

THE CONCEPT OF JEWISH IMPURITY AND ITS REFLECTION IN PERSIAN AND JUDEO- PERSIAN TRADITIONS

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The influence of Zoroastrianism on Shi'a Islam regarding adherents of other faiths as impure, if not untouchable, is quite evident and intense in *Irano-Judaica III*, Jerusalem 1994, (edited by Shaul Shaked and Amnon Netzer, Jerusalem, 1994, pp. 162-163). Sorour Sorondi provides further attestation of it. I quote here a few of his remarks in this regard:

Examination of the Shi'ite-Islamic sources of dhimmi impurity led me to Zoroastrian pre-Islamic beliefs and practices. The remarkable similarity between Shi'ite-Islamic and Iranian-Zoroastrian practices in this regard suggested close links between the two. However, Sorondi does not take into consideration at least here of the differences between the two too, as there is great difference between the two. In short, while the Zoroastrians were guided by their obsessive concern about purity for theological reasons, they were not guided by any other reason and are not known as already observed by me, to mean to use their conception of impurity to denigrate "the other," whereas there is no such theoretical background in Shia'ism for doing so and the absence of it in Sunni Islam vindicates it. The missing factor here is the Iranians who were converted to Islam somehow introduced this concept into Shia'i Islam, whereas it is absent in Sunni Islam, as some sort of a psychological defense mechanism against rejection by their original community and/or for identifying themselves with the new one, either overtly or covertly as a Taquiya ploy.

I. In Shi'a Islam

The attitude of the Shi'i *feqh*, jurisprudence, towards the dhimmis (protected non-Muslim minorities) differs from that of Sunni law in several respects. A Muslim is the sole heir of his non-Muslim relatives even if he is a second or third degree heir and even if the deceased has a first degree non-Muslim heir. This regulation was not promulgated during the Safavid period. It was first decreed no later than the tenth century C.E. By Arab rulers in Iran, aimed against the Zoroastrians, to hasten their conversion to Islam (Boyce, 1979: 159), and it later became an integral part of Shi'i inheritance law).

Another point of difference is that contrary to the Sunnis, Shi' is are

not allowed to marry non-Muslim women and do not follow, as do the Sunnis, the verse (v. 5), which allows marriage with women from among the People of the Book.

The main point of difference between the two branches of Islam as regards their attitude to unbelievers concerns the purity and impurity stipulations, particularly the sources of pollution, *nejasat*. In addition to the pollutant agents in Sunni Islam, Shi'i *feqh* considers, as does Zoroastrian law, contact with a corpse and with a *kafer* (unbeliever) to be polluting.

In Sunni Islam in general, with a few exceptions, the concept of unbelievers' physical impurity was gradually abandoned and their 'spiritual' impurity became the main point of focus. As a result in Sunni communities, with some exceptions in North Africa, especially Morocco, physical contact with Christians and Jews is not considered polluting and does not require purification; nor is Jewish food, including Jewish slaughter, prohibited. In Shi'i tradition a dhimmi's spiritual impurity goes hand in hand with his physical impurity.

These measures and regulations set Shi'ah Islam apart from most of the Sunni majority in its attitudes towards non-Muslims. As stated earlier even a primary examination of this Shi'ah particularism reveals remarkable similarities with Zoroastrian traditions. We must, therefore, look into the question of purity and pollution as practiced by Iranians before the advent of Islam and in early Islamic times, in order to gain a better understanding of the Shi'ah regulations. However, unlike Soroudi, most _____ authors on the subject often note that such practices were not malevolently observed in Zoroastrian Iran against non-Zoroastrians and the dignity of the Jews and Christians was not compromised by them except albeit when they rebelled against the authority as I have already observed. Moreover such practices were based on the Zoroastrian belief about purity which is not present in Sunni Islam and it mainly governed the religious conflicts of the Zoroastrians themselves.

II. In Zoroastrianism

As frequently happens in similar developments, many pre-Islamic beliefs and practices lived on among Iranians after the conversion to the new faith, under a different veneer. For instance, according to Mary Boyce the cult of saints sprang up in place of the veneration of *yazads* (Zoroastrian lesser divinities), Boyce, 1982: 152.

Moreover, Shi'ah Islam was influenced by Zoroastrianism, especially in its purity laws, more than were the mainstream Sunni traditions (Boyce, 1982: 175). The notion of non-Muslim impurity appears already in the first collections of Shi'i *feqh* in the tenth century, long before the

advent of the Safavids (Koleini's *Kafi*, for instance. In light of the above we can quite safely assume that pre-Islamic beliefs and practices are one of the major, if not the main source, for many related Shi'ah regulations. In at least two important cases, the impurity of a corpse and that of a non-believer, both prominent in the Zoroastrian purity code, Sunni Islam followed a different course. Other factors such as the question whether or not Zoroastrians, for long the main minority group in Islamic Iran, could be considered 'People of the Book' (Boyce, 1982: 146, 156), and the status of the Shi'is as a persecuted minority, maintained over several centuries, may well have contributed to the latter group's segregative tendency expressed, among other things, in strict purity laws and intolerance towards all non-Shi'is, including Sunni Muslims.

That Zoroastrian traditions form a major source for the Shi'i intolerance towards religious minorities, was already pointed out by scholars in the 19th century (Goldzih, 1925: 236-39). Studies published since then on the genesis and development of Zoroastrianism have enriched our knowledge in this regard. These studies show that purity and pollution is of great importance in the Zoroastrian religion in both the cosmic and the ritualistic domains, the two being closely connected. On a cosmic level Zoroastrian dualism maintains that all spiritual and material creations by Ahura Mazda, Lord Wisdom, the benevolent god, is pure and perfect. This pure world of Ahura is invaded by the Evil Spirit, Ahriman, who temporarily, defiles Ahura's creation and renders it imperfect. Ahriman's weapons in his invasion are dust, dirt, rust, mold, tarnish, stench, pollution, blight, disease, decay death, sin, and irreligiosity. Ahura Mazda will ultimately vanquish Ahriman after a long and fierce struggle and the whole of creation will once again become pure and perfect. The believer's actions, if good and *ahuric*, can contribute to individual as well as cosmic triumph over Ahriman. One of the major actions which can contribute to the ultimate defeat of the evil forces is the maintenance of actual cleanliness and ritual purity. For man is Ahura Mazda's chief creation and as such is obliged to protect himself and the other creations of Ahura, especially water, earth and fire against all impurities.

Zoroastrian priests elaborated rules in defense of both actual and ritual purity, and so created an iron code which raised an effective barrier between Zoroastrians and any unbeliever (Boyce, 1982: 189-90). Purity laws and purification rituals were strictly adhered to and practiced with increasing preoccupation during the Sasanian period. I do not know the intent behind them being primarily for excluding others, they being deviously rooted in their obsessive theological concern about purity.

Choksy, 1989:8: It followed naturally that a non-believer was in a

constant state of impurity. He did not follow the Zoroastrian purity laws for his own cleanliness and he polluted some of the most sacred material creations of Ahura Mazda, namely water and earth, by not observing the purity laws and purification rituals relating to these two venerated elements. Contrary to most people who use water for purification, "it is a heinous sin for a Zoroastrian to use water as a primary purification agent" (Choksy, 1989: 11-12) and in excess. He should do so only after he has purified himself with (*gomez*), unconsecrated bull's urine, or other purifying agents such as vegetable juice; otherwise he exposes the water to demonic impurities not in all cases and not in normal uses. The same is true of earth, which has to be kept in pure conditions away from polluting agents, especially dead elements, such as a corpse, carrion and parts of these.

Non-Zoroastrians were considered *vat-tar dat*, 'of worse law (creed)', as compared with Zoroastrians who are *Beh-din*, 'of the Good Religion'. It follows then, that a non-Zoroastrian or a Zoroastrian who believes in a 'bad law', the extreme of irreligiosity, is in effect an ally of Ahriman in his constant polluting and damaging attack against the *ahuric* creation. In fact, one of the terms for a non-believer is *dorvand*, (Pahlavi *druvant*), which means a follower of falsehood, the latter being one of the chief attributes of Ahriman (as opposed to *ashavan*, or righteous, an attribute of Ahura). The souls of those Zoroastrian or non-Zoroastrian under the influence of the demons of Ahriman (such as doubt, grudge, pride, etc.) are also defined as *dorvand* (Unvala, II (1922): 67).

This perceived status of the unbeliever as an ally of evil cosmic forces necessitated too broad a generalization, strict and intransigent behavior in daily interaction between the Zoroastrian and the non-Zoroastrian. Many sources, composed in pre-Islamic times as well as during the Islamic era, provide information about the code of purity and pollution (Choksy, 1989:9) However, this code "finds its final scholastic elaborations in the late Pahlavi books and *Rivayats*" (Boyce, 1977:98). Details of regulations governing the relationship as a Zoroastrian with an unbeliever are contained mainly in the Persian, they do not reflect Gathas, *Rivayat*. These are a series of answers provided by Iranian Zoroastrian priests to the questions put by Parsis (the Zoroastrian community in India) concerning various aspects of religious life. These treatises go back to between the fifteenth and the eighteenth centuries. This highly detailed discussion of the unbeliever's impurity was probably an outcome of the Zoroastrians' status as a minority both in Iran and in India and their desire to protect their community against outside encroachments. However, considering the religious conservatism of the Zoroastrians throughout the ages (Boyce, 1977: 16, 92) and the fact that movements towards greater laxity in religious

observance began only in the course of the nineteenth century (first among the Parsis, later among the Iranians), we would be justified in assuming that, given some changes produced by the necessities of time and place, the *Rivayat* regulations reflect basic Zoroastrian beliefs and practices in the pre-Islamic and early Islamic periods as well. Mary Boyce's close observations of a Zoroastrian village community (in the mixed village of Sharifabad near Yazd in central Iran) in the sixties confirm, on a practical level, the prescriptions provided in the *Rivayat*.

In Zoroastrian terminology there are three words for a non-believer: *dorvand* which means a Zoroastrian or a non-Zoroastrian who has strayed _____ on the path; *jud-din*, meaning one who stands outside the (Zoroastrian) religion, i.e. a non-Zoroastrian; and, *anir* which usually signifies a non-Iranian. (Their meaning over time assumed a negative tone, however, Soroudi stresses it too far.)

1. The impurity of a non-Zoroastrian is a natural outcome of the cosmic beliefs and the related purity code. Therefore, "to the orthodox all non-Zoroastrians are necessarily both unclean and a threat to the cleanness of the world" (Boyce, 1977: 95). As a result any contact with non-Zoroastrians caused ritual impurity, (and) Zoroastrians who associated with unbelievers were required to undergo purification, even the *barashnom-e no shab*, 'ablution of the nine nights' (Choksy, 1989: 41). Perhaps true for Iran, but not for India except for priests. I for one do not know if it was always enforced as it is very extreme in its demand and certainly I never saw or heard it practised in India even in the rural areas I know of. And the impurity of a Zoroastrian too is as much an issue as the impurity of non-Zoroastrians. This, however, suggests that the reaction to Islam by the Zoroastrians in Iran had much to do with imparting the Zoroastrian traditional ideas of purity to the Shia'ites then the ones in India, thus demarcating and establishing it as purely Iranian development within Shi'ite Islam.

2. One should not sit (in the company of) and befriend ill-famed and evil-doing people and should avoid eating with and talking to them. So one should keep away both from their friendship and their enmity and should avoid them as much as possible. (But) one should be forbearing (to create the impression) that we (the Zoroastrians) are your friend, so that one be safe (in the face of) their good and bad (actions) U (Unvala, I (1922) 240). This prescription to the believer not to reveal his real thoughts and feelings to an unbeliever recalls the Shi'i *taqiyyeh*, dissimulation; whether it contributed to the importance attached to *taqiyyeh* in Shi'i Islam needs to be studied. We should remember, however, that many Zoroastrians converted to Islam at first only outwardly, for various reasons, and therefore had to hide their real beliefs and feelings.

3. A believer should not partake of a *dorvand's* food anywhere, not

even when he is on a journey (Unvala, I. 350). It is not allowed to sit in the company of the Muslims and eat with them under any circumstance; it is a *sin* (Unvala, I (1922):271; Dhabhar, 1932:267). Even in the sixties of this century some inhabitants of Sharifabad who had partaken of a Muslim's food had to undergo purification to prevent nullification of the purity conferred by their pilgrimage (Boyce, 1977: 97). Down to the late nineteenth century, even a Parsi layman could be made an outcast or excommunicated for eating such food (Boyce, 1975: 193) which, while true in some cases was not a common occurrence in India to my knowledge.

4. A non-Zoroastrian who wants to convert to Zoroastrianism must undergo the *barashnom* (purification rite) (Unvala, I (1922): 279, 282, 283. Compare the Shi'i regulations according to which the very act of conversion to Islam purifies, and there is not need for elaborate purification rituals as in Zoroastrianism.

5. A renegade may betaken back into the religion on certain conditions: among them that he confess his sin and undergo *barashnom* (Unvala, I (1922): 281; Dhabhar, 1932-274).

6. Slaughter of poultry and sheep should be carried out by Zoroastrians and according to Zoroastrian rites; slaughter by *dorvands* is permitted only out of necessity (Unvala, I (1922): 261; Dhabhar, 1932:261).

7. *Rowghan* (ghee) from sheep and cows produced by *dorvands* is impure and (one who has used it) will not be purified even through *barashnom* (Unvala 1922, I:271, II: 453; Dhabhar, 1932:267), a practice, however, rare in India. Compare the Shi'i regulations where likewise special attention is paid to *Rowghan*.

8. Fruit brought by Muslims, if of the kind which has growing seeds (grows from seeds sown in the ground) may be eaten after being washed; if the fruit does not have growing seeds, it is not permitted to eat it (Unvala, I (1922): 171; Dhabhar, 1932:167). (Again hardly practiced in India.)

9. It is not allowed to eat vegetables like eggplant, radish and the like brought by a *dorvand* and an *anir*, when the person takes one, eats half and mixes the other half with the rest or puts his hand in his mouth and uses it (the hand) without washing (it) first. (Unvala, I:271-2; II:477; Dhabhar, 1932:268).

10. It is allowed to eat honey if it is taken from the beehive by a *Behdin* (Zoroastrian), but not if it is taken by a *dorvand* (Unvala, II:453).

11. It is not proper to consecrate the eggs of the fowl (which are brought) from the houses of *dorvands* (Dhabhar, 1932:265).

12. A Zoroastrian should not in any way use the water of a water reservoir or a pond if it has been used by a *dorvand* (Unvala, I:92). It is difficult to care for (the purity of) a brook or a (piece of) land and protect them from *nasa* (dead matter) and pollution with *jud-din* water. (Unvala, I (1922): 85; Dhabhar, 1932:95.

13. One should not use a *dorvand's* pot for cooking if it can be avoided.

14. One should avoid *jud-dins'* utensils.

15. Whatever is (made) of earth, which gets into the cooked (material), should not be used.

16. If a man performs a *nyaish* (prayer) on (a seat made of) the clothing of *jud-dins*, it is not accepted. If a *Behdin* offers a *nyaish* and a *dorvand* comes into contact with the carpet (or seat of prayer), the *nyaish* is vitiated.

17. If a person writes Avesta and Zend with ink (prepared by *dorvands*, he incurs a *farman* sin at every stroke of the pen. A *farman* sin is worth 3 drams (dirhams).

18. The hides of dead animals which have been tanned and colored by *jud-dins* are impure. It is not proper (to use them). They cannot be made pure either by water or by *padyab*.

19. The dung-manure of the *jud-dins* is not allowed, because it may be full of impurities.

20. There is 'immense difference between a Zoroastrian and a non-Zoroastrian corpse'. The latter (being less pure while alive for not observing purity laws) is less noxious, although still polluting and if touched purification is required. The Jewish halcha too differentiates between the corpse of a Jew and that of a non-Jew in terms of their impurity. A Jewish corpse is a major source of impurity.

21. In case *Behdins* travel in a boat in which a *jud-din* dies and if they are traveling for the sake of the world's riches, their bodies are *riman* (polluted) and (when they reach land) they should wash their heads with the *barashnum*.

22. It is a grave sin to have an unbeliever carry the funeral bier of a Zoroastrian.

23. If a Zoroastrian man copulates four times with a *jud-din* woman: if the woman does not conceive a child, his (the Zoroastrian man's) sin would be equal to having intercourse with a woman in her menses (an act which requires purification, for menstruation is almost the worst of all pollutions; even the look of a woman in her menses or exchanging words with her can render a righteous man impure. However, if the *jud-din* woman conceives a child he becomes *margarzan* (i.e., commits a

sin which deserves to be punished by death.

24. Going to the bathhouse of unbelievers and washing the body there is unlawful.

25. Until recently non-Zoroastrian's were not allowed to enter fire temples (in Iran and still not in India). Things offered in prayer (consecrated food) were not to be given to the sinful and the *dorvands*; to do so was considered a sin.

Comparison between the two sets of regulations Zoroastrian and Shi'ite-Muslim, shows that, although differently based, there is a great degree of similarity between them in respect to the impurity of the unbeliever. In the main, however, other religious minorities were subject to the same treatment.

III. Expressions in Daily Life

Jews were frequently addressed in the streets as *juhud-e najes* 'unclean Jew'. This is not merely an abusive address like 'dirty Jew', but one which signifies ritual impurity with its far reaching practical implications. The other expression is *sag-juhud*, 'Jew-dog'. Contrast to Zoroastrianism where dogs are cherished as an ahuric creations which takes part in the battle against evil forces, mainly the she-demon of death-impurity, in Islam dogs are in the same category as pigs and one of the pollutant agents. In this respect the Zoroastrian and Islamic traditions are quite apart. As a result, and probably at first in order to spite dog-loving Zoroastrians, in Iranian Islamic culture dogs are often treated with cruelty and frequently harassed. Therefore, expressions such as *saf-juhud* and *sag-armani*, 'Armenian-dog', signified both the impurity and the inferior social status of the religious minorities. Zoroastrians were no exception and were addressed *gabr-e najes*; the latter for their part called the Muslims *na-pak*, impure.

The impurity of the dhimmi was a main cause of the various disabilities inflicted on religious minorities. It was rather an increasingly restrictive process set in motion to protect believers from the Jews' (Armenians', Assyrians', Zoroastrians') impurity and to cause them hardship. However, pre-Islamic Zoroastrians were in my opinion not governed by the notion of causing hardship to others by their impurity laws, but only by their emphases or over-emphasis on purity. It should be emphasized here that even the menstruating women, corpses, etc. bearers too were as much subject to purity laws as non-Zoroastrians to this day.

When a Jew (or any non-Muslim) went to the bazaar or Muslim districts, he had to be very careful not to jostle against Muslims, for this

would certainly evoke curses, abuse and at times even a beating from the Muslim party thus rendered impure.

The impurity of the non-Muslim and his belongings, however, never deterred Shi'ah Muslims from plundering Jewish or Zoroastrian quarters on the smallest pretext or as a result of clerical or official instigation.

Another field of activity besides music open to non-Muslims was the production of wine and other alcoholic drinks. Muslim wine drinkers used to go to the Jewish (Armenia, Zoroastrian) ghetto to buy bottles or jars of wine and arrack or to drink a few glasses on the premises. Thus they were guilty of a double breach of the purity laws by drinking wine in a non-Muslim house. The drinkers, however, made amends for their double sin by washing their mouths clean and sometimes by taking part in holding attacks against Jewish, Zoroastrian and Armenian wine-makers or the whole community, violate their women and children, drink their wine and arrack, steal their property, and carrying their wine-jars, would leave which is a fact I have often found mentioned by Zoroastrians. I have already mentioned many more incidents of such unfair, discriminatory treatment to Zoroastrians and Jews and so I do not see the need to mention them here. However, I find Sorondi's correspondence on twenty-five practices between Shi'ite and Zoroastrian purity was firmly establishing the Zoroastrian influence on Shia'ism, in addition to what I have already mentioned.