oxford University Press.

Nat. Deo. – *De natura deorum* – Rackham, H., 1933: *Cicero, De Natura Deorum*, Academica, repr. 1951, Loeb Classical Library, Cicero XI, LCL 268. Cambridge: Harvard University Press.

Niederle, Lubor, 1924: *Slovanske Starozitnosti*, v. I, n. IV. V Praze: Bursik & Kohout.

NSm – *Nārada-smṛti*. Lariviere, Richard W., 2003: The Nāradasmṛti. Delhi: Motilal Banarsidass Publishers.

Paliga, Sorin, Teodor, Eugen S., 2009: *Lingvistica și arheologia slavilor timpurii. O altă vedere de la Dunărea de Jos/Early Slavic linguistics and archeology. Another view of the Lower Danube*. Targoviște: Ed. Cetatea de Scaun.

Puhvel, Jaan, 1987: *Comparative mythology*, repr. 1989. Baltimore: The John Hopkins University Press.

Рахно, Константин, 2014: «Земля незнаема» и иранский субстрат «Слова о полку Игореве». *Studia Mythologica Slavica XVII – 2014*, Ljubljana, 91–134 (Rakhno, Konstantin, 2014: "Zemlja neznaema" I iranskij substrat "Slova o Polku Igoreve").

Rozwadowski, J. M., 1914–15: Stosunki leksykalne między językami słowiańskimi a irańskimi (Lexical interrelations between the Slavic and the Iranian languages). *Rocznik Orientalistyczny I, 1914–15*, Krakow, 95–110.

RV – *r̥gveda* or Rigveda – Елизаренкова, Татьяна Яковлевна, 1999: *Ригведа, Мандалы* I–IV, V–VIII, IX–X. М: Наука (Elizarenkova, Tatyana J., 1999: Rigveda, Mandaly I–IV, V–VIII, IX–X. M: Nauka).

Рыбаков, Борис Александрович, 1982: *Киевская Русь и русские княжества XII–XIII вв.* М: Наука

[Rybakov, Boris A., 1982: Kievskaya Rus' i russkie knjazhestva XII–XIII vv. M: Nauka].

Sarkar, Golapchandra, 1891: *Hindu Law of Adoption*. Calcutta: Thacker, Spink & Co.

Schmidt, Johannes, 1872: *Die Verwantschaftsverhältnisse der indogermanischen Sprachen*. Weimar: Hermann Böhlau, repr. 1882, 2013, New York: Cambridge University Press.

Seaton, M. E., 1917: Ordeals (Slavic, Teutonic). Hastings, James (ed.), *Encyclopedia of Religion and Ethics, v.9*. New York: Charles Scribner's, 529–533.

Седов, Валентин Васильевич, 2002: *Славяне, историко-археологическое исследование*. М: Языки Славянской Культуры

[Sedov, Valentin V., 2002: Slavjane, istoriko-arheologicheskoe issledovanie. M: Jazyki Slavjanskoy Cultury].

Šmitek, Zmago, 2010: Od staroslovanskega Svarožiča/Radogosta doslovenskega Kresnika. *Studia Mythologica Slavica XIII – 2010*, Ljubljana, 187–197.

Соболевский, Алексей Иванович, 1924: Русско-Скифские Этюды. *Из Известий Отделения Русского Языка и Словесности РАН, тт. XXVI, XXVII*, Ленинград, 252–332

[Sobolevsky Alexey I., 1924: Russko-Skifskie etudy. *Iz Izvestij Otdelenija Russkogo Jazyka i Slovesnosti RAN, tt. XXVI, XXVII,* Leningrad, 252–332].

Thietmar – Kurze, Fridericus, 1889: Thietmari Merseburgensis episcopi Chronicon, Monumenta Germaniae Historica, Scriptores, Scriptores rerum Germanicarum in usum scholarum, Hannoverae, Impensis Bibliopoli Hahniani.

Топоров, Владимир Николаевич, 1968: Parallels to Ancient Indo-Iranian Social and mythological concepts. *Исследования по этимологии и семантике, т. 2, к. 2.*, 2006. М: Языки Славянских Культур, 440–454

[Toporov, Vladimir N., 1968: Parallels to Ancient Indo-Iranian Social and mythological concepts. *Issledovanija po etimologii i semantike. t.2, k.2., 2006.* M: Jazyki Slavjanskih Cultur, 440–454].

Топоров, Владимир Николаевич, 1973: Трита в колодце: Ведический вариант архаичной схемы. *Исследования по этимологии и семантике, т. 3, к. 2., 2010.* М: Языки Славянских Культур, 168–171

[Toporov, Vladimir N., 1973: Trita v kolodce: Vedicheskiy variant arhaichnoj shemy. *Issledovanija po etimologii i semantike. t.3, k.2., 2010.* M: Jazyki Slavjanskih Cultur, 168–171].

Топоров, Владимир Николаевич, 1977: Авест. θrita, θraētaona, др.-инд. trita и др. и их индоевропейские истоки. *Исследования по этимологии и семантике, т. 2, к. 2.*, 2006. М: Языки Славянских Культур, 479–504

[Toporov, Vladimir N., 1977: Avest. θrita, θraētaona, dr.-ind. Trita i dr. i ih indoevropejskie istoki. *Issledovanija po etimologii i semantike. t.2, k.2., 2006.* M: Jazyki Slavjanskih Cultur, 479–504].

Топоров, Владимир Николаевич, 1978: Еще раз об и.-е. *budh- (: *bheudh-). *Исследования по этимологии и семантике, т. 2, к. 1.*, 2006. М: Языки Славянских Культур, 216–234

[Toporov, Vladimir N., 1978: Esche raz ob i.-e. *budh- (: *bheudh-). *Issledovanija po etimologii i semantike. t.2, k.1., 2006.* M: Jazyki Slavjanskih Cultur, 216–234].

Топоров, Владимир Николаевич, 1987: Об одном архаичном индоевропейском элементе в древнерусской духовной литературе. *Исследования по этимологии и семантике, т. 3, к. 2., 2010.* М: Языки Славянских Культур, 265–337

[Toporov, Vladimir N., 1987: Ob odnom arhaichnom elemente v grevnerusskoj duhovnoj literature. *Issledovanija po etimologii i semantike. t.3, k.2., 2010.* M: Jazyki Slavjanskih Cultur, 265–337].

Топоров, Владимир Николаевич, 1989: Об иранском мифологическом элементе в древнерусской культуре. *Исследования по этимологии и семантике, т. 3, к. 2., 2010.* М: Языки Славянских Культур, 338–378

[Toporov, Vladimir N., 1989: Ob iranskom mifiligicheskom elemente v drevnerusskoj culture. *Issledovanija po etimologii i semantike. t.3, k.2., 2010.* M: Jazyki Slavjanskih Cultur, 338–378].

Топоров, Владимир Николаевич, 1995: Из "русско-персидского" дивана: Русская сказка *301А, В и "Повесть о Еруслане Лазаревиче" - "Шах-наме" и авестийский "Зам-язат-яшт" (Этнокультурная и историческая перспективы). *Исследования по этимологии и семантике, т. 2, к. 2.*, 2006. М: Языки Славянских Культур, 505–555

[Toporov, Vladimir N., 1995: Iz "russko-persidskogo" divana. *Issledovanija po etimologii i semantike. t.2, k.2., 2006.* M: Jazyki Slavjanskih Cultur, 505–555].

Тревер, Камилла Васильева, 1937: Сэнмурв-Паскудж, Собака-птица. Л: Государственный Эрмитаж

[Trever, Kamilla V., 1937: Senmurv-Paskudzh, Sobaka-ptica. L: Gosudarstvennyj Ermitazhō].

Trkanjec, Luka, 2013: Chthonic aspects of the Pomeranian deity Triglav and other tricephalic characters in Slavic mythology. *Studia Mythologica Slavica XVI–2013*, Ljubljana, 9–25.

Трубачев, Олег Николаевич, 1967: Из славяно-иранских лексических отношений. И. Б. Еськова (ред.), *Труды по этимологии, Слово, История, Культура, т. 2, 2004*. М: Языки Славянской Культуры, 25–102

[Trubachev, Oleg N., 1967: Iz slavjano-iranskih leksicheskih otnoshenij. I. B. Eskova (ed.), *Trudy po etimologii, Slovo, Istorija, Cultura, t. 2, 2004.* M: Jazyki Slavjanskoj Cultury, 25–102].

Трубачев, Олег Николаевич, 1999: *Indoarica в Северном Причерноморье*. М: Наука

[Trubachev, Oleg N., 1999: Indoarica v Severnom Prichernomorje. M: Nauka].

VaDh – *Vāsiṣṭha Dharmasūtra* – Bühler, Georg, 1879: The Sacred Laws of the Aryas, As Taught in the School of Apastamba, Gautama, Vasishtha and Baudhayana, part I, Sacred Books of the East, v. 2, repr. 1965, 1969, 1975, 1986, 1992, 2001. Delhi: Motilal Banarsidass Publishers.

Васильев, Михаил Александрович, 1998: Язычество восточных славян накануне крещения Руси: религиозно-мифологическое взаимодействие с иранским миром. Языческая реформа князя Владимира. М: Индрик.

[Vasilyev, Mikhail A., 1998: Jazychestvo vostochnyh slavjan nakanune kreschenija Rusi: religiozno-mifologicheskoe vzaimodejstvie s iranskim mirom. Jazycheskaya reforma knjazja Vladimira. M: Indrik].

Vasmer, Max, 1923: Untersuchungen über die ältesten wohnsitze der Slaven. I: Die Iranier in Südrussland. Leipzig: Markert & Petters.

Vid – *Vidēvdāt* or Vendidad – Darmesteter, James, 1880: The Zend-Avesta, part I, The Vendidad, Sacred Books of the East, v. 4. Oxford: Oxford University Press.

ViDh – *Vaiṣṇava Dharmaśāstra* or *Viṣṇu-smṛti* – Olivelle, Patrick, 2009: The Law Code of Viṣṇu, A Critical Edition and Annotated Translation of the *Vaiṣṇava-Dharmaśāstra.* Cambridge: Harvard University Press.

Xuanzang – Beal, Samuel, 1884: Si-Yu-Ki, Buddhist Records of the Western World, Translated from the Chinese of (Hiuen Tsiang) (A.D. 629), v. II. London: Trubner & C0., Ludgate Hill.

YDh – *Yājñavalkya Dharmaśāstra* or *Yājñavalkya-smṛti* – Mandlik, Vishvanáth Náráyan, 1880: The Vyavahára Mayúkha, in Original, with an English Translation, Also the Yajñavalkya Smṛiti, Complete in Original, with an English Translation and Notes: Parts 1-2. Byculla: Education Society's Press.

Yt – *Yašt*s – Darmesteter, James, 1882: The Zend-Avesta, part II, The Sirozahs, Yasts and Nyayis, Sacred Books of the East, v. 23. Oxford: Oxford University Press.

Yt 10 – *Mihir Yašt* – Gershevitch, Ilya, 1959: The Avestan Hymn to Mithra with an introduction translation and commentary, repr. 1967, 2008. Cambridge: Cambridge University Press.

Зализняк, Андрей Анатольевич, 1962: Проблемы славяно-иранских языковых отношений древнейшего периода. *Вопросы славянского языкознания, 1962, вып. 6.* М: Издательство Академии Наук СССР", 28-45

[Zaliznyak Andrey A., 1962: Problemy slavjano-iranskih jazykovyh otnoshenij drevnejshego perioda. Voprosy slavjanskogo jazykoznanija, 1962, vyp 6. M: Izdatelstvo Akademii Nauk SSSR. 28-45].

Zaroff, Roman, 1999: Organized Pagan Cult in Kievan Rus'. The Invention of Foreign Elite or Evolution of Local tradition? *Studia Mythologica Slavica II – 1999*, Ljubljana, 47-76.

ЗС – *Законикь Срьбскыи Цара Стефана Душана Сильнаго* or *Zakonnik Srbskyj Cara Stefana Dushana Silnago*, ПР – *Правда Роусьская* or *Pravda Rousskaya* – Kucharski, Andreas, 1838: Najdawniejsze Pomniki Prawodawstwa Slowianskiego. Warszawa.

ИНДО-ИРАНСКИЕ ПАРАЛЛЕЛИ СЛАВЯНСКИХ ВОДНЫХ
РИТУАЛОВ КЛЯТВОПРИНОШЕНИЯ И ПРИЗНАНИЯ ВИНЫ,
ОПИСАННЫХ В СРЕДНЕВЕКОВЫХ ЛАТИНСКИХ ИСТОЧНИКАХ И
ПРЕДСТАВЛЕННЫХ В СЛАВЯНСКИХ ЮРИДИЧЕСКИХ КОДЕКСАХ.

Станислав Сиелицки

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Индо-иранские параллели славянской мифо-религиозной лексики, фольклора
и изобразительного искусства были предметом интереса исследователей с
девятнадцатого века. Похожесть славянских и индо-иранских мифо-религиозных
мотивов позволила выдвинуть гипотезу об их общих праиндоевропейских
корнях, и предположение что более полные индо-иранские мифо-религиозные
материалы позволят реконструировать практически утерянные мифо-
религиозные концепции славян. В данной статье рассматриваются параллели
между свидетельствами о водных ритуалах подтверждения клятвы среди
славян из латинских средневековых историко-описательных документов
и юридических славянских кодексов и описаниями подобных ритуалов в
индо-иранской мифо-религиозной и юридической литературе, а также в
историко-описательных трудах.

Саксон Грамматик описывает ритуал, бытовавший у вендских славян, в
котором стороны, заключающие договор, бросали в воду камень, и, наблюдая
за тем как вода поглощает его, должны были проникнуться мыслью, что если
они нарушат заключенный договор, то такая же судьба, в широком смысле,
будет ждать и их. Старшая Авеста, к примеру, сообщает о «царском вели-
чии», *Khvarenah,* которое дается только тем властителям, которые поддер-
живают «праведный мировой порядок» *aša.* Однако, если они нарушат свое
предназначение, то *Khvarenah,* как случилось с Йимой, покинет их, оставив
в жалком состоянии, и птицей погрузится на дно океана, где вернется во
владение «Сына Вод» Апам Напату. Апам Напат покровительствует *aša* не
один, а вместе с Митрой, но если у последнего специализация «умиротво-
рять» нарушителей, то первый их «ограничивает». Аналогично, ведийский
Варуна, чье второе имя тоже Апам Напат, а стихия - тоже вода, является
«ограничителем/опутывателем» нарушителей «праведного мирового порядка»
ṛta и надсмотрщиком за соблюдением индивидуальных обетов.

Младшая Авеста знает ордильи «знающей правду» водой. Индийские
юридические трактаты инструктируют свидетелей приносить клятву о
свидетельствовании правды в присутствии воды, а также предусматривают
ордильи обвиняемых водой, причем цель таких ордилий заключается не в
выяснении собственно обстоятельств дела или наказании виновных, а вери-
фикации клятвы невинности. Некоторые основные юридические трактаты
вообще не рассматривают процедуры клятвы и ордилий, как различные и
обособленные процедуры. Процедуры отказа от контракта и перезаключения
его на других лиц, такие как: дарение, усыновление, передача невесты жениху,

отпускание раба на волю, тоже сопровождаются ритуалами вовлекающими воду. Такие водные ритуалы подтверждения клятвы или контракта не только персонифицированы прямыми или косвенными ссылками на Варуну, но объясняются именно функциональностью покровительства этим божеством истины и клятв.

Саксон Грамматик не упоминает персонифицированных фигур связанных с водным ритуалом подтверждением клятвы, однако Адам Бременский, в описании божеств Волина, повествует о Нептуне имевшем тройной характер, который можно описать как буйный, юный и мудрый, что является близкой параллелью характера Варуны-Апам Напата, который тоже буйный, юный и дарующий жизнь, и гарант мировой истины и справедливости. И хотя Адам Бременский не указывает на то, что Нептун Волина был как-то ассоциирован с правосудием, контрактами или клятвами, Гельмольд из Босау рассказывает именно о такой ассоциации Ольденбургского Провена с лесом и правосудием, и некоторых других неназванных Вендских божеств, со стихиями не только леса, но и рек, и подразумевает их связь с правосудием. Гельмольдд также упоминает о том, что Свантовит Рюгена связан с категорией доверия, а ритуалы принятия клятв ассоциированы с его храмом. Также, Гельмольд сообщает о ритуале посвященном или Провену, или Живе, или Радегасту, в котором сосуд с жидкостью (с водой или с медом?) передается по кругу.

Предположение о том, что Вендские водные ритуалы связанные с правосудием и клятвами выросли из славянской мифологии и религии и восходят к их индо-иранским корням, нежели чем были заимствованы из скандинавских или германских практик, подкрепляется распространением упоминаний водных ордилий в средневековых чешских, сербских и древне-русских юридических кодексах.

Кроме очевидных этимологических параллелей между Свантовитом и Спента Манью, многоглазая атрибутика статуи Свантовитаи и ритуал очищения его храма ассоциируется с многоглазостью Митры-Варуны, нужной им для наблюдения за соблюдением законов и зороастрийских ритуалов очищения.

За критерии допустимости отображения одного мифо-религиозного пространства на другое, с целью использования более известного пространства для реконструкции менее известного, предлагается взять критерии использующиеся в абстрактной алгебре для определения гомоморфного отображения групп или пространств. То есть, если на элементах групп определены операции на них, которые в результате дают элементы той же группы, и определены функции отображения объектов одной группы на другую, то, если отображение элементов первой группы на элементы второй, и последующее применение к ним операции определенной во второй группе, дает тот же элемент который дает и функция отображения элемента первой группы, полученного путем применения операции к элементам первой группы, то такие группы имеют ту же структуру, с точностью до кернелей, то есть совокупности тех элементов группы, которые не отображаются на

другую группу. При таком подходе к мифо-религиозному пространству, славянское и индо-иранское пространства демонстрируют схожесть своих структур, по крайней мере в области правосудия, контрактов и клятв, что позволяет более обоснованно использовать индо-иранский материал для реконструкции славянского мифо-религиозного пространства.

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