

**Sulkhan Oniani\***

## **On a legal formula found in the Monuments of Georgian Law**

*The article is dedicated to one of the legal formulas found in Georgian legal monuments. We frequently come across with this formula in the orders of kings or persons of high hierarchies, and as per the perceptions held in those times, it was considered a strong social mechanism against the addressee of the formula, which also facilitated the enforcement of the will of the one who made orders.*

**Keywords:** Old Georgian law, to take someone else's sin upon oneself, king, oath.

### **1. Introduction**

Law is one of the instruments for social order. For this reason, the widely held perceptions of any period are reflected in it. It can be said that, in a certain manner, law also obeys the principle of “supply and demand”<sup>1</sup>.

For instance, in today's Criminal Code, prescribing “shaving” as a form of punishment for any crime would be unimaginable. At best, it would elicit a smile from modern lawyers and Georgian society at large. However, in Article 2 of King George V's Book of Laws (Dzeglisdeba, 1334–1335), it appears as one of the possible punishments, something far from surprising, given that George the Brilliant acted as per the realities of his time. Naturally, had he lived in the modern era, such a law would have never crossed his mind.

A more recent example can be drawn from the Soviet period: the 1960 Georgian Criminal Code treated the kidnapping of a woman “for marriage” as a separate criminal offense.<sup>2</sup> This provision remained in force until 1999. From today's perspective, merely 25 years later, the existence of such a norm, with its inherently discriminatory content, in a modern legal system could be seen as an unthinkable act of legal vandalism.

Such examples could be recalled endlessly; however, they all point to one unchanging principle: “Times change, and so do we.”<sup>3</sup> What may seem unusual or even absurd from today's vantage point was once regarded as a fully functional social mechanism, formally enshrined in legal documents.

It is precisely this type of formulation that became the focus of the article. It appears in the documents of kings from different eras, high-ranking secular officials, and senior clergy, and, from the

---

\* Assistant Professor at the Faculty of Law of Ivane Javakhishvili Tbilisi State University.

<sup>1</sup> Mankiw, G., *Principles of Economics* (Georgian edition edited by: A. Akhvlediani, A. Kakhnishvili, N. Manchkashvili, L. Kadagidze, A. Chabashvili), 2nd Georgian edition, Diogene Publishing, Tbilisi, 2008, 77 (In Georgian).

<sup>2</sup> Note: Article 134 of the 1960 Code (Abduction of a Woman for Marriage) states: ‘Abduction of a woman for the purpose of marriage shall be punishable by imprisonment for up to 3 years or by corrective labor for up to 1 year.’ See: Criminal Code of the Georgian SSR.” 30/12/1960, Art. 134 (In Georgian).

<sup>3</sup> “Mutantur Tempora et Nos Mutamur in illis”. See: Chabashvili, M., Dictionary of Foreign Words, 3rd edition, Tbilisi, 1989, 585 (In Georgian).

perspective of that time, was perceived as a powerful mechanism for influencing the addressees of legal norms.

The principle in question is that of “taking the sins of others upon oneself,”<sup>4</sup> which appears in Georgian legal monuments in the form of a curse (threat) formula. Specifically, the author of the document calls upon everyone not to violate the will expressed in the document. And should the addressee fail to comply with this request, then they shall bear the price at the Final Judgement for the sins of document’s author.<sup>5</sup>

It is not difficult to discern that the belief in one person taking the sins of another upon themselves reflects one of the central dogmas of Christianity. Namely, the idea that Jesus Christ took upon Himself the sins of humanity, as well as the doctrines of the Second Coming and the Judgement Day. This is most clearly evidenced by the texts of Georgia’s crowned monarchs – those very monarchs who traced the origins of their royal dynasty directly to the biblical David and referred to themselves as “Bagrationi of the line of Jesse, David, and Solomon.”

## **2. The Legal Formula in Question in Georgian Monarchs’ Legal Acts**

It is not surprising that this type of legal formula (in various forms) appears abundantly in the legal documents of Georgian kings. For example:

1. Bagrat IV’s Opiza Charter (1057): “The holy apostles shall be judges of his soul on that Day of Judgment, and may God demand my sins from him.”<sup>6</sup> And in his Book of Mercy (also from 1057): “You shall pay for my sins and transgressions before God.”<sup>7</sup>

2. King Tamar’s Donation Charter (1188): “He is the one who will hold accountable for my sins and transgressions on the Judgment Day. And his words will be appended: “His blood be upon us and our children.”<sup>8</sup>

3. Alexander I the Great’s Charter (1440): “May God’s relentless wrath fall upon him, and may he be judged for our sins and transgressions on Your Second Coming.”<sup>9</sup> His Charter of Priviledge (1441): “Whoever harms me, may you hold them accountable for our sins and transgressions before Your Son and our God. ...May you hold them accountable for my sins and transgressions on the

---

<sup>4</sup> Note: The principle of ‘taking upon oneself the sins of others’ is, in turn, based on the so-called ‘concept of substitution’ and is discussed in detail in another article: see Oniani, S., *On the Significance of Bearing Sin*, T. Tsereteli Institute of State and Law, *Essays on the History of Legal and Political Thought*, Feradze, G. (ed.), Meridian Publishing, Vol. 3, Tbilisi, 2015, 346-381 (In Georgian).

<sup>5</sup> Note: That section of a legal document (such as a royal decree or charter) in which this phrase was usually articulated was termed “braltgadakhdeloba” (“bearing of guilt”) by Ivane Javakhishvili. It is noteworthy that Javakhishvili coined this term precisely based on the content of this formula. See Javakhishvili, I., *The Purpose, Sources, and Methods of History in the Past and Now*, Book 3, *Georgian Diplomatics*, i.e., the Study of Charters, Part 2, Tbilisi, 1926, 109112” (In Georgian).

<sup>6</sup> Dolidze I., *Monuments of Georgian Law*, Vol. 2, Tbilisi, 1965, 9 (hereinafter – MGL) (In Georgian).

<sup>7</sup> Ibid, 6.

<sup>8</sup> Ibid, 27.

<sup>9</sup> Ibid, 127.

Judgment Day.”<sup>10</sup> His Book of Mercy (1441): “O Almighty God, may he be judged for our sins and transgressions before you on Your Second Coming.”<sup>11</sup>

4. Charter of Giorgi VIII (1453): “If in the celebration of the Lord’s days the liturgy be diminished and not performed, then for us also shall you be the judged instead of me at His Second Coming.”<sup>12</sup> Book of Donation (1464): “Whosoever shall alter or annul [this gift], upon him shall be wrath of the Father, the Son, and the Holy Spirit, and your too the Mother of God of Gelati, and at the Second Coming He shall be Judge instead of me before your Son and our God.”<sup>13</sup> Book of Priviledge (1446-1476): “Whosoever man shall change or transgress from the unchanging rule of the Christians, upon him shall be wrath of the Father, the Son, and the Holy Spirit, and He is the one who shall bear payment for my sins before God.”<sup>14</sup>

Supposedly, it must be a note of Giorgi VIII on Kakha Toreli’s Book of Donation (1259): “You, O Mother of God of Rkoni, at the Second Coming, may you and your Son account this as my reward, and for the remission of my sins may this stand before the presence of your Son.”<sup>15</sup>

5. Luarsab I Book of Priviledge (1540): “Whosoever shall annul or alter this our ordained and donated book, charter, and sign, at the Second Coming, he shall be the one to bear payment for our sins.”<sup>16</sup>

6. Charter of Mercy by Giorgi II, King of Imereti (1563-1564): “For the recompense of our sins, at the Second Coming, He shall call [for us] to account. … For the recompense of our sins He shall call [for us] to account at the Second Coming.”<sup>17</sup>

7. Book of Donation by Simon I (1581): “Whosoever, whether any man, or any of the kings, or of the queens, or a prince, or a great man, or a lesser man, shall dare to annul or alter [this deed] … he shall be the one to bear payment for our sins.”<sup>18</sup>

8. Book of Donation by Giorgi X (1591): “He is also the one who shall bear payment for our sins on that great Day of Judgment.”<sup>19</sup>

9. Book of Donation by Luarsab II (1606-1615): “For our sins, He shall be the Judged.”<sup>20</sup>

10. Decree of Teimuraz I (1606-1632): “Whosoever shall annul this act, whether king or noble or commoner, or abbot, upon him shall be the wrath of the Trinity and the Unity. As for our sins, he

---

<sup>10</sup> Ibid, 129.

<sup>11</sup> Ibid, Annex, Tbilisi, 2023, 28.

<sup>12</sup> Ibid, Vol. 2, Tbilisi, 1965, 132.

<sup>13</sup> Ibid, Annex, Tbilisi, 2023, 31.

<sup>14</sup> Ibid, 36.

<sup>15</sup> Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N.* (Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 158 (In Georgian).

<sup>16</sup> MGL, Annex, Tbilisi, 2023, 44 (In Georgian).

<sup>17</sup> Ibid, Vol. 2, Tbilisi, 1965, 192, 193.

<sup>18</sup> Ibid, Annex, Tbilisi, 2023, 64.

<sup>19</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 50 (In Georgian).

<sup>20</sup> Ibid, 71.

shall answer.”<sup>21</sup> Book of Donation (1612): “He is the one who shall give account for our sins on that great Day of Judgment.”<sup>22</sup>

11. Book of Donation by Giorgi III, King of Imereti (1610): “Whosoever shall contest or annul this, let him be accused forever and ever; and for our sins may He give account at His Second Coming.”<sup>23</sup>

12. Book of Donation by King Rostom (1644): “For our sins they shall be judged on that Day of Judgment.”<sup>24</sup> Book of Renewal of Donation (1645): “In our stead he shall give account at Second Coming, and with the elect on His left hand shall be His portion and inheritance.”<sup>25</sup>

13. Book of Donation by Alexander III, King of Imereti (1655): “Whosoever shall contest this, let him be reckoned instead of us and be accused and anathematized by all patriarchs and bishops.”<sup>26</sup> Book of Privilege by Alexander III of Imereti (1660): “At the Second Coming, may he give account for our sins before the Lord Christ.”<sup>27</sup>

14. Book of Donation by Giorgi IV, king of Imereti (1696–1698): “Now, whosoever, whether any man, king, queen, noble, or gentry, shall take from us this donated peasant and hold him unlawfully or treat him harshly, may you and your son incur wrath; and for our sins may he give account on that great Day of Judgment.”<sup>28</sup>

15. Vakhtang VI’s Charter of Mercy (1717): “Whosoever shall lay hand to withdraw or dispossess this our donation and the serfs and estate bestowed upon the Garsevanashvilis, be thou anathematized before the Icon of the Crucifixion, and for our sins let him be judged on that Day of the Second Coming.”<sup>29</sup>

16. Solomon I’s Charter (1778): “At the Second Coming, in place of our sins, he shall be judged.”<sup>30</sup>

17. Charter of David II, King of Imereti (1786): “If God does not bestow His mercy upon us and another does not prevail over us, let this oath and pledge not be broken against you. And if you remain obedient to our command and yet we should wrong you, then when Christ sits as Judge at the Second Coming, for your sins we shall render account to God.”<sup>31</sup>

---

<sup>21</sup> MGL, Vol. 4, Tbilisi, 1972, 66 (In Georgian).

<sup>22</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 113 (In Georgian).

<sup>23</sup> MGL, Annex, Tbilisi, 2023, 80 (In Georgian).

<sup>24</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 2, Tbilisi, 2021, 268 (In Georgian).

<sup>25</sup> Ibid, 279.

<sup>26</sup> MGL, Annex, Tbilisi, 2023, 96 (In Georgian).

<sup>27</sup> *Kakabadze, S.* Ecclesiastical Documents of Western Georgia, Vol. 2. Tiflis University Press, Tiflis, 1921, 173 (In Georgian).

<sup>28</sup> MGL, Annex, Tbilisi, 2023, 180 (In Georgian).

<sup>29</sup> Ibid, 200.

<sup>30</sup> *Kakabadze, S.* Ecclesiastical Documents of Western Georgia, Vol. 2. Tiflis University Press, Tiflis, 1921, 67 (In Georgian).

<sup>31</sup> MGL, Annex, Tbilisi, 2023, 259 (In Georgian).

18. Enactments of Erekle II (1791): “Moreover, should any of the great or small of Georgia interfere in any matter and disturb the order, at the Second Coming let him render account to the Lord in place of my sins, and let no good befall from God that body which becomes the cause. ... For my sins shall he be judged, should anyone disturb this.”<sup>32</sup>

19. Solomon II’s Charter of Mercy (1801): “Before the dread judgment of Christ, the share of the sins of the aforementioned revered kings and my own shall be borne by those who speak this word.”<sup>33</sup>

Evidently, the royal charters present us with a wide variety of legal formulae, and the very fact that the monarchs of Georgia actively employed this phrase already demonstrates their worldview and legal conceptions, views that were, naturally, shared by the clergy and the feudal class of the time. For this reason, this oath and threat formula is frequently echoed in the documents of Georgian hierarchs and senior ecclesiastical authorities. It also appears in the records of high-ranking state officials as well as in court rulings from various periods.

### **3. The Legal Formula under Discussion in the Acts of the Georgian Church Hierarchs and High-Ranking Ecclesiastical and Secular Officials.**

Since the formula in question appears with the same remarkable frequency in documents issued by ecclesiastical figures and secular feudal lords, the following list illustrates (without citing the textual material itself) the individuals whose legal documents contain this threat, namely:

1. Catholicos – 1. Abraam<sup>34</sup> (XV century); 2. Dorotheos<sup>35</sup> (XVI century); 3. John,<sup>36</sup> Zachary,<sup>37</sup> Evdemon,<sup>38</sup> Zachary,<sup>39</sup> Nicholaos<sup>40</sup> (XVII century); 4. John<sup>41</sup>, Domenti,<sup>42</sup> Germane,<sup>43</sup> Bessarion<sup>44</sup> (XVIII century) – legal acts;

2. Bishops – 1. Anton of Tchkondidi,<sup>45</sup> (XIII century); 2. Melkisedek of Gelati,<sup>46</sup> Zachary of Gelati,<sup>47</sup> Gabriel of Tsageri,<sup>48</sup> Archbishop Nikoloz,<sup>49</sup> Evdemon Mangleli<sup>50</sup> (XVII century); 3. Joseph

---

<sup>32</sup> Ibid, Vol. 2, Tbilisi, 1965, 516, 520.

<sup>33</sup> Materials of the N. Berzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing House Vol. 3, Tbilisi, 1978, 183 (In Georgian).

<sup>34</sup> MGL, Vol. 3, Tbilisi, 1970, 212 (In Georgian).

<sup>35</sup> Ibid, 357.

<sup>36</sup> Ibid, 392.

<sup>37</sup> Ibid, 486.

<sup>38</sup> Ibid, 494.

<sup>39</sup> Ibid, 532.

<sup>40</sup> Ibid, 565, 602.

<sup>41</sup> Ibid, 627.

<sup>42</sup> Ibid, 706, 709, 749.

<sup>43</sup> Ibid, 789-790.

<sup>44</sup> Ibid, 842.

<sup>45</sup> Ibid, Vol. 2, Tbilisi, 1965, 34.

<sup>46</sup> Ibid, Vol. 3, Tbilisi, 1970, 261.

<sup>47</sup> Ibid, 513.

<sup>48</sup> Ibid, 520, 521, 522.

of Urbnisi,<sup>51</sup> Nikifore of Tsilkani,<sup>52</sup> Arsen Mangleli,<sup>53</sup> Domenti of Tiflis,<sup>54</sup> Evedemon Kutateli,<sup>55</sup> Grigol of Tchkondidi<sup>56</sup> (XVIII century); Dositeos Kutateli<sup>57</sup> (The end of XVIII, first forth of XIX) – legal documents:

Among the highest secular officials, we shall name:

1. Queens of Georgia – 1. Tamar – The spouse of David Narini<sup>58</sup> (XIII century); 2. Tamar – The Spouse of George X<sup>59</sup> and Khvarashan – The Spouse of George XI<sup>60</sup> (XVII century) – decrees;

2. High Pheudals – 1. Grigol, son of Bakuriani (XI century)<sup>61</sup>; 2. Chaberi Mandaturtukhutsesi<sup>62</sup> (XII century); 3. Mkhargrdzeli Sargis' son,<sup>63</sup> Grigol Surameli,<sup>64</sup> Kakha Toreli,<sup>65</sup> Dzagan, son of Abulet<sup>66</sup> (XIII century); Shalva Qvenifneveli,<sup>67</sup> Mamisa Mejinibetukhutsesi<sup>68</sup> (XV century); 4. Rostom Gurieli<sup>69</sup> (XVI century); 5. Iese Eristavi,<sup>70</sup> Vameq Dadiani,<sup>71</sup> Giorgi Gurieli<sup>72</sup> (XVII century); 6. Katsia Dadiani,<sup>73</sup> Mamia Gurieli,<sup>74</sup> Giorgi Gurieli<sup>75</sup> (XVIII century); 7. Vakhtang Gurieli<sup>76</sup> (XIX century) – legal acts.

Undoubtedly, the monuments of Georgian law that employ these legal formulas are not limited to the list of persons mentioned, but for the purposes of the present study, the examples already

<sup>49</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 2, Tbilisi, 2021, 488 (In Georgian).

<sup>50</sup> MGL, Vol. 3, Tbilisi, 1970, 585 (In Georgian).

<sup>51</sup> Ibid, 626.

<sup>52</sup> Ibid, 629.

<sup>53</sup> Ibid, 694.

<sup>54</sup> Ibid, 712.

<sup>55</sup> Ibid, 711.

<sup>56</sup> Ibid, 816.

<sup>57</sup> Ibid, 996, 1029, 1034, 1106, 1120, 1124, 1127, 1133.

<sup>58</sup> Ibid, Vol. 2, Tbilisi, 1965, 76.

<sup>59</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 102 (In Georgian).

<sup>60</sup> MGL, Annex, Tbilisi, 2023, 175 (In Georgian).

<sup>61</sup> Ibid, Vol. 3, Tbilisi, 1970, 92, 94.

<sup>62</sup> Ibid, Vol. 2, Tbilisi, 1965, 29.

<sup>63</sup> Ibid, Vol. 3, Tbilisi, 1970, 152.

<sup>64</sup> Ibid, Vol. 2, Tbilisi, 1965, 39.

<sup>65</sup> Ibid, 60-61.

<sup>66</sup> Ibid, 71.

<sup>67</sup> Ibid, 141, 143.

<sup>68</sup> Ibid, Vol. 8, Tbilisi, 1985, 821.

<sup>69</sup> Ibid, Vol. 6, Tbilisi, 1977, 656.

<sup>70</sup> Ibid, Vol. 3, Tbilisi, 1970, 483.

<sup>71</sup> Ibid, Vol. 6, Tbilisi, 1977, 672.

<sup>72</sup> Ibid, 676.

<sup>73</sup> Ibid, Annex, Tbilisi, 2023, 220.

<sup>74</sup> Ibid, Vol. 6, Tbilisi, 1977, 719.

<sup>75</sup> Ibid, 723, 724.

<sup>76</sup> Ibid, 454.

provided are entirely sufficient. At this point, however, it is far more interesting to focus on the structure and variations of the given legal formula.

#### **4. Structure, Content, and Variations of the Legal Formula in Question**

The diversity of the legal formula under study makes it possible to view its content from different perspectives; therefore, what is of particular interest at this stage is the analysis of its structure and a sort of systematization, which requires answering a number of questions.

##### **4.1. Who is Addressed with the Oath**

In the overwhelming majority of cases, the legal formula, in the form of a sanction, is directed toward third parties – that is, the author of the document threatens anyone who violates his will with the consequence declared in the curse (“You shall be held accountable for my sins and transgressions before God;”<sup>77</sup> “May God judge you instead of me on that great Judgment Day,”<sup>78</sup> etc.).

There are also documents in which the author does not threaten or warn others, but rather swears an oath himself: “If I prove false in this matter or in what is written in this oath, may this oath break me, may the grace of the above-written, the sins of your father and your mother, and your sins on the Second Coming be laid upon me;”<sup>79</sup> “At the Second Coming, before Christ, may I be the one to answer for your sins;”<sup>80</sup> “When Christ is enthroned as Judge at His Second Coming, may we answer before God for your sins.”<sup>81</sup>).

At times, in the very same document, the author both takes upon themselves the responsibility of answering and also threatens the other party with accountability: “May I bear the sins of that uncle of mine, if it should not be testified in this way before you and the notary... In place of that uncle, before Christ, may I bear his sins if what is said is not true... If this should not be the case, may I be accountable before Christ, if the judges act unjustly toward my brothers, may they answer to me before Christ... Whichever judge acts unjustly against me, when we stand before Christ, may they answer there... If I lie and something is written falsely, may it not be forgiven, as I have confessed my sins in confession? Whoever does not believe, when Christ sits in judgment at that terrible trial, on that Day of Judgment, let me and him render judgment to each other.”<sup>82</sup>

##### **4.2. Clarification on the Circle of Addressees of the Threat**

In the overwhelming majority of cases, the addressees of the warning are an indeterminate circle of persons, and the threat is formulated generally, directed at anyone at all (with words such as

---

<sup>77</sup> Ibid, Vol. 2, Tbilisi, 1965, 6.

<sup>78</sup> Ibid, Vol. 6, Tbilisi, 1977, 724.

<sup>79</sup> Ibid, Vol. 4, Tbilisi, 1972, 141.

<sup>80</sup> Ibid, Vol. 3, Tbilisi, 1970, 842.

<sup>81</sup> Ibid, Annex, Tbilisi, 2023, 259.

<sup>82</sup> Ibid, Vol. 8, Tbilisi, 1985, 928, 929, 930.

“whoever,”<sup>83</sup> “whosoever,”<sup>84</sup> “if anyone,”<sup>85</sup> “whatever man,”<sup>86</sup> “whosoever of mankind,”<sup>87</sup> “whatever soul, descendant of Adam,”<sup>88</sup> etc.).

However, there are also cases where the formula contains a hierarchical list of social strata. Such lists may begin with the sovereign, mention viziers, the royal court, and the catholicos, and end with all other subjects. For example:

“Whosoever among the sons of men shall abolish this offering and endowment made by us – whether king, bishop, great, or small;”<sup>89</sup> “From among the future kings and queens of our lineage, or from any other lineage of the human race;”<sup>90</sup> “Whether it be by one of the kings or queens, or by a prince, or a great man, or a lesser man;”<sup>91</sup> “Whosoever of mankind it be – whether king, queen, noble, or knight.”<sup>92</sup>

Even more, there are also instances where the addressees are specified with even greater precision. E.g.: “If the one who annuls this should be: a son, a brother, or a relative... If they bring this document before the kings of the Abkhazians and they do not confirm it... If the viziers or the officials of the royal court should see it and not confirm it... If any of my lineage should be and does not confirm it... If the Catholicos should see it and not endorse it, may God lay my sins upon him;”<sup>93</sup> “And if the fathers, the holy priests, the stewards, or the celebrant appointed on my behalf should diminish or alter this offering and prayer instituted for me.”<sup>94</sup>

Such specificity can also be found, for instance, in one of King Erekle II’s documents, where the title itself makes clear (“Statutes of King Irakli of Georgia to his sons concerning the kingdom of Georgia”<sup>95</sup>) that the primary addressees are his own family members.

#### **4.3. Whose Sins Are Directed Toward the Addressee**

In the vast majority of documents, the author emphasizes their own sins (that is, the addressee is threatened with having to answer for the author’s sins). For example: “He shall bear my sins before God. ...And may he be charged before Christ with my faults and my sins;”<sup>96</sup> “Let hem be deemed guilty on account of all my sins.”<sup>97</sup>

---

<sup>83</sup> Ibid, Annex, Tbilisi, 2023, 31.

<sup>84</sup> Ibid, Vol. 2, Tbilisi, 1965, 129.

<sup>85</sup> Ibid, 141.

<sup>86</sup> Ibid, Annex, Tbilisi, 2023, 36.

<sup>87</sup> Ibid, Vol. 3, Tbilisi, 1970, 565.

<sup>88</sup> Ibid, Vol. 8, Tbilisi, 1985, 934.

<sup>89</sup> Ibid, Vol. 3, Tbilisi, 1970, 520, 521.

<sup>90</sup> Ibid, Annex, Tbilisi, 2023, 28.

<sup>91</sup> Ibid, 64.

<sup>92</sup> Ibid, 180.

<sup>93</sup> Ibid, Vol. 2, Tbilisi, 1965, 60-61.

<sup>94</sup> Ibid, 71; See also MGL, Vol. 6, Tbilisi, 1977, 656.

<sup>95</sup> Ibid, Vol. 2, Tbilisi, 1965, 516, 520.

<sup>96</sup> Ibid, Vol. 3, Tbilisi, 1970, 92, 94.

<sup>97</sup> Ibid, Vol. 2, Tbilisi, 1965, 34.

However, there are also documents where the author specifically names other persons and threatens the potential violator with accountability not only for his own sins but also for those of others – his parents, children, or particular individuals. For instance: “And on the Day of Judgment may the sins and faults of me, the blessed Sargis’s son, together with my children and descendants, be laid upon him;”<sup>98</sup> “He shall answer for my sins and for the sins of my deceased and future kin;”<sup>99</sup> “He shall be judged for my sins, my father’s and mother’s sins, and those of my household and relatives;”<sup>100</sup> “May he be held accountable for my sins and for those of the senior justice;”<sup>101</sup> “For the sins of the above-mentioned blessed kings and for my sins, may he stand guilty before Christ at the terrible Last Judgment.”<sup>102</sup>

Logically, if the violator must answer before God’s supreme court for the sins of others, he will also be accountable for his own sins at that same tribunal. What is noteworthy, however, is that sometimes the author makes this point explicitly: “He shall be judged both for his own sins and for ours on that dreadful Day of Judgment.”<sup>103</sup>

We also find an inclusive variation, where the author joins the addressees with himself and threatens any third party with bearing responsibility for both: “On the Day of His Second Coming, may he answer for both my sins and yours alike.”<sup>104</sup>

Finally, it should be noted that in those documents which contain not threats but rather promises, one may also encounter oaths in which the author takes upon themselves only the sins of the addressee (“At the Second Coming before God, let us be the ones to answer for your sins;”<sup>105</sup>), or oaths in which they accept responsibility for the sins of multiple persons (“If I prove false in this matter or in what is written in this oath, may this oath break me, and on the Day of the Second Coming may I be judged for your sins, the sins of your father and mother, and your own sins.”<sup>106</sup>).

#### **4.4. Whom Does the Violator Stand Accountable Before**

In this regard, several guarantors of the enforcement of justice appear in the documents:

1. God – Frequently invoked, e.g., “He shall bear my sins and transgressions before God.”<sup>107</sup> In many texts, God is the primary judge.<sup>108</sup> Sometimes, He is explicitly referred to as “the Just Judge” (“...at the Second Coming he shall be judged for our sins by the Just Judge, God”<sup>109</sup>).

---

<sup>98</sup> Ibid, Vol. 3, Tbilisi, 1970, 152.

<sup>99</sup> Ibid, Vol. 2, Tbilisi, 1965, 71.

<sup>100</sup> Ibid, Vol. 3, Tbilisi, 1970, 609.

<sup>101</sup> Ibid, Vol. 8, Tbilisi, 1985, 934.

<sup>102</sup> Materials of the N. Berdzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing House Vol. 3, Tbilisi, 1978, 183 (In Georgian).

<sup>103</sup> MGL, Vol. 3, Tbilisi, 1970, 749 (In Georgian).

<sup>104</sup> Ibid, 653.

<sup>105</sup> Ibid, 700.

<sup>106</sup> Ibid, Vol. 4, Tbilisi, 1972, 141.

<sup>107</sup> Ibid, Vol. 8, Tbilisi, 1985, 821.

<sup>108</sup> MGL, Vol. 2, Tbilisi, 1965, 6, 9, 45, 46, 60-61, 71, 76, 141, 143, 516, 520; Ibid, Vol. 3, Tbilisi, 1970, 92, 94; Ibid, Vol. 6, Tbilisi, 1977, 656; Ibid, Annex, Tbilisi, 2023, 36 (In Georgian).

<sup>109</sup> Ibid, Vol. 3, Tbilisi, 1970, 816.

2. Christ – Sometimes mentioned independently (“Be charged with my faults and sins before Christ”<sup>110</sup>), and sometimes in combination with a title, such as Christ the *Lord*<sup>111</sup> or Christ the Judge.<sup>112</sup>

3. The Virgin Mary – Invoked together with her Son (e.g., “You, O Virgin of Rkoni, at the Second Coming, together with your Son, question him as my recompense, and make him stand before your Son as bearer of my sins.”<sup>113</sup>);

4. The Judge (unspecified) – Occasionally, the formula avoids naming God or Christ directly and simply says: “He shall be judged for our sins before the Judge on that Day of Punishment.”<sup>114</sup>).

Interestingly, in many cases, the text does not specify at all before whom, or under what circumstances, the violator will answer. Instead, only general phrases are used, such as “He shall be the redeemer of our sins”<sup>115</sup> or “He shall be held accountable for our sins.”<sup>116</sup> Clearly, for contemporaries, it was already self-evident who, where, when, and before whom the violator would bear the author’s sins. Numerous examples confirm this practice.<sup>117</sup>

#### 4.5. Circumstances, Where the Culprit Bears Responsibility

There are cases in which the author of the document specifies that the violator will be judged both in this world and at the other world: “Whosoever of mankind, whether great or small, shall act against this, let him bear punishment both here and in the other world.” However, in the overwhelming majority of documents, the threat does not concern earthly life. Instead, it appears in a variety of other formulations, including:

1. The Second Coming – which may be mentioned generally (“He shall answer at the Second Coming for my sins”<sup>118</sup>), or more specifically: Christ’s Second Coming (“For my sins he shall be

<sup>110</sup> MGL, Vol. 3, 92, 94; See also: MGL, Vol. 3, Tbilisi, 1970, 842; Vol. 6, Tbilisi, 1977, 719; Vol. 8, Tbilisi, 1985, 901, 928, 929, 930; Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N. (Ed.)*, Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 195 (In Georgian).

<sup>111</sup> *Kakabadze, S. Ecclesiastical Documents of Western Georgia*, Vol. 2. Tiflis University Press, Tiflis, 1921, 173 (In Georgian).

<sup>112</sup> MGL, Annex, Tbilisi, 2023, 259 (In Georgian).

<sup>113</sup> Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N. (Ed.)*, Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 153; See also *Ibid*, 158; See also MGL, Vol. 2, Tbilisi, 1965, 129; *Ibid*, Annex, Tbilisi, 2023, 31 (In Georgian).

<sup>114</sup> MGL, Vol. 3, Tbilisi, 1970, 1120 (In Georgian).

<sup>115</sup> *Ibid*, Annex, Tbilisi, 2023, 64.

<sup>116</sup> *Ibid*, Vol. 3, Tbilisi, 1970, 483.

<sup>117</sup> MGL, Vol. 2, Tbilisi, 1965, 29, 34; Vol. 3, Tbilisi, 1970, 212, 247, 423, 493, 494, 495, 513, 532, 585, 627, 1106; Vol. 6, Tbilisi, 1977, 454; Vol. 8, Tbilisi, 1985, 913; *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M. (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century*, Vol. 1, Tbilisi, 2019, 71 (In Georgian).

<sup>118</sup> MGL, Vol. 3, Tbilisi, 1970, 368; See also MGL, Vol. 2, Tbilisi, 1965, 132, 192, 193; Vol. 3, Tbilisi, 1970, 261, 369, 372, 496; Vol. 4, Tbilisi, 1972, 141, 265; Vol. 8, Tbilisi, 1985, 901; Annex, Tbilisi, 2023, 28, 44, 80, 97, 175, 200, 259; See also *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M. (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century*, Vol. 2, Tbilisi, 2021, 279, 488; See also *Kakabadze, S. Ecclesiastical Documents of Western Georgia*, Vol. 2. Tiflis University Press, Tiflis, 1921, 67, 173 (In Georgian).

judged on that dreadful Day at Christ's Second Coming”<sup>119</sup>), God's Second Coming (“May God, whose wrath cannot be withstood, judge him at His Second Coming for your sins and faults”<sup>120</sup>).

2. Day of Judgment – (“He shall bear responsibility for your sins and faults on the Day of Judgment”<sup>121</sup>). At times, the formula specifies a “bell-ringing Day of Judgment” (“He who answers for my sins and faults, let him be judged on that bell-ringing Day of Judgment”<sup>122</sup>);

3. Day of Punishment / Great Day of Punishment – (“For our sins, he shall be judged on the Day of Punishment”<sup>123</sup>; “For our sins, let him be judged on the Great Day of Punishment”<sup>124</sup>).

4. Eternity / Day of Eternity – (“Let him be judged for your sins for eternity”<sup>125</sup>), “On the Day of Eternity, let him bear responsibility for our sins”<sup>126</sup>, (“For our sins, let him be judged in the eternal age”).<sup>127</sup>

5. Christ's Tribunal / Dreadful Judgment – e.g., “Before Christ's dreadful tribunal”<sup>128</sup>, “When Christ shall sit in that dreadful judgment.”<sup>129</sup>

6. Combined formulations – some documents mention both the Second Coming and the Day of Punishment (“At the Second Coming, for our sins, he shall be judged on the Day of Punishment”<sup>130</sup>), or the Second Coming and Christ's judgment (“He shall be judged for our sins at the Second Coming in Christ's tribunal”<sup>131</sup>).

#### **4.6. Terms Expressing Substitution**

The part of the legal formula under study that expresses substitution is notable for its richness of synonyms. The constructions mainly used are as follows:

---

<sup>119</sup> MGL, Vol. 3, Tbilisi, 1970, 357; See also MGL, Vol. 3, Tbilisi, 1970, 789-790; Vol. 8, Tbilisi, 1985, 901; Annex, Tbilisi, 2023, 259; *Kakabadze, S. Ecclesiastical Documents of Western Georgia, Vol. 2. Tiflis University Press, Tiflis*, 1921, 173 (In Georgian).

<sup>120</sup> MGL, Vol. 2, Tbilisi, 1965, 127 (In Georgian).

<sup>121</sup> MGL, Vol. 2, Tbilisi, 1965, 45, 46; See also MGL, Vol. 2, Tbilisi, 1965, 27; Vol. 3, Tbilisi, 1970, 392, 486, 504, 567, 568, 609, 626, 629, 709, 711, 749; Vol. 4, Tbilisi, 1972, 216; Vol. 6, Tbilisi, 1977, 600, 672, 676, 724; Annex, Tbilisi, 2023, 180; See also *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jorjua T., Surguladze M. (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 50, 102, 113; Ibid, Vol. 2, Tbilisi, 2021, 268* (In Georgian).

<sup>122</sup> MGL, Vol. 2, Tbilisi, 1965, 129 (In Georgian).

<sup>123</sup> Ibid, Vol. 3, Tbilisi, 1970, 565.

<sup>124</sup> MGL, Vol. 3, Tbilisi, 1970, 1034; See also MGL, Vol. 3, Tbilisi, 1970, 152, 712, 996, 1029, 1120, 1124, 1127, 1133; Vol. 6, Tbilisi, 1977, 723 (In Georgian).

<sup>125</sup> MGL, Vol. 6, Tbilisi, 1977, 601 (In Georgian).

<sup>126</sup> Ibid, Vol. 3, Tbilisi, 1970, 370, 373.

<sup>127</sup> Ibid, 263, 526.

<sup>128</sup> Materials of the N. Berdzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing House Vol. 3, Tbilisi, 1978, 183 (In Georgian).

<sup>129</sup> MGL, Vol. 8, Tbilisi, 1985, 928, 929, 930 (In Georgian).

<sup>130</sup> Ibid, Annex, Tbilisi, 2023, 220.

<sup>131</sup> Ibid, Vol. 4, Tbilisi, 1972, 265.

1. Judgment “in place of” someone – this can appear as the subject being substituted: (“Let them be judged in our place”<sup>132</sup> “Let them be judged in my stead”<sup>133</sup> “Let them be judged in our place”<sup>134</sup>), or judgment “in place of the subject’s sin” (“He shall be judged in place of our sin”<sup>135</sup>, “Let him be judged for our sin instead”<sup>136</sup>); Judgment/sentencing “in place of” (“They shall be punished in place of our sin”<sup>137</sup>);

2. “Bearer” or “responsible for” sins/faults:– “He shall bear our sins,”<sup>138</sup> “He shall bear my faults,”<sup>139</sup> “He shall be the bearer of my sins and faults,”<sup>140</sup> “He is also the bearer of our sins.”<sup>141</sup>

3. “To be judged / condemned as Mukafi / Mukfi” – in different variations: He shall be judged as Mukafi”<sup>142</sup> “to be judged as – Mukabi”<sup>143</sup>; “Muqabi”<sup>144</sup>; “Nukafi / nukfi” –<sup>145</sup>; “Nukmi”<sup>146</sup>; “We also see – “Sanukfo”<sup>147</sup> (all these words also mean “someone’s place”).

4. In place of our sin (“He shall be judged in place of our sin”<sup>148</sup>); In place of / instead of sin (“In place of my sin,”<sup>149</sup> “In place of my sin”<sup>150</sup>); Also in place of sin (“Also in place of our sin”<sup>151</sup>)

---

<sup>132</sup> Ibid, Vol. 3, Tbilisi, 1970, 1106; See also Ibid, 1127.

<sup>133</sup> Ibid, 996.

<sup>134</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 2, Tbilisi, 2021, 279 (In Georgian).

<sup>135</sup> MGL, Vol. 3, Tbilisi, 1970, 263; See also Ibid, Annex, Tbilisi, 2023, 175 (In Georgian).

<sup>136</sup> Ibid, Vol. 3, Tbilisi, 1970, 1029.

<sup>137</sup> Ibid, Vol. 6, Tbilisi, 1977, 723.

<sup>138</sup> MGL, Annex, Tbilisi, 2023, 44; See also *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 113 (In Georgian).

<sup>139</sup> MGL, Annex, Tbilisi, 2023, 36; See also Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N.* (Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 195 (In Georgian).

<sup>140</sup> MGL, Vol. 2, Tbilisi, 1965, 27 (In Georgian).

<sup>141</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 50 (In Georgian).

<sup>142</sup> Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N.* (Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 153, 158; See also MGL, Vol. 3, Tbilisi, 1970, 247, 368, 372, 493, 520, 522, 526, 816; Ibid, Annex, Tbilisi, 2023, 96, 97 (In Georgian).

<sup>143</sup> MGL, Vol. 3, Tbilisi, 1970, 532 (In Georgian).

<sup>144</sup> Ibid, Vol. 6, Tbilisi, 1977, 454.

<sup>145</sup> Ibid, 672. Ibid, Vol. 3, Tbilisi, 1970, 369; Ibid, Annex, Tbilisi, 2023, 80. Ibid, Vol. 6, Tbilisi, 1977, 676. Ibid, Annex, Tbilisi, 2023, 180.

<sup>146</sup> Ibid, Vol. 2, Tbilisi, 1965, 192. Ibid, 193; See also Ibid, Vol. 3, Tbilisi, 1970, 261.

<sup>147</sup> Ibid, Vol. 3, Tbilisi, 1970, 609. Ibid, 692.

<sup>148</sup> *Kakabadze, S. Ecclesiastical Documents of Western Georgia, Vol. 2. Tiflis University Press, Tiflis, 1921*, 67; See also MGL, Vol. 8, Tbilisi, 1985, 928, 929, 930 (In Georgian).

<sup>149</sup> MGL, Vol. 6, Tbilisi, 1977, 719; See also Ibid, Vol. 3, Tbilisi, 1970, 706, 709 (In Georgian).

<sup>150</sup> Ibid, Vol. 6, Tbilisi, 1977, 724; See also Ibid, Vol. 3, Tbilisi, 1970, 711.

<sup>151</sup> Ibid, Annex, Tbilisi, 2023, 220.

Answer in place of sin/substitute answer (“He shall answer in place of our sin,”<sup>152</sup> “He shall answer in place of your sin”<sup>153</sup>); There is also a variation in which sin is not mentioned – “He shall be judged in our place”<sup>154</sup>;

Interestingly, in The Knight in the Panther’s Skin, there is one such stanza: “I cannot do it; may God judge in my place, and may He administer punishment for me as a substitute!”<sup>155</sup>

5. Answer giving / answering (“Let me be the giver of the answer for your sin,”<sup>156</sup> “Let him answer for my sin”<sup>157</sup>); There is also this – “be the giver of the answer” (“Before Christ the Lord let him be the giver of the answer”<sup>158</sup>); another variation – “the one who answers” (“And let him be the one who answers for my sins and faults and let him deliver it”<sup>159</sup>);

6. We also encounter – share (“Let him take a share of our sins on the day of punishment”<sup>160</sup>);

7. Giving the Word (“For my sins, he will also become a spokesman for the terrible judgment of Christ”<sup>161</sup>, “For all my faults and sins, he will speak the word to God, on that day. At the great judgment”<sup>162</sup>);

8. We also have such original variants as: to be a debtor (“be a debtor to Christ”<sup>163</sup>); to pay the penalty (“be a debtor to God for my countless sins, on the day of judgment”<sup>164</sup>); to pay the penalty (“He is the one who pays the penalty for all my sins and offenses”<sup>165</sup>); to be blameless (“he also become blameless from all my sins”<sup>166</sup>); to bearer (“He will also bear my sins and offenses”<sup>167</sup>; “He is the one who bears my sins before God,”<sup>168</sup>; “he bear my sins and offenses before Christ”<sup>169</sup>); to pay the

---

<sup>152</sup> Ibid, Vol. 3, Tbilisi, 1970, 513.

<sup>153</sup> Ibid, 789-790.

<sup>154</sup> Ibid, 1133.

<sup>155</sup> *Rustaveli Shota*, The Knight in the Panther’s Skin, Tbilisi, 1986, 425 (In Georgian).

<sup>156</sup> MGL, Vol. 3, Tbilisi, 1970, 842 See also Ibid, Vol. 6, Tbilisi, 1977, 656; Vol. 8, Tbilisi, 1985, 934 (In Georgian).

<sup>157</sup> MGL, Vol. 2, Tbilisi, 1965, 516; Ibid, 71; See also Ibid, Vol. 4, Tbilisi, 1972, 66; Vol. 8, Tbilisi, 1985, 901; Annex, Tbilisi, 2023, 259 (In Georgian).

<sup>158</sup> *Kakabadze, S. Ecclesiastical Documents of Western Georgia, Vol. 2. Tiflis University Press, Tiflis*, 1921, 173 (In Georgian).

<sup>159</sup> MGL, Vol. 2, Tbilisi, 1965, 129 (In Georgian).

<sup>160</sup> Ibid, Vol. 3, Tbilisi, 1970, 712; See also Materials of the N. Berdzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing HouseVol. 3, Tbilisi, 1978, 183 (In Georgian).

<sup>161</sup> Materials of the N. Berdzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing HouseVol. 3, Tbilisi, 1978, 183 (In Georgian).

<sup>162</sup> Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, Enukidze T., Silogava V., Shoshiashvili N.(Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 162 (In Georgian).

<sup>163</sup> MGL, Vol. 8, Tbilisi, 1985, 928, 929, 930 (In Georgian).

<sup>164</sup> Ibid, Vol. 2, Tbilisi, 1965, 71.

<sup>165</sup> Ibid, 29.

<sup>166</sup> Ibid, 34.

<sup>167</sup> Ibid, Vol. 8, Tbilisi, 1985, 913.

<sup>168</sup> Ibid, Vol. 3, Tbilisi, 1970, 92; See also Ibid, Vol. 8, Tbilisi, 1985, 928.

<sup>169</sup> Ibid, Vol. 3, Tbilisi, 1970, 94.

penalty (“He is the one who pays the penalty for our sins”<sup>170</sup>, “You are the payers for my sins and faults before God”<sup>171</sup>); To be presented as a payer (“May he presented as a payer for my sins before your Son”<sup>172</sup>); Avenge (“Avenge my sins from him”<sup>173</sup>);

9. There are also simple constructions such as the subject's judgment for sin / for sins / for sins and faults (“He will also be judged for our sins,”<sup>174</sup> “He will also be judged for our sins,”<sup>175</sup> “He will be judged for our sins and faults”<sup>176</sup>); the subject's judgment by sin (“When He comes the second time, will judge by our sins”<sup>177</sup>); punishment for sins (“He will also be punished for our sins”<sup>178</sup>); even simpler variations are — “He also bore my sins”<sup>179</sup> and “He gave us on the day of judgment when he judged us.”<sup>180</sup>

10. We encounter another phrase – God shall ask the faults / faults and sins (“Let God ask him my faults,”<sup>181</sup> “Let God ask him your faults and sins”<sup>182</sup>).

And finally, in addition to the terms expressing “substitution”, there is also a descriptive title of the document expressing substitution, specifically, the author explicitly notes that he gave the addressee a written pledge to be presented before Christ at the Second Coming, freeing from sins and giving an answer in his place: “This unchangeable, firm, immutable, infallible, unshakable, unreasonable pledge and book of sin and grace, acceptable before Jesus Christ at the Second Coming, and giving an answer in place of your sin and freeing you, we have bestowed upon you, by God exalted, by God established, Catholicos German …if in this you are condemned, let us be the givers of such an answer to God at the Second Coming, you are simple.”<sup>183</sup>

---

<sup>170</sup> Ibid, Annex, Tbilisi, 2023, 64.

<sup>171</sup> Ibid, Vol. 2, Tbilisi, 1965, 6; See also Ibid, 129.

<sup>172</sup> Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, *Enukidze T., Silogava V., Shoshiashvili N.* (Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 153 (In Georgian).

<sup>173</sup> MGL, Vol. 2, Tbilisi, 1965, 9 (In Georgian).

<sup>174</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 71; See also MGL, Annex, Tbilisi, 2023, 200 (In Georgian).

<sup>175</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 102; See also Ibid, Vol. 2, Tbilisi, 2021, 268; See also MGL, Vol. 2, Tbilisi, 1965, 141, 143; Vol. 3, Tbilisi, 1970, 494, 495, 565, 602, 626, 627, 629, 694; Vol. 6, Tbilisi, 1977, 601; Vol. 8, Tbilisi, 1985, 833 (In Georgian).

<sup>176</sup> MGL, Annex, Tbilisi, 2023, 28; See also Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, Vol. 1, Enukidze T., Silogava V., Shoshiashvili N.(Ed.), Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 162 (In Georgian).

<sup>177</sup> *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M.* (eds.), Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 2, Tbilisi, 2021, 488; See also Ibid, Vol. 2, Tbilisi, 2021, 488; See also MGL, Vol. 2, Tbilisi, 1965, 520; Vol. 4, Tbilisi, 1972, 216, 265 (In Georgian).

<sup>178</sup> MGL, Vol. 6, Tbilisi, 1977, 600 (In Georgian).

<sup>179</sup> Ibid, Vol. 3, Tbilisi, 1970, 423.

<sup>180</sup> Ibid, 392; See also Ibid, Vol. 2, Tbilisi, 1965, 132; Ibid, Annex, Tbilisi, 2023, 31.

<sup>181</sup> Ibid, Vol. 2, Tbilisi, 1965, 60-61.

<sup>182</sup> Ibid, 45; See also Ibid, 141, 143.

<sup>183</sup> MGL, Vol. 3, Tbilisi, 1970, 790 (In Georgian).

Evidently, the legal formula under study is a real instrument, which was often used by the statesmen of old Georgia. However, it should be noted that it is not the only one, and in the legal monuments, besides this juridical formula, there also occurs a ritual oath of similar content.

## **5. The Ritual Oath of “Taking on Sin”**

In the Law Code of Vakhtang VI<sup>184</sup>, one of the recognized forms of judicial proof (a means of self-exoneration) is the practice known as “taking on sin” (“tsodvis mokideba”). In essence, it is a ritual oath whereby the accused lifts the accuser onto his back and declares that, if guilty, he himself shall answer at the Second Coming not only for his own transgressions but also for the sins of the accuser.<sup>185</sup>

Georgian legal monuments also record other variations of this ritual, such as taking on sin at a grave (i.e., swearing the same oath while standing on a grave) and taking on sin by a handshake.<sup>186</sup>

Examples of taking on sin at a grave can be found in: The judgment in the case of the Germanozashvilis’ separation (1688-1703);<sup>187</sup> the judgment in the case concerning Sekhnia Zubiashvili and Beri Davitishvili’s estate (1751);<sup>188</sup> The judgment in the dispute over the house of Thomas and Khapervan (1783).<sup>189</sup>

In all three cases, the court instructs the accused to swear on a grave in order to prove his innocence. It is noteworthy that references to such an oath are not confined to judicial decisions alone; sometimes they appear already in the petitions themselves. For instance, in a petition submitted to King Erekle II (1766), the petitioner expressed readiness to prove his case by taking on sin at a grave: “Whatever judgment you command on this matter, I accept. If you order it, I will take sin at a grave, that my father’s word may stand so.”<sup>190</sup>

As for taking on sin by handshake, it appears in: The judgment in the blood-feud case of Iese Othkhmizuri and Gogia Gorgoshidze (1818);<sup>191</sup> The judgment in the case of Gogia Khukhunaishvili and Tokhadze (1818).<sup>192</sup>

All three forms of this ritual oath – on the back, at a grave, and by handshake—are attested in Georgian customary law. Moreover, customary practice does not limit itself to these alone but offers additional variations as well, the detailed discussion of which, however, lies beyond the scope of the present article.<sup>193</sup>

---

<sup>184</sup> Note: By the way, the concluding words of Vakhtang VI’s Book of Law also contain the formula under study: “Whoever does not hear this warning and violates our laws shall, instead of our sins, be duly punished.” See. MGL, Vol. 1, Tbilisi, 1963, 533.

<sup>185</sup> MGL, Vol. 1, Tbilisi, 1963, 481, 485 (In Georgian).

<sup>186</sup> Note: These rituals do not involve carrying a person on one’s back.

<sup>187</sup> MGL, Vol. 4, Tbilisi, 1972, 203 (In Georgian).

<sup>188</sup> Ibid, 402.

<sup>189</sup> Ibid, Vol. 5, Tbilisi, 1974, 233.

<sup>190</sup> Ibid, Vol. 7, Tbilisi, 1981, 113.

<sup>191</sup> Ibid, Vol. 6, Tbilisi, 1977, 536.

<sup>192</sup> Ibid, 553.

<sup>193</sup> Note: See footnote N4.

## 6. Conclusion

Thus, for a full millennium, the legal documents of Georgian crown kings and queens, high-ranking ecclesiastical hierarchs, and senior officials (edicts, charters of donation, grants, decrees, records, etc.) consistently contain this legal formula as part of an uninterrupted tradition, clearly demonstrating that it was a customary and characteristic feature of medieval Georgian legal thought.

Grounded in the central dogma of Christian teaching, the taking upon Himself of humanity's sins by Jesus Christ, this formula resonates in the Georgian worldview and finds expression in written documents as a concrete legal construct. From the perspective of its authors, and in line with the social conceptions of the time, it was regarded as a powerful instrument of influence upon the addressee of the decree.

All of the above once again underscores the extent to which prevailing social conceptions shape legal institutions, and how, over time, these institutions evolve in step with shifting social outlooks. In contemporary Georgian society, traces of such conceptions have almost entirely vanished, surviving only in the form of the colloquial expression "Genatsvale" (word by word: "may I take it upon myself" or "let me be on your place"), preserved in various usages as a vestige of that older worldview.

### **Bibliography:**

1. Criminal Code of Georgian SSR 30/12/1960, Art. 134 (In Georgian).
2. *Dolidze I.*, Monuments of Georgian Law, Vol. 1, Tbilisi, 1963, 481, 484, 533 (In Georgian).
3. *Dolidze I.*, Monuments of Georgian Law, Vol. 2, Tbilisi, 1965, 6, 9, 27, 29, 34, 39, 45, 46, 60-61, 71, 76, 127, 129, 132, 141, 143, 192, 193, 516, 520 (In Georgian).
4. *Dolidze I.*, Monuments of Georgian Law, Vol. 3, Tbilisi, 1970, 92, 94, 152, 212, 247, 261, 263, 357, 368, 369, 370, 372, 392, 423, 483, 486, 493, 494, 495, 496, 504, 513, 520, 521, 522, 526, 532, 565, 567, 568, 585, 602, 609, 626, 627, 629, 694, 706, 709, 711, 712, 749, 789-790, 816, 842, 996, 1029, 1034, 1106, 1120, 1124, 1127, 1133 (In Georgian).
5. *Dolidze I.*, Monuments of Georgian Law, Vol. 4, Tbilisi, 1972, 66, 141, 203, 216, 265, 402 (In Georgian).
6. *Dolidze I.*, Monuments of Georgian Law, Vol. 5, Tbilisi, 1974, 233 (In Georgian).
7. *Dolidze I.*, Monuments of Georgian Law, Vol. 6, Tbilisi, 1977, 454, 536, 553, 600, 601, 656, 672, 676, 719, 723, 724 (In Georgian).
8. *Dolidze I.*, Monuments of Georgian Law, Vol. 7, Tbilisi, 1981, 113 (In Georgian).
9. *Dolidze I.*, Monuments of Georgian Law, Vol. 8, Tbilisi, 1985, 821, 901, 913, 928, 929, 930, 934 (In Georgian).
10. *Dolidze I.*, Monuments of Georgian Law, Annex, Tbilisi, 2023, 28, 31, 36, 44, 64, 80, 96, 97, 175, 180, 200, 220, 259 (In Georgian).
11. *Kakabadze S.*, Ecclesiastical Documents of Western Georgia, Vol. 2, Tbilisi University Press, Tbilisi, 1921, 67, 173 (In Georgian).
12. *Mankiw, G.*, Principles of Economics (Georgian edition edited by: *A. Akhvlediani, A. Kakhnishvili, N. Manchkhashvili, L. Kadagidze, A. Chabashvili*), 2<sup>nd</sup> Georgian edition, Diogene Publishing, Tbilisi, 2008, 77 (In Georgian).

13. *Oniani, S.*, On the Significance of “Taking on Sin”, in T. Tsereteli, State and Legal Institutions, Essays on the History of Legal and Political Thought, ed. G. Feradze, Publisher “Meridiani,” Vol. 3, Tbilisi, 2015, 346-381 (In Georgian).
14. *Rustaveli Shota*, The Knight in the Panther’s Skin, Tbilisi, 1986, 425 (In Georgian).
15. *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M. (eds.)*, Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 1, Tbilisi, 2019, 50, 71, 102, 113 (In Georgian).
16. *Kartvelishvili T., Baindurashvili K., Gelashvili I., Gogoladze T., Shaorshadze M., Jojua T., Surguladze M. (eds.)*, Documentary Sources on the Kings of Kartli and Kakheti in the First Half of the 17th Century, Vol. 2, Tbilisi, 2021, 268, 279, 488 (In Georgian).
17. Corpus of Georgian Historical Documents, Georgian Historical Documents IX-XII centuries, *Enukidze T., Silogava V., Shoshiashvili N.(Ed.)*, Vol. 1, “Metsniereba” Publishing, Tbilisi, 1984, 153, 158, 195 (In Georgian).
18. Materials of the N. Berdzenishvili Kutaisi Historical-Ethnographic Museum, edited by J. Nanukashvili. Tbilisi: Soviet Georgia Publishing House Vol. 3, Tbilisi, 1978, 183 (In Georgian).
19. *Chabashvili, M.*, Dictionary of Foreign Words, 3rd edition, Tbilisi, 1989, 585 (In Georgian).
20. *Javakhishvili, Iv.*, The Purpose, Sources, and Methods of History: Then and Now, Book 3, Knowledge of Georgian Charters, or Diplomatics, Vol. 2, Tbilisi, 1926, 109-112 (In Georgian).