

Reflection of Women's Status and Legal Awareness in Ferdowsi's "Shahnameh": A Moral and Legal Analysis

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Abstract

The article focuses on analyzing the status of women in the cultural and legal heritage of the Aryan peoples, particularly in pre-Islamic literature. Studying and researching historical sources such as Avesta, works of Achaemenid, Arsacid, and Sassanid eras, and Ferdowsi's Shahnameh, the author examines women's rights and freedoms in social, political, and economic spheres. It is highlighted that in the pre-Islamic period, women were aware of property rights, equality of women with men and enjoyed active participation in public life. The role of women in the structure of matriarchal society, family rights in Avesta, and Achaemenids' policies towards women are also explored. It is discovered that Shahnameh vividly reflects high social and legal status of women. The article emphasizes that historical and cultural heritage of ancestors holds significant importance for studying human rights and strengthening legal awareness in modern society. "Whoever immerses themselves in recitation of 'Shahnameh,' If she be a woman, she shall become a heroine of valor".

Keywords: women's rights; ferdowsi's shahnameh; pre-islamic literature; achaemenids, sassanids; avesta; human rights; gender equality

Introduction

This famous verse serves as a poignant reminder that "Shahnameh" - is timeless masterpiece of the great poet and sagacious philosopher, Abulqasim Ferdowsi (934-1020)—stands as a boundless repository of profound wisdom, illuminating the spiritual essence of our noble nation.

The Founder of Peace and National Unity, Leader of the Nation, President of Tajikistan, his Excellency Emomali Rahmon, in a special decree dated December 30, 2023, No. 668, proclaimed 2024 year as a "Year of Legal Awareness" he has repeatedly underscored the profound significance of our rich heritage in the cultivation and advancement of legal and educational knowledge. Considering that 2024 year will also witnesses two significant events - the 30th anniversary adoption of the Constitution (Fundamental Law) of the Republic of Tajikistan, as a guarantor of rights, duties, and civic obligations, and the 30th anniversary foundation of the People's Democratic Party of Tajikistan, as a party of builders, reformers, and promoters of legal and educational thought—it is evident that the necessity to refine and promote legal awareness throughout this year will become ever more apparent and crucial in everyday life.

In meetings with religious leaders and public activists of Tajikistan, from the early days of independence, the leader of Nation stresses that human and citizen rights and freedoms has been considered as supreme values of human dignity. Necessary methods and means were established within the state structure to realize these values. The establishment of the Committee on Religious Affairs, the Regulation of Traditions and Celebrations under the government, the State Institution of Islamic Studies Center under the President of the country, Imam Azam Islamic Institute of Tajikistan, adoption of laws such as the "Law on the Regulation of Traditions and Celebrations," the "Law on Freedom of Conscience and Religious Organizations," and "Parents' Responsibility for Education and Upbringing of Children," registration of 4,000 religious organizations, including mosques, and organization of collective pilgrimages for citizens to Haj and Umrah are among the implemented measures in this regard [1].

There are the main causes provided for the President's Decree "On Declaring 2024 as a Year of Legal Awareness". The first is to raise the level of legal awareness among citizens, promote democratic values, strengthen institution of human rights, ensure a respectful attitude towards them, elevate the status of law, educate citizens in the spirit of respect for the law, ensure supremacy of the law, establish a stable system of legal behavior, create an intolerant attitude toward any violation of rights, and emphasize an inevitability of legal responsibility. Then it also aims at coordinating activities of all subjects involved in legal awareness promotion and establishing an effective mechanism for cooperation between the state and civil society institutions of citizens legal awareness" (See: Explanation to the President of the Republic of Tajikistan's Decree "On Declaring 2024 as a Year of Legal Awareness," dated December 30, 2023) [20, 11].

The primary objective of this declaration is to emphasize that, each of us should realize our rights, duties, and civic responsibilities thoroughly, we should base our daily actions and lives according the basic principles of our Constitution, ensuring strict observation of them without violating, breaking the law and contribute our great efforts to establishment, formation, and development of a truly free, democratic, law-abiding, unified, and secular society in Tajikistan.

The rich heritage of our ancestors will assist to achieve these noble goals, guiding us to greatness. One of these masterpieces, which can serve not only for us but also for all of humanity in recognizing development of legal awareness, is a timeless “Shahnameh” of Abulqasim Ferdowsi.

Researcher of Ferdowsi’s works, candidate of philological sciences, Jamoliddin Saidzoda, aptly remarks: “Shahnameh” is an incomparable masterpiece of Ferdowsi, is an anthem of Iranian people, a perfect mirror of their identity, and a profound expression of the great Iranian spirit, the book of self-awareness and patriotism, a timeless testament for enduring legacy of Aryan people [11-13].

Methods

It is no mere coincidence that, recognizing profound significance of “Shahnameh” in the process of self-awareness and national consciousness of Tajik people, esteemed Leader of the Nation, President of Tajikistan, his Excellency Emomali Rahmon, in his address to the International Symposium "Bobojon Ghafurov - the Greatest Scholar and Promoter of Tajik History," held in Dushanbe on December 5, 2023, to honor the 115th anniversary of academician B. Ghafurov, proclaimed that valuable book of our classical poet A. Ferdowsi “Shahnameh” should be printed from the Presidential reserve fund and presented as a gift to every Tajik household on behalf of the President.

"Shahnameh" is the greatest national epic of Aryan people. The most important moral and philosophical, historical and social, as well as political thoughts and ideas are revealed in this work.

Descended-Iranian and native-Iranian are people who from ancient times to the present day, have adhered to moral principles, and according to their righteous prophet Zoroaster, and sacred book "Avesta's" teachings and guidance have embraced the idea of good thoughts, good words, and good deeds, even toward non-Iranian tribes and peoples, they have demonstrated fair and benevolent behavior. Justice, freedom of thought, kindness, nobility, and forgiveness were regarded as the highest human virtues. These moral and legal principles, fortunately, remain steadfast and enduring in the very nature and instincts (1. inherited customs) of Aryan peoples, including Tajiks and Iranians, even currently.

Treatment of women and respect for their human rights was one of the noble ethical principles of the ancestors. Women were treated with justice and fairness, their rights and dignities were held in high esteem-both within the family and in recognition of their humanity and particularly moral and spiritual virtues of men.

Such moral and legal standards can still be observed to some extent in Eastern countries, including Muslim nations, however, historical foundations of these principles, sadly, remain unknown to majority of people due to ignorance.

In order to clarify historical foundations of respect for women’s rights and status, it is necessary to examine the role of women in the countries of Aryan ancestors, where they held a higher position than men are in human society. During that period, management of tribes and clans’ affairs was entrusted to women, and as a result, women attained spiritual leadership. The genealogical lines of families and tribes were traced through the name of a woman, as women were considered the bearers of tribe’s bloodline and were regarded as its purest form.

It is noteworthy that during the matriarchal period, women had a more significant role in agricultural and economic activities. Men viewed women as symbols of abundance and prosperity. As a result, both women and men would equally choose a leader or chief of the tribe and make decisions regarding war and peace. In matriarchal society, women of Aryan-descended tribes were well-versed in secrets and mysteries of agriculture, cultivated and harvested wheat, built homes, and carried out basic handcraft and industrial activities.

The equality of men and women in the early Aryan tribes was rooted in the belief that Ahura Mazda created both men and women free, equal, and respected. According to this belief, both were formed from the same essence, lifted from the earth, and developed in the same way into human beings. Ahura Mazda spoke to them in the same language, establishing the same laws and principles for them, saying: “You are fathers and mothers of the world people. I have created you pure and perfect. Engage in your work with piety and justice. Be of good thought, good speech, and good action” [6].

Two strong ethical and legal aspects are embedded in this statement. The first is the spirit of piety, that is, purity, integrity, and the act of justice, which are essential conditions of ethics and law. The second aspect encompasses three great moral principles of our ancestors: Good Thought, Good Speech, and Good Deeds, which have shaped the world’s understanding and conduct to this day. According to all scholars teachings and views Ahura Mazda and "Avesta" of Zoroaster, the first idea shared by men and women was that each of us should promote happiness and friendship for others. This principle highlights profound ethical and legal humanitarian thoughts of our ancestors.

If we deeply consider the content of “Avesta”, it becomes clear that the status of women in our ancient religion was equal to that of men. Everywhere, both the names of women and men are mentioned alongside one another, and the age of maturity is the same for both, so that both would feel responsibility of fulfilling their religious and social duties at the same stage of life. This way of thinking of our ancestors has a strong legal aspect and should be taken as an example. Pious men and women both are equally mentioned, and they are considered equal in religious acts as well in “Avesta”.

Zoroaster regarded the respect for women as a duty and their degradation or humiliation, weakness and inferiority of women viewed as contrary to reason. In his teachings, he emphasized the sanctity and reverence for the status of women, believing that both men and women should accept each other with respect and responsibility. The status of women in Zoroastrianism was not only equal to that of men within the family but also in society and even in political and religious matters. Zoroaster granted women the right to participate in religious and communal activities, as well as to hold leadership and ruling positions.

As history shows, at the beginning of human social life, women, in general, held a superior position and were afforded extraordinary respect worldwide, among Aryan people, women enjoyed a particularly prominent status. This is why, especially during matriarchal period up to the Iron Age, women played a central role in resolving issues of tribe and clan, symbolizing the link that united these groups and ensured peace and prosperity.

According to B. Gafurov's opinion: "At the end of the Middle Paleolithic and the Upper Paleolithic, tribal societies—primitive communes based on kinship and clan organization—emerged. This was a matriarchal social structure in which women held a very high position" [3].

The Orientalist Andre Gerard Ghirshman writes: "Iranian people, in their historical interpretation of their early origins, portrayed the first human, a woman who, besides having a role equal to men in all affairs (labors), enjoyed special privileges in life, depicted the first woman, the mother of all life, as a divine figure, and conceptualized her understanding through idolization. The statues, numerous excavations by archaeologists in historical regions, depict women as various goddesses, confirming this truth" [13]. Excavations in Susa and research based on inscriptions and stones from the Elamite period have revealed that women in that era were praised as symbolic connectors and held a respected social position. Description of women in Elamite stone carvings and statues convey a wealth of important religious and social symbols, underscoring that, within Elamite culture, women were not merely confined to domestic duties but were also revered for their philosophical and spiritual roles, granted equality with men in both realms.

These divine symbols, which manifest through the forms of women and their elevation into deities or honored figures embodied in statues, stand as testimony to culture and social framework of Elamites. Moreover, certain studies indicate that, particularly when compared with other contemporary civilizations, the Elamites placed women in a distinct and autonomous position. They regarded women not only as mothers and wives but also as guardians of social, moral, and divine values.

According to historians, during the third and second millennia, the role of women in many ancient civilizations, including ancient Elamite society, was often considered superior to that of men, with the path to kingship passing through the maternal line.

This distinctive right, held by women and mothers in that era, finds a broader reflection in Ferdowsi's "Shahnameh". Both "Avesta" and "Shahnameh" allude to such customs, exemplified by the birth of Manuchehr, who emerged from daughter of Eraj's wife and later avenges his grandfather by confronting Salm and Tur, this narrative underscores the significant, even sacred, role of women in shaping rulers and empires destinies.

Five hundred years before the Common Era, when the Elamite civilization had reached an advanced stage of urbanization, spiritual status of women remained largely consistent with the earlier periods. During this time, the Elamite state held remarkable power, a similar high social status for women can also be observed during the reign of Median kings (in present-day Azerbaijan). In this regard, ideas of historian I.M. Dyakonov are particularly insightful. He writes: "The period in which cities and fortresses with stone walls were established, and administrative offices were organized, marks the end of ancient historical phase (pre-Common Era) and transition to a new phase characterized by marital unity, where the equality and partnership between husband and wife were recognized. Consequently, a new era of historical transformation began, which gradually led to a decline of women's influence in relation to men. This phase can be seen as a transition between the era of monarchy and emergence of paternal authority, the effects of which gradually became apparent. After this period, while familial and even social status of women in Median states remained largely intact, their rights and privileges were somewhat diminished compared to earlier times" [6].

In that era, women were not subjected to veils or head coverings that symbolized deprivation of social and economic participation. They collaborated with men in all aspects of life and took part in public assemblies.

Social status and position of women had declined compared to earlier times during Achaemenids period, rights and opportunities outside home and in society were not comparable to those of men in certain ways, however the position of women remained, to a large extent, humane and just, to extent that its social foundations persisted until the Parthian era and the end of the Sassanid period (up to Arab conquest - D.M.), and even in social texts of the periods that followed.

In the Achaemenid period, as in the era before the advent of Zoroastrianism, women moved freely with uncovered faces, Queens, as sovereigns, sat on thrones, and in general, women played a significant role in political affairs. The Greek scholar Plutarch writes: "The will of the king and queen during the Achaemenid era was aligned, and the women of the royal court wielded great influence, with kings listening to their counsel" [15, Vol. 3].

The status of women and their equal rights with men, according to philosophy of Cyrus the Great—who authored the first Charter of Human Rights was based on a revered and lofty principle, he advised his sons always heed the counsel of their mother in all matters. Darius the Great, in turn, consistently sought the counsel and assistance of his wife, whether in the early days of his reign or during the initial stages of warfare, Queen Atossa (the wife of Darius) she herself ascended the throne. The equality of women and men in the time of Cyrus the Great was a distinguishing feature of his era, as it reflected his broader vision of equality for all in politics and human rights. His declaration not only recognized women's rights as equal to men's in political and social spheres but also brought about a pivotal transformation in the history of human rights, laying the groundwork for the formal recognition and acceptance of universal human rights.

During the Achaemenid period, approximately seventy percent of women were engaged in productive and labor-intensive activities alongside men, receiving wages comparable to those of their male counterparts that is, they were compensated equally. Women were also visible in public and military affairs, actively participating in battles and confronting enemies. Men could not impose their will upon them. In this era, women held a high status and enjoyed equal rights with men. They contributed not only to social and economic life but also played significant roles in political and religious spheres. Queens and women at court had considerable influence, and they engaged in political and diplomatic activities on equal footing with men. Historical research and sources indicate that gender equality and respect for women were key characteristics of Achaemenid culture.

In the book "Ancient Persia", Greek historian Diodorus recounts a fascinating tale: "In the fourth century BCE (Before Common Era), Hashiyor III (Ardasher the third Achaemenid, son of Doro - D.M.) was the king. The lands under his rule were home to numerous tribes and nations, each with its own sovereign authority. Hashiyor III, aside from extracting tribute from them, did not interfere with their internal affairs or customs. There existed a region called Coria, situated within the confines of Asia Minor, which, though under suzerainty of Achaemenids, retained its own distinct customs and sovereignty during that era. Among their customs was the practice of a son who wished to ascend to the throne after the death of his father, he was required to marry his own sister. This was a customary tradition among them. When the king of Coria passed away, his son, Mausolus, was destined to inherit the throne. Mausolus had a sister, Artemisia (Artemida - D.M.), known for her wisdom and cunning, whom he married to, thereby ascending to the throne as king. After some time, Mausolus passed away, and Artemisia wished to bury him in a truly exceptional manner. Therefore, she had the king's body cremated, mixed his ashes with rosewater, and for two years, she slowly consumed this blend of sorrow and mourning, carrying it within her. In memory of her husband, she constructed such a magnificent tomb that it became one of the Seven Wonders of the Ancient World. This tomb, known as the Mausoleum at Halicarnassus, still stands today in his capital. Artemisia named the tomb after her husband, Mausolus, and the term Mausoleum as a monumental burial place originated from this very structure" [7, P. 2-3].

King Ashurshahi III did not interfere with this act of spirit, and Artemisia, in her decisions, exercised full autonomy, diligently honoring the rights she had inherited upon her husband's death and she upheld them with great dignity.

The status and rights of women during the Parthian period did not attain the same prominence as in Median and Achaemenid eras. The limitations on women's rights, as discussed by historians, predominantly concern the upper echelons of society during this period; however, these restrictions had little to no effect on the lower social classes.

During this period, women such as Anahita, who held influence within society, were respected and enjoyed high status. The views of Queen Dotamin during the reign of Queen Muzo, under the rule of Farhod IV and Farhod V, serve as an evidence of enduring presence of women in the governance of state and politics. Farhod V even had the image of Queen Muzo minted on his coins.

During the Sassanid period, the role of Anahita, alongside that of Ahura Mazda, can be seen as a symbol of grandeur in kings coronation rituals, depicted on the stone carvings of Bostan and Rustam's image. This it underscores long-standing tradition of reverence for women, embodying Anita's figure as an almost angelic being. Particularly noteworthy is the fact that the Sassanids rose to imperial power partly due to their service in Anahita's temple (Anahita - Nahid - D.M.).

During the Sassanid era, Anahita's depiction alongside with Ahura Mazda in royal coronation ceremonies, as seen on stone reliefs at Bustan and image of Rustam, underscores significant role she played in the royal ideology, this representation not only reflects a deep-seated tradition of honoring women but also elevates Anahita to a divine, angelic figure, notably, the Sassanid dynasty ascended to kingship through their service in Anahita's temple (Anahita - Nahid), further emphasizing symbiotic relationship between religious devotion and political power. In this regard, narrative of an angel Ardavi Surā Anahita, as described in the "Avesta" is particularly intriguing. Anahita symbolizes purity, perfection, and the light of the world, she is an angelic guardian of pure waters. In "Yasna" chapter of the Avesta, she is described as: "From the first divine herald, she shall descend, Ardavi Sura Anahita, her radiance to send. She comes, pure, from the heavens on high, A celestial guardian, as light fills the sky. Four snow-white steeds bear her across the earth, A vision of grace, of rebirth and worth. Ardavi Sura, her countenance bright, A reflection of warmth, like the sun's golden light. Her gaze—bewitching, with beauty untold, Her face like a gem, in colors of gold. Her crown, a crystal beam, clear and true, A symbol of purity, as the heavens renew. In that time, the Sushiyonis shall rise, Guided by Anahita, beneath her skies. The fields will bloom, lush and green, And from the harvest, peace shall be seen" [7, p. 41-47].

A notable tradition prevailed within the household in caring and upbringing of newborn children up to the age of five during Archenemies and Sassanid's eras, they were entrusted solely to women and mothers. This custom, intriguingly, has endured in many households to the present day. The lineage of a child, especially through the maternal line, was regarded with great importance. No one held the authority to reprimand women arbitrarily. Daughters were so cherished and esteemed that they were not wed to individuals deemed non-Aryan. Women held prominent positions in the political, social, and religious spheres of society, reaching as high as the rank of sultan. They not only participated in military campaigns but were also capable of assuming command, as exemplified by Gordua (the sister of Bahram Chubin), who took on the responsibility of leading the army under Ardashir. Furthermore, women such as Dinak, Purandokht, and Azarshidukht ascended to the throne and ruled as sovereigns for periods in Persia, illustrating an exceptional political agency of women in this era.

A. Christensen writes about that period: "The conduct of men toward women reflected a certain level of respect and reverence, resembling the refined manners of the XVIII century. Women were not only familiar with domestic responsibilities but also well versed in moral principles and religious laws of "Avesta". In both their private family lives and in society, they enjoyed a degree of freedom in their actions" [5, 121].

In "Motikoni Hazor Doston" is recorded that during the Sassanid era, women were held in high esteem, their status dignified and almost equal to that of men, they were entrusted with significant responsibilities, even in matters of judgment, and were often called upon to render their voice in the most consequential debates.

In the Sassanid era, a father could not force his daughter into marriage without her consent. The daughter, in turn, had the right to marry without her father's permission, even if it went against his wishes. Moreover, if a daughter had no income of her own, a father was obligated to cover her expenses, ensuring her financial support.

The share of a woman or daughter in the family's wealth was protected from plunder, and she held the right to be acknowledged, attend legal proceedings and defend herself against any accusations or claims made against her. A woman had the right to reject the testimony of the head of the household or her husband in a trial. She could engage in transactions and manage her affairs independently. Furthermore, a woman held property rights and was capable of managing her own possessions. Under the law, she could in some cases, act on behalf of her husband in legal matters, overseeing personal affairs in his name. In certain circumstances, a woman could even perform religious ceremonies in place of the mobads (Zoroastrian priests), assuming their role in sacred rites. The ancient Aryans and our pre-Islamic ancestors gave to marriage an extraordinary importance. They believed that society was built upon the foundation of family and marriage, and that when the foundation of matrimonial life was solid and based on just and lawful principles, it would result in harmonious and wise relationships within the household. As a result, parents would succeed in raising their children, who would grow into healthy and virtuous individuals, contributing positively to society. Marriage in our ancient religion was regarded as a sacred and profoundly significant act. Marriage was intrinsically linked to social stability, human rights, and the honor of the family, playing a crucial role in preserving the law and the moral fabric of society in Aryans and pre-Islamic era. In the Aryan territories, marriage was not merely a bond between two individuals but a vital component of political, social, and religious development of the community.

According to Zoroastrian faith, the union of marriage is not solely established in physical realm, but also deeply intertwined within the spiritual connection between husband and wife. This signifies that, in Zoroastrian doctrine, marriage is understood as a sacred bond and a spiritual unity, founded upon principles of respect, love, and mutual spiritual fulfillment. Zoroastrian teachings emphasize that a husband and wife should be united not only in their physical beings but also in their souls and virtues, essentially, marriage is viewed as a reflection of a harmonious, reciprocal relationship, symbolizing equality and balance between both partners. Extensive records and profound scholarly investigations reveal that the social practices, interpersonal relationships, and legal standings of ancient peoples demonstrate that principles of social conduct upheld by the Aryan ancestors—our esteemed forebears—were grounded in justice and a profound respect for human dignity. These foundational values held such intrinsic worth that they set the standard for other civilizations across the globe. The reverence for an individual, especially for women—whose characteristics of freedom and moral integrity abound has endured from antiquity to the present day among the people of this land. Just as respect was given to fathers, brothers, and sons, with their rights were upheld, the same respect and rights were also granted to mothers, sisters, and daughters.

Conclusions

These reflections suggest that, with regard to the rights and social status of women, as vividly portrayed in timeless "Shahnameh" of Ferdowsi, the ethical values and pre-Islamic legal traditions of our ancestors held a prominent and profound influence.

The article highlights the nuanced portrayal of women in Persian literature, particularly in the context of legal and moral frameworks. In "Shahnameh," Ferdowsi weaves a complex narrative where women are depicted as both powerful figures and vulnerable individuals, with varying degrees of agency. The epic reflects matriarchal and patriarchal norms of that time, yet it also reveals the moral and legal implications of women's roles, rights, and social standing in the ancient Persian world.

In conclusion, Ferdowsi's "Shahnameh" is not only a literary masterpiece but also an important historical document reflecting complex legal and moral landscapes of the past, with a particular emphasis on women's status and awareness. It provides valuable insights into the legal traditions of ancient Persia and raises important questions about gender, justice, and societal norms that are still relevant today.

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