

Medical Fees and Compositional Principles in the Avestan Vīdēvdād*

Alberto Cantera

University of Salamanca

Introduction

Whenever one is confronted with the study of the compositional structure of the Avestan Vīdēvdād, one is surprised by the continuous presence of unexpected fragments within the main text: fragments that do not seem to belong to the place they appear in, neither thematically nor formally. One suspects that the peculiarities of the oral composition and transmission of such texts may be responsible for such cases.

The techniques for the oral composition and transmission of epics have been studied in considerable depth. By contrast, the techniques applied to hymnic poetry, which constitutes the main part of the extant old Indo-Iranian corpus, have scarcely been approached. A first and excellent attempt to approach them was carried out by P.O. Skjærvø (1994). Also, no attention at all has been paid to the techniques of oral composition and transmission of legal and doctrinal texts. Yet such texts as the Vīdēvdād and other legal Nasks were composed and transmitted orally. Similarly to the epic and hymnic texts, each performance here was also a recomposition of the text

* This work was carried out during a research fellowship from the Ramón y Cajal Spanish Program and with funds from two research projects granted the Spanish Ministry for Education and Science (BFF2002-00236) and the Junta de Castilla y León (SA090/03).

that allowed some degree of voluntary, conscious, and also unconscious variation.

Now, in legal texts, full preservation of the doctrine is the main goal. This implies that the methods involved composing and varying them would show some peculiarities stemming from this aim. No liberty to reinvent stories is given but there is evidence that the reciters would have felt justified in introducing fragments from other texts that they felt were thematically related to the basic one. However, this is not the only possibility in varying a transmitted text of the legal kind. Thus, certain other compositional principles allow both a better memoristic retention of large sequences and a small possibility of introducing personal variation(s) into the exposition of the subject, while not affecting the doctrinal core. One such technique is the use of hierarchical series, which involve the possibility of different arrangements and hence allow thus to the reciter some choice among alternative arrangement principles.

Here would like to present a case in the *Vīdēvdād* in which these two compositional peculiarities appear: the addition of alien fragments and alternative arrangements of hierarchical series, which in this particular case lead to some asymmetries in the series involved.

V 7.36-44 and the Additions in the *Vīdēvdād*

The seventh book of the *Vīdēvdād* is devoted to Nasus, the carrion, and to the pollution she generates. Surprisingly enough, however, it also contains a fragment (V 7.36-44) about medicine. It is included between a passage referring to the pollution of grain due to the presence of a corpse and another about the time a corpse requires in order to cease to be a source of pollution, depending on how it has been treated (exposed, buried, placed on a *daxma*, etc.). Thus, its presence at this place in the seventh book is hard to explain from a compositional point of view.

The fragment is divided into two clearly differentiated parts. The first is about the credentials needed to practice medicine (V 7.36-40) and the second one is about the maximum fees allowed in that practice (41-43); it ends with a classification of the different kinds of physicians based on the kind of therapy they apply (V 7.44)¹. According to the *Dēnkard*, the first two issues

1. In 7.44 we find a three-fold classification: *karətō.baēšazāscā. uruuarō.baēšazāscā. maθrō.baēšazāscā*. “knife doctor, plants doctor and *maθra*-doctor”. In Yt 3.6, in a similar passage, there is a five-fold classification: *ašō.baēšazō. dātō.baēšazō. karətō.baēšazō.*

were also dealt with in Huspārom, vid. Dk 8.37.24-25 [M 751.21 ff.; MR 116.6 ff.]:

*abar uzmāyišn ī abar šāyestagīh ī bizešk kū čīyōn kunišn ud čīyōn ān ī ka
uzmūdan šāyēd ud čīyōn ān ī ka uzmūdan nē šāyēd
abar wināh bizešk ī nē uzmūd ān-iz ī uzmūd nē šāyēd ka bizeškīh ī kasān
kunēnd*

... Concerning the test for checking the competence of the physician, and about how this should be done; and about how it is when it is possible to test (the physician), and how it is when it is not possible to test (the physician).² About the sin of the unapproved physician and about he who cannot be approved, if both practice medicine with others.

This description fits in perfectly with the contents of V. 7.36-40. And the content of V. 7.41-43 fits in perfectly with the description of the Huspārom in Dk 8.37.21-22 [M 751.12 ff.; MR 115.9 ff.].

*abar mizd ī bizešk pad bēšazēnīdan ī wēmār az wēmārīh ī hamāg tan ān ī ēk
ēk hanāmān ud ān-iz kē sālārān bēšazēnēd az ān ī ertar <ud> ān ī abardom
šāhān šāh pāyagīhā ud ēdōn-iz tuhīg ud tuhīg mardōm ud abar drang
paymānag ī mizd bē abespārišnīh ō bizešk pas az drustīh paydāgīh ī w-emār
kū bizeškān pad bēšazēnīārīh az kē mizd niwēyēnīdag ān-iz ī nē niwēyēnīd az
kē ān ī-š niwēyēnīd ayāb az kēd pih-ē az kē čiš-iz mizd ī gētīg nē rasēd*

... Concerning the fees of the physicians for the healing of people sick with illnesses of the whole body or of its single limbs and (about the fees) of those who heal the authorities of the lower classes and the highest (authority), the king of kings, and also ... men. About the duration and amount of the

uruuarō.baēšazō. mašrō.baēšazō. “doctor by *aša-*, law doctor, knife doctor, plants doctor and *mašra-*doctor”. Probably the oldest one is the first, as it has parallels in Greece, India and the Celtic world, and it probably goes back to Indoeuropean times (Darmesteter 1877; Casartelli 1886: 301; Benveniste 1945; Watkins 1995: 538 s.).

A six-fold classification also appears in the third book of the Dēnkard:

*tan bizeškīh baxšišn ēn-iz šaš ī-šān ristagān az newest dēnīg nām ahlāyīh bēšazišnīh ud
ātaxš bēšazišnīh ud urwar bēšazišnīh ud kard bēšazišnīh ud nēšak bēšazišnīh ud mānsar
bēšazišnīh*

The subdivisions of the bodily medicine are the following six, and the names of their classes are according to the Holy Script *medicine of truth, medicine through fire, medicine through plants, medicine through puncture, medicine through mānsar.*

2. i.e. when one does not pass the test. According to the Avesta, this is the case when the first three patients die.

payment to the physician when the healing of the ill becomes visible; that is, from whom physicians (receive) the declared fees and also the undeclared ones; from whom (they receive) what had been declared for them, and from whom (they are paid in) food and from whom they do not receive any material fee.

Thus, it seems highly probable that this text, included in the *Vīdēvdād* without any sensible connection with the preceding and following paragraphs, is actually part of the *Huspārom* and was introduced at some moment into the canonical version of the *Vīdēvdād*. In fact, the composition of the latter is full of parts that do not seem to belong to the original text and that may be of very diverse origins. Often enough we are able to reconstruct the reasons that could have led to such inclusions, but on some occasions we are not. A good example of how different additions can alter the compositional structure of the *Vīdēvdād* is the case of its third book. This book is arranged as a list of the five most beautiful places on earth, a list of the five most unpleasant places, and a list of the five utmost satisfactions for the earth. However, this latter list is interrupted by so many digressions that its compositional line is hard to bear in mind. Its structure could be schematised thus:

V 3.1-6: the five most beautiful places on earth
V 3.7-11: the five most unpleasant places on earth
V 3.12-42: the five utmost satisfactions for the earth V 3.12: 1° satisfaction: unburying corpses
V 3.13: 2° satisfaction: destruction of <i>daxma- uzdaēza-</i> V 3.14-21: Excursus → the carrying of corpses
V 3.22: 3° satisfaction: destruction of caves
V 3.23: 4° satisfaction: practice of agriculture V 3.24-33: Excursus → hymnic praise of agriculture
V 3.34-35: 5° satisfaction: to pay the worker duly and punishment for not doing so. V 3.36-40: Excursus → punishments for burial of corpses V 3.41-42: Excursus: expiatory capacity of Religion

Of 42 paragraphs, 25 are additions, i.e. more than half the transmitted text. All of them concentrate on the third part of V 3, addressing the five satisfactions of the earth. Sometimes, these *excursi* are quite to the point; for instance, the praise of agriculture after V 3.23, where the practice of agriculture is shown as the fourth best satisfaction on earth. Sometimes, the relationship is weaker, as in the long excursus V 3.14-21 about the bearing of corpses, following the presentation of the destruction of *daxma- uzdaēza-*. And finally, sometimes we simply cannot see any relationship at all, as is the case in V 3.36-40, where a list of the punishments for burying corpses comes after the payment of dues to workers as the fifth best satisfaction on earth. A similar case lacking any visible motivation is that of V 7.36-44.

This fragment I therefore a case of an excursus introduced into the extant text of the Vīdēvdād with no retraceable reason. Thanks to the Dēnkard, we are nonetheless able to unveil the probable origin of the text: a long passage devoted to medicine in another legal text of the Avesta: the Huspārom. It is impossible to guess the exact date of the introduction of such an addition. The *terminus ante quem* is the time of the composition of the eighth book of the Dēnkard. According to its description, it is certain that V 7.36-44 was already part of the canonical version of Vīdēvdād, vid. Dk 8.44. 35 [M 780.19-20]³:

*abar bizeškīh pad mānsar ud kārd ud urwar ud čyōn uzmūdan bizešk ud mizd
<ī> bēšāzēnīdārīh čē andar ham dar.
abar bizeškīh pad mānsar ud kārd ud urwar ud čyōn uzmūdan bizešk ud mizd
<ī> bēšāzēnīdārīh čē andar ham dar.*

On the medicine of spells, knife, and herbs; how to test the physician, the fees for therapy and everything else about the same issue.

The issue to be remarked here is that all the additions included in the Vīdēvdād are also quoted in book VIII of the Dēnkard. This means that the extant canonical version was already established, in the same shape familiar to us today, before the composition of the aforesaid book of the Dēnkard. This allows us to discard the possibility of a late insertion of extant fragments of lost Nasks into the Vīdēvdād after that date, such that we can exclude the possibility that, at the time when the Huspārom was lost, some

3. This synopsis is remarkably shorter than that relating to the Huspārom. Perhaps the content of the latter was much larger, but more probably they are synopses written at different times and according to different criteria.

surviving parts were included in the Vīdēvdād. The available data do not allow us to determine the exact time at which the canonical fixation of Vīdēvdād took place, after which new additions were no longer possible. One possibility is the compilation of the Avestan text for written fixation, but I prefer to date the canonical fixation of the Vīdēvdād at the time when this text was introduced into the variant of the Yasna sacrifice, known as the Vīdēvdād. After a sequence of intercalation of Vīdēvdād passages between Yasna passages in the Vīdēvdād sacrifice had been established, no more text additions were possible. Unfortunately, we have no undisputable date for the constitution of this sacrifice.

Internal Structure of V 7.41-43: Its Serial Arrangement

One part of the addition concerning medicine (V 7.41-43) deals with medical fees. It is arranged as a hierarchical series. This series shows some striking asymmetries, evidently due to the peculiarities of oral composition and transmission. Fortunately, in this case we have a parallel text that allows us to discover the reason for such inaccuracies. This is a text in book 9 of the Vīdēvdād, dealing with the fees priests may demand for their purification rituals.

Chapter 157 of the third book of the Dēnkard shows that the priest and the physician are two sides of one coin: one is devoted to the health of the spirit and the other to that of the body. Actually, the first great classification of the types of medicine defines the “medicine of the material body” (*bizeškīh ī gētīg*) and the “medicine of the spirit” (*bizeškīh ī mēnōg*). Their relationship is so close that their practitioners are allowed to demand the same fees for the practice of their functions, as becomes clear if we compare V 7.41-43 with V 9.37-38. Thus, the series in the latter throw light on those in our fragment and should allow us some generalizations about the compositional technique of using hierarchical series in this kind of legal texts.

V 7.41-43 classifies the maximum fees a physician may demand from his patients according to the social status of the latter.⁴ Curiously enough,

4. Throughout Zoroastrian legal literature we meet a true interest in the amount of the fees regulated for the different activities. In the Vīdēvdād there is also a passage about fees for purification rituals, V 9.37-38. Hērb. 19 regulates the dairy fees to be paid by a non-Zoroastrian pupil for being instructed by a priest. Also, the Pahlavi commentary on N 25 mentions the possibility that a priest might perform a *yazišn* against a certain amount of money (Kotwal and

priests are the only class both excluded from paying with goods and not attributed with a wife and children. The text is as follows:

7.41 |a| *āθrauuānəm*.⁵ *bišaziiā*.⁶ *dahmaiā*.⁷ *parō. āfritōi*. |b| *nmānahe*.⁸
nmānō.paitīm.⁹ *bišaziiā*.¹⁰ *nītəməm. staorəm. arəjō*. |c| *vīsō. vīspaitīm*.
bišaziiā.¹¹ *maḍəməm. staorəm. arəjō*.¹² |d| *zañtəuš. zañtu.paitīm*.¹³
bišaziiā.¹⁴ *aγrīm. staorəm. arəjō*. |e| *dañhəuš*.¹⁵ *dañhu.paitīm*.¹⁶
bišaziiā.¹⁷ *vāšəm*.¹⁸ *caθru.yuxtəm*.¹⁹ *arəjō*.

|a| He should heal the priest in exchange for a holy blessing, |b| he should heal the house master of a house in exchange for a small item of livestock, |c| he should heal the village master of a village in exchange for a medium item of livestock, |d| he should heal the district master of a district in exchange for a highly valued item of livestock, |e| he should heal the country master of a country in exchange for a cart with four draught animals.

7.42 |a| [*ya*. *paoirīm*.] *nmānahe*.²⁰ *nmānō.paitīm*.²¹ *nāirikəm. xbišaziiā*.²²

Kreyenbroek 1995: 52 s.). Hintze has devoted a full monograph to the matter “fees, prices and rewards” in IndoIranian (2000), but she failed to mention in her work V 7.41-43 and 9.37-38, which are in fact the passages of the Avesta where the issues of the fees and prices of certain activities are dealt with more openly.

5. L4a *aθruuanəm*

6. M3, Jp1, Mf2, L2, K10 *bišaziiā*; K1, Pt2, L4a, *baēšaziiā*; L1, Br1, M2 *bišziiā*.

7. K1 *damiiā*

8. L4a, K1, M3 *nəmānahe*

9. L4a *nəmānō.paitīm*; K1, M3, G *nmānō*.°

10. K1, M3, G; L4a *baēšaziiā*

11. L4a *baēšaziiā*

12. K1, M3 | *vīsō. vīspaitīm. bišaziiā. maḍəməm. staorəm. arəjō* |

13. K1, L4a, M3; G *zañ tu.paitīm*

14. L4a *baēšaziiā*

15. L4a, Pt2, Mf2, L1.2 *dañhəuš*; K1, M3 *dañhəuš*

16. M3; K1 *dañhupaitīm*; L4a *dañhəuš.paitīm* (š getilgt); G *dañhupaitīm*

17. L4a *baēšaziiā*

18. K1, M3, L4a, Mf2 (pr.m.); Jp1, Mf2 (sec.m.), Pt2, P10, M14, L1.2., Br1, K10 *vāxšəm*;

Jp1 <*yim*>

19. K1, M3, L4a, G *yuxtəm*; Jp1, Mf2, M14 L1, Dh1 *yūxtəm*; L2, Br1 *yūxḍəm*; Pt2 *yūxḍəm*

emended in *yuxtəm*; emmendation according to de Vaan (2003: 295)

20. K1, M3, G; L4a *nəmānahe*

21. G; K1, L4a, M3 *nəmānō*

22. K1, L4a, M3 *baēšaziiā*; G *bišaziiā*

kaθβa.²³ *daēnu*.²⁴ *arəjō*. |b| *vīsō*. *vīspaitīm*. *nāirikam*.²⁵ *xbišaziīāt*.²⁶
gauua.²⁷ *daēnu*.²⁸ *arəjō*. |c| *zaṅtəuš*. *zaṅtu.paitīm*.²⁹ *nāirikam*.³⁰ *bišaziīāt*.³¹
aspa. *daēnu*.³² *arəjō*. |d| *daiḡhəuš*.³³ *daiḡhu.paitīm*.³⁴ *nāirikam*. *bišaziīāt*.³⁵
uštra. *daēnu*.³⁶ *arəjō*.

|a| [If firstly]³⁷ he should heal the wife of the house master of a house in exchange for a she-donkey, |b| he should heal the wife of a village master of a village in exchange for a cow, |c| he should heal the wife of a district master of a district in exchange for a mare, |d| he should heal the wife of a country master of a country in exchange for a she-camel.

7.43 |a| *vīsō*.³⁸ <*vīspaitīm*.>³⁹ *puθrəm*.⁴⁰ *bišaziīāt*.⁴¹ *ayrīm*.⁴² *staorəm*.

23. L4a *kaθβi*

24. Jp1, Mf2; K1, M3, L4a and all others *daēnō*

25. L4a, M3, G; K1 *nāirikam*

26. K1, L4a, M3 *bašaziīāt*; G *bišaziīāt*

27. Pt2, P10, Jp1, Mf2, L2, Br1; K1, M2 *gauuō*; M3 *gauuōi*

28. K1, L4a, M3 *daēnō*

29. L4a, M3 *zaṅtu.paitīm*; K1, G *zaṅtupaitīm*

30. L4a *nāirikam* (*i* over the line)

31. K1; L4a, M3 *bašaziīāt*; G *bišaziīāt*

32. K1, L4a, M3 *daēnō*

33. K1, M3; L4a, G *daiḡhəuš*

34. L4a *daiḡhu.paitīm*; K1, M3 *daiḡhupaitīm*; G *daiḡhupaitīm*

35. K1; L4a, M3 *bašaziīāt*; G *bišaziīāt*

36. K1, L4a *daēnō*

37. The words *yaṭ*. *paoirīm* have no correlate in V 7.42 b, c, d nor in V 7.41 and 43, which run parallel to V 7.42. Their syntactic position is problematic. As *paoirīm* cannot agree with *nāirikam*, it can only be an adverb. This is why others translate it as “il guérira d’abord...” (Darmesteter 1892: 2.106), “wenn er zuerst... heilen sollte” (Scheftelowitz 1903: 138), “was zunächst die Frau... angeht” (Wolff 1910: 360). Also, the appearance of *yaṭ* cannot be understood. Darmesteter does not translate it and Wolff is forced to supply a verbal form in order to provide a verb to the subordinate sentence introduced by it. I believe that these two do not belong here; that this is a mistake in the transmission of the subarchetype of the manuscripts of the Vīdēvdād since this addition, probably coming from V 7.39a, appears in all manuscripts and is also regarded by the Pahlavi translation.

38. K1, L4a, Jp1; L1.2. *visō*; Mf2 *vasō*; M3 *vīspō* (*abedr p ist gtilgt*)

39. Jp1, L4a; K1, M3, G † *vīspaitīm* †

40. K1, M3, Mf2; Pt2 *puθrīm*; Jp1 † *puθrəm* †; L4a *nāirikam*

41. K1; L4a, M3 *bašaziīāt*; G *bišaziīāt*

42. L4a *ayrīm*

*arəjō. |b|*⁴³ *ayrīm. staorəm.*⁴⁴ *bišaziiāt.*⁴¹ *maḍəməm. staorəm.*⁴⁵ *arəjō. |c|*
*maḍəməm.*⁴⁶ *staorəm. bišaziiāt.*⁴¹ *nītəməm.*⁴⁷ *staorəm. arəjō.*⁴⁸ *|d|*
*nītəməm.*⁴⁹ *staorəm. bišaziiāt.*⁴¹ *anumaēm.*⁵⁰ *arəjō. anumaēm.*⁵¹
*bišaziiāt.*⁴¹ *gəuš. +x^varəθa.*⁵² *arəjō.*

|a| he should heal the son of the <village master of the> village in exchange for a highly valued item of livestock, |b| he should heal a highly valued item of livestock in exchange for a medium item of livestock, |c| he should heal a medium item of livestock in exchange for a small item of livestock, |d| he should heal a small item of livestock in exchange for a sheep, |e| he should heal a sheep in exchange for a dish of meat.

If one analyses the internal structure of this text, one will find some striking asymmetries. In V 7.42, the prices are always given in female animals. One would guess that the fees for healing husbands should be male animals respectively. However, in V 7.41 we find a quite different definition of the prices for healing husbands. Notwithstanding, there are some clues that hint that there was a version of V 7.41, giving such prices in the male equivalents of those applied to wives in V 7.42. The passage of V 9 – referring to the fees allowed for purification – confirms this hypothesis.

As seen in the case of medicine, the fees a priest may demand for purification also depend here on the social status of the “patient”. These are actually exactly the male equivalences of the prices for healing wives in V 7.42 (vid. V 9.37):

*āθrauuānəm. yaozda.θō. dahmaiīāt.*⁵³ *parō. āfritōīt. daiḥhəuš.*⁵⁴

43. K1, M3 <*ayrīm. staorəm. arəjō.*>

44. L4a † *arəjō. ayrīm. staorəm.* †

45. K1 <*staorəm*>

46. K1 *maḍəm. staorəm. arəjō. maḍəm.*

47. L4a, G; M3 *nītəməm*

48. K1 † *nītəməm. staorəm. arəjō.* †

49. L4a, G; K1, M3 *nītəməm*

50. L4a *anuməm*

51. L4a *anuməm*

52. L4a *x^varəθa*; K1, M2, G *x^varəθahe*

53. K1 *damiīāt*

54. K1a; L4a, 1, 2, Br1, G *daiḥhəuš*; Jp1, Mf2 *daiḥhəuš*

daijhu.paitīm.⁵⁵ *yaožda.9ō. uštrahe. paiti. aršnō. ayriiehe. zaṅtūš. zaṅtu.paitīm. yaožda.9ō. aspahe. paiti. aršnō. ayriiehe. vīsō. vīspaitīm. yaožda.9ō.*⁵⁶ *gāuš. paiti. uxšnō. ayriiehe. nmānahe. nmānō.paitīm. yaožda.9ō. gāuš. paiti. aziā.*

You should purify the priest in exchange for a holy blessing. You should purify the country master of a country in exchange for a highly valued male camel. You should purify the district master of a district in exchange for a highly valued male horse. You should purify the village master of a village in exchange for a highly valued bull. You should purify the house master of a house in exchange for a dairy cow.⁵⁷

Except for the price of the purification of the *nmāno.paiti*, which in V 9.37 is a pregnant cow and in V 7.42 is a she-donkey, the equivalence with female animals in V 7.42 is exact.⁵⁸ We may therefore assume that in V 7.41-42 two different versions have been combined: one with mostly general indications of the fees and another one with more specific determinations. Actually V 7.42 looks more like the logical prosecution of V 9.37 than of V 7.41⁵⁹. Thus, one could easily imagine that at some

55. L4; K1a, L2, Br1, M2, G *daijhupaitīm*

56. L4a *bašaziā*

57. For the interpretation of *azī* as “who gives milk (for human intake)” against the traditional one of Bartholomae (1904: 228), vid. Narten (1986: 232 ss.).

58. Actually, the value hierarchy among domestic animals is very well established for cow (*gauu-*), horse (*aspa-*) and camel (*uštra-*), but not so accurately for the lower levels, as can be seen in A 3.7-12. In this passage, the merit of offering each of the six sacrificial kinds of food is compared with the gift of 1000 sheep with their lambs, 1000 cows with their calves, 1000 horses with their colts, 1000 camels with their offspring, and it ends with two more general designations. The order in the list: cow, horse, camel, is thus the same, but below this level differences appear. It is interesting to compare the lower part of the list. In V 9.38 there is no indication of the female counterpart of the bull. In V 7.42 and in A 3.8 it is the “female cow” (*kaθβa-. daēnu*) and in A 3.7 the sheep (*maēšī-. daēnu-*). However, in V 9.38 we find in its place the covered cow (*gauu- frauaitī-*). According to this, one could guess that the equivalent to the “male bull”, i.e. as fee for the purification of the wife of the *nmāno.paiti-*, we ought to find the dairy cow (*gauu- azī-*), and hence the price for the purification of the wife of the *vīspaiti-* would be the same as that of the purification of the *nmāno.paiti-* himself. This may also have contributed to the interruption of the sequence of the wives of the *vīspaiti-*, *zaṅtu.paiti-*, etc.

59. Comparing these two passages allows us to establish with some degree of certainty the equivalences of the more general notions in V 7.41, as is done in the following table:

moment V 7.42 was the continuation of a text like the one I now reconstruct:

***āθrauuānēm. baēšaziiāt. dahmaiiāt. parō. āfritōit. nmānahe. nmānō.paitīm. baēšaziiāt. gōuš. aziā. arājō. vīsō. vīspaitīm. baēšaziiāt. kaθβahe. aršnō. ayriiehe. arājō. zaṅtōuš. zaṅtu.paitīm. baēšaziiāt. aspahe. aršnō. arājō. daṅhōuš. daṅhu.paitīm. baēšaziiāt. uštrahe. aršnō. ayriiehe. arājō. zaṅtōuš. zaṅtu.paitīm. baēšaziiāt. aspahe. aršnō. arājō. ***

You should heal the priest in exchange for a holy blessing. You should heal the house master of a house in exchange for a pregnant cow. You should heal the village master of a village in exchange for a highly valued bull. You should heal the district master of a district in exchange for a highly valued male horse. You should heal the country master of a country in exchange for a highly valued male camel.

It seems clear that in V 7.41 and 7.42 two versions of the same series have merged together. We do not know the continuation of the first version, attested in V 7.41 with more general indications of the prices (a high-value cattle piece, etc.), but in V 7.42 we have the female version of the second one with specific animals in male and female shape and we are therefore able to reconstruct the male correspondences with the help of V 9.37.

	V 7.41-42		V 9.37-38	
	Man	Woman	Man	Woman
<i>Nmānō.paiti-</i>	<i>nitāma- staora-</i> “small item of livestock”	<i>kaθβa. daēnu</i> “she-donkey”	<i>gauu- azī-</i> “dairy cow”	<i>gauu- frauuaitī-</i> “covered cow”
<i>Vīspaiti-</i>	<i>madāma- staora-</i> “medium item of livestock”	<i>gauua. daēnu</i> “cow”	<i>gauu- uxšan- ayriia-</i> “highly valued male bull”	
<i>zaṅtu.paiti-</i>	<i>ayriia- staora-</i> “highly valued item of livestock”	<i>aspa. daēnu</i> “mare”	<i>aspa- aršan- ayriia-</i> “highly valued male horse”	
<i>daṅhu.paiti-</i>	“cart with four draught animals”	<i>uštra. daēnu</i> “she-camel”	<i>uštra- aršan- ayriia-</i> “highly valued male camel”	

Also in V 7.43 we find a new asymmetry, but in this case it does not concern the stipulated fee, but the patient. Women are differentiated according to the social status of the husband, but in the case of the son we find in Geldner's edition one single and striking category called *vīsō. puθrəm*, "son of the clan"⁶⁰. The comparison with V 7.42b *vīsō. vīspaitīm. nāirikəm* would allow us to expect *vīsō. vīspaitīm. puθrəm*. And indeed, some peculiarities of the transmission seem to point in this direction. Both the manuscripts Jp1 and L4a, which do not depend on each other, have *vīsō.vīspaitīm*, although it should be remarked that in the former *puθrəm* is lacking, and that in the latter we find *nāirikəm* in the place of *puθrəm*. This points to confusion with 7.42b. The Pahlavi translation is <wys pwspt> instead of the expected <wys pws>. This translation could be the result of a cross between <wys pws>, translation of the attested *vīsō. puθrəm*, and <wys wyspt pws>, translation of the expected *vīsō. vīspaitīm. puθrəm*.

I find it remarkable that in this case mention is only made of this *vīsō. vīspaitīm. puθrəm* and not of the rest of the cases listed elsewhere. Actually, the very fact that this phrase appears at this place seems to imply the existence of a complete list for the son elsewhere. Indeed, we could attempt to reconstruct this list:

***. nmānō.paitīm. puθrəm. bišaziiāt. madəməm. staorəm. arəjō. vīsō. vīspaitīm. puθrəm. bišaziiāt. ayrīm. staorəm. arəjō. zaṇtəuš. zaṇtu.paitīm. puθrəm. bišaziiāt. XXXX. arəjō. daiḡhəuš. daiḡhu.paitīm. puθrəm. bišaziiāt. XXXX. arəjō. ***

He should heal the son of the house master of a house in exchange for a medium item of livestock, he should heal the son of a village master of a village in exchange for a highly valued item of livestock, he should heal the son of a district master of a district in exchange for the price XXX, he should heal the son of a country master of a country in exchange for the price of XXX.

This is again confirmed by comparison with the passage about the fees for purification. As we have seen, V 7.42 is closely connected to V 9.37 and seems to be its logical prosecution. For the same reason, we expect in V 9.38 a paragraph similar to V 7.42. Actually, V 9.38 reminds us much more of

60. Such an expression is never found in the Avesta, except in Yt 5.33, 17.35. However, the latter is a context where it is intended to attribute a son to the clan of the Aθβiia: *visō. puθrō. āβiiānōiš* "the son of the clan Aθβiia".

xxx or xxxx? :[1K]Comment

xxx or xxxx? :[TK]Comment

V 7.43. Instead of the list of prices for the purification of women, only the woman of the master of the house appears here:

*mānahe. nmānō.paitīm. nāirikqm. yaožda 9ō. gəuš. paiti. frauuaitiiā.
vaēsāšca. pairiiaētrāšca. yaožda 9ō. gəuš. paiti. vaiziiā. nitəməm.
apərənāiitūkəm. yaožda 9ō. pasəuš. garəbuš. anumaiiehe.*

You should purify the wife of a house master of a house in exchange for a pregnant cow. You should purify servants and day workers in exchange for a still uncovered cow. You should purify the less valued child in exchange for the young of a sheep.

Comparison with V 7.42 allows us to suspect that there has been a version parallel to this one, which could be reconstructed as follows:

***daḡhəuš. daḡhu.paitīm. nāirikqm. yaožda 9ō. uštrahe. paiti. daēnaoš.
zaḡtəuš. zaḡtu.paitīm. yaožda 9ō. aspahē. paiti. daēnaoš. višō. višpaitīm.
yaožda 9ō. gəuš. paiti. aziia. nmānahe. nmānō.paitīm. yaožda 9ō. gəuš. paiti.
frauuaitiiā.***

But the expected series is interrupted and only one of the expectable members is attested, exactly as in the case of V 7.43⁶¹.

V 7.41-43 as well as V 9.37-38 are two series organized as hierarchies according to two axes: (1) the different social positions of the men, implying a corresponding treatment of their wives and sons, and (2) a series of animals according to their value.⁶²

61. The Pahlavi commentary on V 7.43 indicates that in the Nask Ratuštāiti there was a third version of this list:

mizd ī bizešk ēdar gōwēd pad čahārdah gōwēd ī pad ratuštāiti

Here is spoken about the fees of physicians. It is spoken in the fourteen (cases) which (are discussed) in *Ratuštāiti*.

Given the content of this Nask, Ratuštāiti probably dealt with the fees of priests for purifications rather than with those of the physicians for their therapies, similarly to what happens between V 9.37-38 and V 7.41-43. Nonetheless, this hierarchical series would have been very close to that of V 7.41-43, because in both 14 cases are mentioned instead of the 8 mentioned in V 7.37-38.

62. This series of animals according to their value was already a well-established one. It probably occupied the central parts of the lost Nask *Arzistān*, which – according to the Dēnkard- addressed the value and prices of different goods, living or not, vid. Dk 8.25.1 [M 729.7ss.]:

Hierarchical Series as a Compositional Principle

Hierarchical series are one of the fundamental composition principles of the *Vidēvdād*. Such series can be:

- Explicit numerical series of the type “sin $a \rightarrow$ 100 lashes, sin $b \rightarrow$ 200 lashes, etc. (e.g. V 4.17-43, 6.10-25), or of the type “pollution source a reaches 12 persons, pollution source b reaches 11, etc. (V 5.28-32)⁶³;
- Implicit numerical series, in which numerical values are not expressed through a number, but through objects having some standard value and serving as secondary measure units, such as sheep, cow, man, farm as standard payment values;
- Some other non-numerical hierarchical principle: social classes (V 7.41-43, 9.37-38), the values of different metals (7.74-76), etc.

Such hierarchical series often comprise two or more hierarchically arranged terms, e.g. the number of years a person has remained buried – number of lashes deserved (V 4.36-38), or the frequency of repetition of a sin – number of lashes as punishment (V 4.18-42).

The two terms may be organised according to parallel or inverted principles:

- Both terms may be arranged according to an ascending progression (e.g. V 6.10-25: if one puts on a field a bone of the size of the phalanx of the little finger, the punishment amounts to 30 lashes; if of the size of the middle finger, the punishment amounts to 50 lashes, etc.);
- Or according to a descending progression (e.g. V 13.25-27, where the punishment for allowing a sheepdog to starve is 200 lashes, a guard dog 90, etc.);

arzystān mādag abar arz ī uštānnōmand ud ān ī uzuštān xwāstag

The *Arzystān* (treats) essentially about the prices of the living beings and of those of the non-living beings

There were undoubtedly also series of equivalences from the type attested in *FiO* 221 (Klingenschmitt 1968):

aspō. ayyriōtāmō. xdañhauue. varəmanō ašta xgauuqm. azinqm. arəjō.

the highest rank horse chosen for the people has the value of 8 dairy cows

asp ayyrētōm kē dehān dōšīd ēstēd pad xwadāy sālārīh x8 gāw <ī> az arzēd

the highest rank horse chosen for the people has, according to the Lords tutorial, the value of 8 dairy cows.

63. About this series, vid. Morano 2003.

- Or there may be an inverted correlation, as in V 7.74-76, where it is stated that if a bowl which has become sullied is a golden one, it must be washed once, if it is of silver, twice, if it is of iron, three times, etc.

The same hierarchical series can be arranged in each performance according to a different principle. In this way the reciter can introduce variations easily without changing the contents. The existence of several versions of the same series allowed different versions to be combined, as is the case in V 7.41-43. In our fragment, there is one fact that contributed very strongly to the combination of different principles of arrangement. This is the non-linearity of one of the hierarchical terms: namely, the social types of men and their wives and sons. Here we see a clearly linear hierarchy only within each group (men, women, sons) but it is not possible to maintain the linearity throughout the list. In the ascending progression, there is no wife who follows the country master of the country. In the descending one, the woman of the country master does not follow the house master. Thus, we must find a new arrangement principle. In V 9.38 the author maintains the descending progression of the fees. As a consequence, the rest of the women cannot be taken into consideration. A similar decision is taken in V 7.43, but here another compositional principle is applied, one which is very well known in the *Vīdēvdād* and one which we could call “chain composition”, where element *b* of the first term is equal to element *a* of the second term, which yields the following progression: *vīspaitīm puṅṅam* → *ayrīm. staorām*; *ayrīm. staorām* → *maḍəməm staorām*; *maḍəməm. staorām* → *nītəməm staorām*, etc.⁶⁴

Such hierarchical lists provided the reciter with a useful tool for retaining in his memory large passages of the text, and they also made it possible for

64. A good example is V 4.3:

|a| *vacō. paoirīm. miṅṅam. kəṅṅaoiti.* |b| ⁺*zastō.mazō. aḍāt. framarəzaiti.* |c| ⁺*zastō.mazō. aḍāt. aṅtarə. uruuaitiia. fradaṅaiti.* |d| *pasu.mazō. aḍāt. framarəzaiti.* |e| *pasu.mazō. aḍāt. aṅtarə. uruuaitiia. fradaṅaiti.*

|a| The word signals the first contract. |b| after this, the contract signed through the shaking of hands cancels it. |c| after this, that which is signed through hand shaking among the two partners confirms it. |d| after this, that which is signed through the handing over (pawning) of a small item livestock cancels it. |e| after this, that which is signed through the pawning of a small item of livestock between the two partners confirms it.

him to introduce slight compositional variations without risking too much complexity. Thus, one and the same series could be arranged in an ascending or descending progression, or one could give priority to the arrangement principle of the first or of the second term, or introduce chain-structured series, etc. In the case we are studying here, the tension elicited by the non-linearity of the term *a* of the series (the social types) could easily have contributed to the emergence of different versions. Fortunately, two variants of the same series have survived in the extant corpus.

This phenomenon is the direct consequence of the fact mentioned above: that in oral literature each recitation is in some sense a recomposition of the text. Hierarchical series are – beside additions – the most relevant technique for introducing variation into the oral legal literature in its precanonical transmission and offer flexible means of arrangement. Since they are arranged in a precise and well-known order, they constitute a reliable support for memory and may be applied to different subjects, but at the same time they offer some space for variations, since they allow the reciter to choose ascending or descending progressions, or even combinations of both when the correlations are of a more complex type.

Bibliography

- Bartholomae, C., 1904, *Altiranisches Wörterbuch*, Straßburg: K.J. Trübner.
- Benveniste, E., 1945, “La doctrine médicale des Indo-Européens”, *Revue d’histoire des religions* 130: 5-12.
- Casartelli, L.C., 1886, “Un traité pehlevi sur la médecine”, *Le Muséon* 5: 296-316, 531-558.
- Darmesteter, J., 1877, *Ormazd et Ahriman, leurs origines et leur histoire*, Paris: F. Vieweg.
- , 1892, *Le Zend-Avesta*, Paris.
- Hintze, A., 2000, ‘Lohn’ im indoiranischen. *Eine semantische Studie des Rigveda und Avesta*, Wiesbaden: L. Reichert.
- Klingenschmitt, G., 1968, *Farhang-i ōm. Edition und Kommentar*, Philosophische Fakultät, Erlangen, Friedrich-Alexander-Universität Erlangen-Nürnberg.
- Kotwal, F.M., and P.G. Kreyenbroek, 1995, *The Hērbedestān and Nērangestān. Volume II: Nērangestān, Fragard 1*, Paris: E. Peeters.
- Morano, E., 2003, “And then there were none”. *Agatha Christie, Peano’s Axioms and the Druj Nasu’s Action in the Widēwdād, Vortrag in Ravenna. October 2003*.
- Narten, J., 1986, *Der Yasna Haptahāiti*, Wiesbaden.

- Scheftelowitz, J., 1903, "Altiranische Studien", *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 57: 107-172.
- Skjærvø, P.O., 1994, "Hymnic Composition in the Avesta", *Die Sprache* 36: 199-243.
- de Vaan, M., 2003, *The Avestan Vowels*, Amsterdam-New York: Rodopi.
- Watkins, C., 1995, *How to Kill a Dragon: Aspects of Indo-European Poetics*, New York: Oxford University Press.
- Wolff, F., 1910, *Avesta. Die heiligen Bücher der Parsen übersetzt auf der Grundlage von Chr. Bartholomae's Altiranischem Wörterbuch*, Straßburg: Karl J. Trübner.