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International Journal of Middle East Studies, Vol. 23, No. 1. (Feb., 1991), pp. 39-55.

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International Journal of Middle East Studies is currently published by Cambridge University Press.

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Roselle Tekiner

RACE AND THE ISSUE OF NATIONAL IDENTITY IN ISRAEL

For more than a century, race was a major interest in anthropology. Building on Johann Blumenbach's 1795 color classification dividing humanity into white, black, brown, yellow and red, anthropologists further subdivided the people of the world into finer taxonomic categories. Hair form, shape of the nose, pigmentation of the eyes and the hair, stature, and the shape of the head were among the many characteristics race classifiers added to skin color to enable them to fit populations into the typologies they designed. By the end of the 19th century, numerous races and subraces had been described, laying the groundwork for the direction the discipline would follow until the mid-20th century. It was expected that the development and refinement of a racial typology would lead to a framework for tracing lines of human evolution and routes of human migration.

Attempts to develop new measurements, improve techniques of measurement, and evaluate the various methods of classification produced a huge literature. These efforts are now primarily of historical interest because racial classifications are no longer considered useful for the investigation of any problem of major anthropological concern. The discipline has changed focus drastically during the last several decades. Due to developments both within and outside the field of anthropology, interest in studies of human variety waned and the construction of racial typologies has been abandoned.

A debate had been underway among physical anthropologists since the early decades of the 20th century about the very existence of races, centered primarily on the identification of boundary lines to indicate where one population ends and another begins. Attempts to do so have been unsuccessful because interbreeding, natural selection, and genetic drift have created geographic patterns that crisscross each other. Although they did not disagree with the centuries-old observation that populations differ on the basis of inherent physical characteristics, there was considerable disagreement about the significance of the criteria used to define populations racially.

Anthropologists in the 19th and early 20th centuries relied on phenotypical physical characteristics controlled by a number of genes to measure what they considered to be permanent "racial" differences between population groups. However, beginning with the work of Boas in 1912 and continuing with that of Shapiro (1939), Goldstein (1945), Weidenreich (1945), Lasker (1946), and others, it became increasingly evident that these characteristics are not permanently fixed in a

population but change through time. It later appeared likely that comparisons of blood groups could substitute for the morphological characteristics that were long the mainstay of classificatory studies.¹ But accumulating evidence that blood-group frequencies can also change due to natural selection, inbreeding, and genetic drift crushed the hope that they could provide the objective data necessary for the development of racial typologies.²

The importance of the dispute about the existence of races is indicated by its lengthy discussion in three issues of *Current Anthropology* that appeared between 1962 and 1964. By 1975–79, only one-quarter of physical anthropology textbooks continued to argue for the validity of the race concept (Littlefield et al., 1982). By 1985, only 50 percent of physical anthropologists accepted the idea that there are biological races in the species *Homo sapiens*, and 42 percent rejected the idea (Lieberman et al., 1983). This decline in the prominence of race as a core concept in anthropology is reflected in the fact that “race” is now rarely a topic of serious scholarly discussion. Lieberman et al. (1989:72) suggested that the concepts of cline, variation, and gradation could be useful replacements for that of race in teaching about human hereditary traits.

The abandonment of race studies was further accelerated by the misuse of race classifications to develop theories of racial inequality. The idea that the races were unequal arose in the 17th century, when Europeans became aware of racial and cultural differences among the people they conquered and colonized. Racist beliefs were later reinforced by racial typologies devised by 18th-century scientists. Whether or not the scientists argued for racial inequality, as some did, the typologies contributed to the development of many baseless theories concerning pure races, their relative superiority, and the genetic dangers of race mixture. Some racist writers eagerly borrowed the categories and nomenclature created by scientists as a pseudoscientific façade for theories of inequality. The false impression was widely conveyed that it is justifiable to assign values to human races and arrange them in a hierarchy of relative worth. The evil consequences of such perversions of racial classifications seemed to outweigh any benefits to anthropological research that might accrue through their continued elaboration and use.

Although scientific interest in race studies waned, the growth throughout much of the world of dangerous racist ideologies stimulated interest in the relationship between physical differences and discrimination. A number of scholars attempted to expose and eliminate prevailing misconceptions and pointed out the dangerous uses to which deceptive interpretations of racial classifications had been put. The race concept was severely attacked as a source of racist thinking and the development of master-race theories. Earnest Hooton denounced doctrines of racial inequality derived from the race concept as “vicious nonsense” (1946:660). The title of a book by Jacques Barzun (1937) referred to race as a superstition. Ashley Montagu (1946) emphasized in the title of a book which achieved some popularity, that race is a myth. He advocated that the term “race” be abolished.

In 1950, UNESCO (United Nations Educational, Scientific and Cultural Organization), adopted a resolution at its general conference authorizing the collection of scientific material concerning the race question. A series of brochures resulted,

called *The Race Question in Modern Science*, in which scholars in the natural and social sciences attacked the fallacious foundations of racial prejudice. UNESCO later published the essays in the volume *Race and Science*. They disputed false beliefs that had gained popular acceptance, such as (1) that psychological as well as biological characteristics separate races, (2) that mankind can be divided into inferior and superior races based on hereditary characteristics, (3) that mixture of races produces harmful genetic results, and (4) that religious, national, and linguistic groups constitute races.

Two major themes emerged in attacking popular myths that nurture racist ideologies: (1) that false doctrines of racial superiority are the foundation of racial discrimination, and (2) that populations discriminated against are often erroneously taken to be races when they are in reality religious or ethnic groups. A statement by the authors recommended that “ethnic group” be substituted for “race” because, in popular parlance, “race” is often erroneously equated with nation, religion, geographic location, and language (UNESCO 1961:497). They reasoned that the biological term “race” conveys the false impression that the cultural differences giving rise to prejudice are innate and immutable. Substituting a cultural for a biological term emphasizes that the differences contributing to prejudice are not inborn and can therefore be changed with opportunity and education.

Essays of Juan Comas (1961) and Harry Shapiro (1961) attacked the basic assumptions of anti-Semitism. Hitler’s scheme to purify the human race by ridding the world of those he deemed unfit to be part of it was built on pseudo-scientific racist theories stigmatizing Jews as an inferior race and glorifying Aryans as a superior race. These recognized authorities explained that neither Aryans nor Jews constitute a race and that the Nazi prohibition of mixture between Jews and non-Jews has no foundation in any eugenic principles that the prohibition purported to support. Shapiro used archaeological, skeletal, linguistic, historical, and literary data to demolish theories of a Jewish race. He concluded that, either through marriage or other sexual contact, throughout the ages, Jews absorbed biological characteristics from the groups among whom they settled. Later, Patai and Patai-Wing (1975) compiled abundant evidence against the existence of a Jewish race and published an excellent, comprehensive treatment of the subject.

The attempt to expunge “race” from the popular vocabulary has not succeeded. Although many anthropologists take the position that races do not exist and there are decreasing references to race in anthropology textbooks (Littlefield et al., 1982), the term is still often used to refer to a population morphologically different from another. Despite a lack of consensus regarding the distinguishing features and levels of differentiation necessary to constitute a separate race, the term has not become obsolete. Nor has the term “race” become noticeably less prevalent because some people use it incorrectly. It is true that “race” is often used when “ethnic group” is meant, incorrectly implying that such distinguishing characteristics as language, religion, clothing styles, food habits, etc., are inherited. But “race” is not always incorrectly used, and its use does not necessarily imply a value judgment. The visibility of human morphological differences cannot be denied,

nor the need for a term to express the differences. It is just as mistaken to use the cultural term “ethnic group” for the biological concept, “race,” as it is to say “race” when “ethnic group” is the correct term. Although the first may not have the same harmful results as the second, either mistake leads to false conclusions. The first implies that biological traits are cultural and the second that cultural traits are biological. Turning “race” into “ethnic group” does not remedy the objectionable social consequences resulting from race classifications, but helps further to cloud a useful definition of racism.

In the post–World War II world, acts of racism are universally condemned. The Nazi killing of millions of people in the name of racial purity alerted the world to the dangers inherent in racist ideologies. As awareness of these dangers increased, an accusation of racism became an increasingly serious charge. At the same time, however, the definition of racism became increasingly obscure. Three factors are primarily responsible for the ambiguity that has developed about the meaning of “racism”: (1) disagreements about the meaning of “race,” (2) the strong influence of Nazi rationale and actions on definitions of racism, and (3) maneuvers of governments to avoid the damaging label while pursuing policies that systematically discriminate against minority groups.

Racism is traditionally defined as prejudice, hatred, or discrimination on the basis of race. It follows from this definition that “racist” is applicable only when victims and their oppressors are of different races. But if “race” refers only to divisions of mankind with obvious physical distinctions, then a nation is racist only if Caucasoids discriminate against Negroids or Mongoloids, or vice versa. But if “race” refers to subgroups within the major divisions, then “racism” applies to discrimination between groups with less apparent physical differences. And if races do not exist, then “racism” cannot exist, in accord with the reasoning of scientists who advocated terminological change and believed that racism would disappear only when people no longer think in terms of race. Disagreement about the meaning of race obscures the meaning of “racism,” making it unclear what attitudes and policies must be confronted in trying to cope with prejudice and discrimination.

Hitler’s genocidal program focused the attention of social scientists and biologists on the issue of racism and provided a point of departure for further discussion, analysis, and definition. The Third Reich falsely claimed that Aryans and Jews are separate races and supported a hierarchical racial scheme that placed Aryans at the top and Jews near the bottom. Laws were then enacted and policies implemented that, according to Nazi rationalizations, would preserve Aryan purity. Using these Nazi criteria and actions as a case in point, a nation discriminating against a population that is not much different biologically was nonetheless held to be racist if (1) racial differences are claimed even when none exist, (2) false doctrines are promulgated pertaining to the differing biological worth of races, and (3) discriminatory policies are pursued based on these doctrines. Using these criteria, the notion of inequality is often incorporated into a definition of racism. For example, a genetics textbook defines racism as “the belief in an inherent superiority of some races” (Bodmer and Cavalli-Sforza, 1976:595).

The problem with this definition is that it seems to provide “scientific” protection against accusations of racism for those who carry out discriminatory policies but do not brand their victims as biologically inferior.

It is unlikely that any nation pursuing discriminatory policies today would spotlight a resemblance to Nazi racism by referring to racial differences and racial superiority. Exclusionary, discriminatory policies can be attributed to benevolent motives and disguised as concern for victims without raising an issue of relative biological worth. For example, South African apartheid is often justified on the ground that separate development contributes to the character and quality of life for blacks as well as whites. In the United States, the busing of children away from neighborhood schools with the intent of promoting equal educational opportunities for blacks has been opposed on the ground that people are happier with their own kind. Using the same reasoning, political factions in Britain have opposed the removal of immigration restrictions against Asians. According to the definition of racism in Bodmer and Cavalli-Sforza (1976:595), such exclusivist and/or discriminatory policies are not racist because they are not justified by false theories of genetic superiority.

The traditional definition of racism based on racial differences alone is no longer a practical guide to the identification of policies of discrimination against minorities. Anthropologists facilitated change in the definition by criticizing the race concept and denouncing its evil offshoot, racism. The United Nations’ deliberations on the matter reflect the spirit of anthropological guidelines that emphasized that discrimination on cultural grounds is as reprehensible as discrimination on biological grounds.³

An official United Nations definition of racial discrimination emerged from United Nations General Assembly Resolution 2106A, adopted in 1965. Annexed to the resolution was the “International Convention on the Elimination of All Forms of Racial Discrimination.” This convention is now a treaty in force that has been ratified by 123 nations. In Article 1, “racial discrimination” is defined as “any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin.” Although the definition condemns all forms of discrimination, it implicitly rejects the unrealistic suggestion that the term, “race,” be abolished altogether. Even if many anthropologists reject the race concept, discrimination based on a cultural set of beliefs about the biology of human populations is still racism. Not to include “race” as a distinction covered by the term, “racial discrimination,” would have disregarded the most widespread and durable kind of discrimination—that which is based on visible physical differences.

In two decisions on May 18, 1987, the United States Supreme Court ruled unanimously that Arabs, Jews, and other ethnic groups are protected against discrimination by an 1866 law forbidding racial discrimination. Accordingly, redress of grievances can be sought by claiming racial discrimination, whether or not the victims are racially different from those who committed acts of discrimination against them. These rulings support a United Nations’ expansion of the definition of racial discrimination to include discrimination on ethnic as well as biological grounds.

A LONG-STANDING PROBLEM OF NATIONAL IDENTITY IN ISRAEL

Studies were conducted in Israel from 1964 to 1968 and again in 1974 to determine the factors contributing to self-identification as a Jew. Simon Herman, social psychologist at the Hebrew University in Jerusalem, reported and analyzed the results (Herman, 1970, 1977). The subjects of the initial study were 3,679 eleventh graders (16–17 years old) from 117 schools. Subjects of the 1974 study were 1,875 eleventh graders from 35 schools. The respondents were divided into three categories according to a definition of themselves as either religious, traditional, or nonreligious. In answer to the question—“Are we in Israel an inseparable part of the Jewish people throughout the world or do we belong to a separate people formed here—Israelis?”—96 percent of the religious, 87 percent of the traditional, and 76 percent of the nonreligious in the 1974 study identified with “the Jewish people” throughout the world. The results differed little from earlier ones. The replies to this and other questions indicate that identity as a member of “the Jewish people” is strongest among religious Israelis. Herman saw this as a cause for concern.

The reason for concern is that the state of Israel was founded on the principles of Zionism, systematized by Theodor Herzl in his 1895 pamphlet, *Der Judenstaat*, that Jews are one people with a common history and destiny. The legal, political, and social institutions of the state were structured on the concept of Israel as the sovereign state of an extraterritorial nation of Jews scattered worldwide. It therefore constitutes a problem that a large segment of the Israeli Jewish population considers itself separate from the Israeli government’s claimed constituency of all Jews throughout the world. Although the 24 percent of nonreligious, 13 percent of traditional, and 4 percent of religious Israelis who do not identify with “the Jewish people” represent a minority of the total population, the process of secularization is increasing in Israel. Herman pointed out that children of religiously observant Jews are less likely than their parents to attend synagogue services and pass the ancestral faith on to their own children. He recognized it to be an acute problem for Israel that those Jews whose self-identification as part of “the Jewish people” is most tenuous are increasing in numbers. He wrote that “awareness of the problem has simulated a search in some quarters for paths to an intensified Jewishness which is in keeping with the Jewish historical tradition and yet can be followed by young Israelis who are not strictly observant” (Herman, 1977: 29–30). The concern Herman called an “acute” problem is in fact a continuation of a chronic dilemma that has plagued the Zionist movement throughout its history. In 1897, at the First Zionist Congress in Basel, Switzerland, it was stated that Jewish national sentiment and consciousness must be fostered in order to mobilize Jews in support of the Zionist program to secure territory for a Jewish state. The problem of how to foster Jewish national unity among the culturally diverse Jews of the world continued to be serious when Chaim Weizmann assumed leadership of the Zionist movement. In 1927, at a Zionist meeting in Rumania, he said,

every day and every hour of these last ten years, when opening the newspapers, I thought: whence will the next blow come? I trembled lest the British government would call me and ask: “Tell us, what is this Zionist organization? Where are they, your Zionists?” For these

people think in terms different from ours. The Jews, they knew, were against us. (quoted in Goodman, 1945:199)

An early indication of a serious problem of Jewish identity came in the early 1940s when a group of young intellectual Israelis, calling themselves Canaanites, debunked the idea of one worldwide Jewish people. They appealed for recognition as Hebrews rather than Jews. According to James Diamond's analysis of the Canaanite movement (1986), Zionism was considered a Diaspora phenomenon—foreign, religious, and therefore “unnatural” (Diamond, 1986:36). Yonaton Ratosh, a leader who gave expression to the Canaanite philosophy, asked “not a state for the Jews but the legitimation through statehood of the indigenous Hebrew nation that was beginning its life anew in Palestine” (quoted in Diamond 1986:37).

In serious conflict with Zionist ideology, the Canaanites wanted to sever all connections with historical Judaism. Attacked and vilified and their ideas condemned as heresy, the movement was short-lived. Although it did not involve a great number of people, it represented a threat to the Zionist state. Diamond maintained that the Canaanite idea is not dead, and that the threat represented by the Canaanite movement continues in different forms to confront the state of Israel. He stated, “There is a widespread feeling, both within Israel and outside it, that the Zionist idea, in all its manifestations, is not working and has played itself out” (1986:6).

An all-inclusive Jewish identity, necessary to support the concept of a Jewish state, continues to elude Zionist tacticians and thinkers. It has thus far been impossible to transform Jews, who are products of a variety of cultures and who range in religious beliefs from ultraorthodoxy to atheism, into an integrated nation. The most publicized manifestation of the problem is the continuing debate about who is a Jew. Periodically, the state is rocked with controversy over the definition of a Jew, and the arguments between religious and secular Jews are often so turbulent that they threaten to topple the ruling government.⁴

Notwithstanding the debate about who is a Jew at any given time, there is consensus among Jews that a Jewish nation's claim to Palestine is based on a hereditary right, interpreted by some Jews on the basis of theologically inspired claims that Jewish unity derives from the descent of Jews from Abraham. But, as Israel's problem of Jewish identity indicates, many secular Jews require evidence other than religion to accept their inclusion in “the Jewish people.” The concept of a Jewish race might persuade nonreligious Jews that they are biologically, if not religiously, a part of “the Jewish people.” But solid scientific support would be necessary to overcome the now generally accepted view that Jews are not a race.

CAN “JEWISH GENETICS” SOLVE THE PROBLEM?

In “A New Look at Jewish Genetics,” written in Hebrew for the Israeli popular science journal, *Mada*, Batsheva Bonn -Tamir, geneticist at Tel Aviv University, stated that “the contribution of non-Jewish populations to the Jewish gene pool is small.” This statement is contrary to the generally accepted view in science that many Jews, in their dispersion throughout the world, sometimes voluntarily and

sometimes involuntarily, absorbed genes from the non-Jews among whom they lived. She explained the contradiction to her readers by citing an antiracist trend that existed after World War II, asserting that this trend influenced writings that deny the existence of a Jewish race. She specifically referred to an essay by Harry Shapiro, "The Jewish People: A Biological History," as motivated by antiracist sentiments of the time (Bonné-Tamir, 1980:181–86).

The results of the Jewish population genetics studies, as they were reported in *Mada*, appeared in Israeli newspapers. *Davar* (Aug. 9, 1981) explained external physical differences among Jews, such as hair color, as due to climatic factors rather than heredity. In an article entitled, "With Tears and Sweat We Shall Build Our Race," *Davar* (Nov. 8, 1981) reported "a great genetic bond within the Jewish people among all its communities—Ashkenazi, North African and other."

Nechemia Meyers, in a report in *Nature* on current Israeli studies of Jewish immigrant populations, wrote that Bonné-Tamir has long propounded the view that Jews are to a significant degree genetically distinctive (Meyers, 1985:208). Jewish newspapers outside Israel published Meyers's statements.⁵

There are continuing efforts to maintain interest among Jews in Jewish genetics research. An article published in *Northern California Jewish Bulletin* and reprinted in *Jewish Week* on February 10, 1989, posed the question of whether Jews are genetically different from non-Jews, pointing out that the question "has long been controversial, conjuring up disturbing notions of race, heredity and sociological distinctions—even Nazi atrocities." By pointing out that scientists are fascinated with the research, that results thus far are accepted in scientific circles, and that Israeli Jews are excited about it, it appears that the authors intended to show American Jews that concern about current interest in Israel in a Jewish race is unwarranted.

The evidence of Jewish genetic distinctiveness is derived from research comparing biological data on Jewish immigrants to Israel with similar data on selected non-Jewish populations. Using blood groups, serum proteins, red-cell enzymes, and histocompatibility antigens, researchers compared nine Jewish populations in Israel with each other and with six non-Jewish populations outside Israel.⁶ They found Ashkenazi and Sephardi Jews consistently close in genetic constitution and distant from non-Jewish German, Russian, and Arab populations. A number of other studies at Tel Aviv University point to a common origin of Jewish populations from various geographic areas on the basis of their genetic characteristics.⁷

Considering that the concept of a Jewish race was the basis of the anti-Semitic campaigns of the Third Reich, it may seem strange that some Israeli scientists, a half-century after the Holocaust, are engaged in research that is claimed by a participating researcher to support the significant genetic distinctiveness of Jews and that the Israeli and foreign Jewish press react positively to the news. To a biologist, findings of significant genetic distinctiveness can only mean that Jews constitute a race. Bonné-Tamir, Karlin, and Kenett (1979:325) partially explained the enigma when they said that the purpose of studying the genetics of the Jews was not to determine whether a Jewish race exists but that the primary objective of the research is a systematic study of genetic polymorphic systems. This disavowal of intention to discover the existence of a Jewish race fails, however, to answer the

following pertinent questions. (1) Are the findings sufficiently conclusive to justify informing readers of an authoritative Israeli science journal⁸ that evidence against the existence of a Jewish race has been disproved by research using new genetic technology? An answer will come only from competent and objective evaluation of the evidence for this statement. (2) To what extent did the antiracist trend referred to by Bonn -Tamir (1980:81) influence the conclusions of Shapiro (1961), Comas (1961), and others that there is no separate Jewish race?

Scientific interest following World War II in the question of whether or not a Jewish race exists may well have been motivated by an intent to demolish the false concept Hitler used to justify massacres of Jews. However, a political motive for embarking on a study does not necessarily flaw conclusions, as Bonn -Tamir implied. Nor does it follow from assurance that, even if Israeli scientists did *not* intend to determine whether a Jewish race exists, the Israeli studies are themselves free of political bias.

To an audience unequipped to evaluate the extent to which new technology is capable of determining the existence of a Jewish race, Bonn -Tamir credited new conclusions to new genetic technology. She thus seemed to dismiss as irrelevant all previously gathered historical, archaeological, and linguistic evidence of the non-existence of a Jewish race. In fact, in a review of historical events relevant to the genetics of the Jews (Bonn -Tamir, Karlin, and Kenett, 1979), there is no mention of early historical evidence of intermixture between Jews and non-Jews that would have affected the genetic makeup of contemporary Jewish populations. If Jewish populations immigrating to Israel had been compared with non-Jewish populations among whom their distant ancestors lived during times when intermarriages and conversions to Judaism were not forbidden, the results might have shown more evidence of genetic mixture. Although such comparisons are irrelevant to the stated objective of the study, they are necessary to justify the conclusions being disseminated to the Jewish public: that the contribution of non-Jewish genes to the Jewish gene pool is small.

Meyers's (1985:208) announcement of Bonn -Tamir's long-standing view of the significant genetic distinctiveness of Jews was accompanied by the gratuitous information that this is not to be considered racist doctrine because Bonn -Tamir "does not suggest that Jews are better or worse for having a common genetic heritage. She simply pointed to the evidence that it exists." This statement assumes that a belief in racial superiority is a necessary ingredient of racism. But it is not a belief in racial inequality that makes the promotion of a population as a race a racist action, but rather the contribution of the promotion to further discriminatory policies. Discrimination is an essential element in current definitions of racism.

Race is often a powerful unifying force and can be an effective ideological spur for many nationalist movements without being used to discriminate against minority populations. For example, Kemal Ataturk, the first president of the Turkish Republic, supported research to demonstrate the purity of a Turkish race. His aim was to promote national unity for the purpose of gaining wide public cooperation for a Westernization program that imposed many hardships on Turks. He was not deterred by the reality that contemporary Turks are the

product of a number of tribes of varying racial composition who migrated from Central Asia and then further mixed with a variety of people in Anatolia.

Such tactics are not necessarily racist. Whether announced blood relationships are real or fictitious, a belief in blood brotherhood helps mobilize people toward common goals. As Meyers apparently realized, the lingering influence of the Nazi model on definitions of racism can cast unjustifiable suspicion on promotions of racial unity even if discriminatory policies are not involved. Because the Third Reich falsely promoted Aryans and Jews as separate races and falsely proclaimed an inherent inferiority of Jews does not make all promotions of racial unity racist. Leaving aside the questions raised in this paper about the adequacy of the evidence said to support a Jewish race, its promotion is not in itself racist. It is racist only if it is potentially harmful to a minority population. To determine whether a concern is justified that a Jewish race concept may contribute to discrimination leads to an examination of Israel's legal system and the position of non-Jewish minorities within that system.

ISRAEL'S "FUNDAMENTAL LAWS"

The first document issued by Israel in 1948 was its Declaration of Establishment declaring Israel to be a state of the Jews and ensuring "complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex." Subsequently, several attempts were made to draft a constitution but they failed to satisfy all political factions. In place of a constitution, three "fundamental laws" were enacted. The Law of Return gives all Jews the right to settle in Israel. The Law of Citizenship states the requirements for citizenship. The World Zionist Organization/Jewish Agency (Status) Law authorizes the World Zionist Organization to carry out the central task of the state, specified as "gathering in the exiles."

The Law of Return, the keystone of the legal framework of the state, is Israel's nationality law. The right to enter a country and immediately enjoy full legal and political rights is everywhere the exclusive right of a country's nationals. Therefore, whatever title Israel chooses, the Law of Return is an effective nationality law, granting all Jews, and Jews alone, nationality status in the state of Israel. In referring only to Jews, it excludes non-Jewish citizens of Israel from nationality rights and includes Jewish citizens of other countries, who, if they choose to immigrate to Israel, automatically become citizens.

The absence of the Hebrew word for "nationality" (*le'um*) in the title and text of the Law of Return not only draws attention away from the exclusivity of Israel's national constituency but may have also been motivated by the fact that "Jewish nationality" was always a troublesome term for the Zionist movement. Some Jews living in free societies worried that Zionism would jeopardize their nationality status in the country of their birth or naturalization. In a statement to the 1919 Paris Peace Conference, 300 Jewish-American signers cautioned that the proposed Zionist recognition of Jews as a national unit, "not only misinterprets the trend of the history of the Jews, who ceased to be a nation 2000 years ago, but involves the limitation and possible annulment of the larger claims of Jews for full citizenship and human rights in all lands in which those rights are not yet secure"

(Jastrow, 1919:152). In a memorandum submitted to the British cabinet in 1917, Edwin Montagu warned, "When the Jews are told that Palestine is their national home, every country will immediately desire to get rid of its Jewish citizens" (Great Britain, Public Records Office, Cab 24/24, August 23, 1917).⁹

Zionist leaders, confronted by Jews who anticipated that Zionism would complicate the growing acculturation of Jews in Western nations,¹⁰ reacted as politicians often do. They employed ambiguous language to allay fears and draw Jews into the Zionist movement. Chaim Weizmann was careful not to refer to a "Jewish nation" or "Zionist nation" when addressing Western audiences. Aware that these terms may have political connotations unacceptable to many Jews, he consistently substituted the term, "the Jewish people," an expression commonly used in the sense of religion or ethnicity. He also coined the term "non-Zionist" to neutralize political opposition to Zionism by Jews who objected to the political implications of "Zionist," but nonetheless wanted to help improve the future prospects of persecuted Jews. In his autobiography, Weizmann (1949) wrote with satisfaction about bringing reluctant Jews into the Zionist fold.

Those wealthy Jews who could not wholly divorce themselves from a feeling of responsibility towards their people, but at the same time could not identify themselves with the hopes of the masses, were prepared to dispense a sort of left-handed generosity, on condition that their right hand did not know what their left hand was doing. To them . . . it was philanthropy . . . to us it was nationalist renaissance. (p. 100)

"Jewish nationality" is a concept inherited from the Ottoman Empire's millet system, and in many Eastern European and Middle Eastern countries today, it is a religious/ethnic designation with varying political implications. In the United States also, "nationality" may be used in a nonlegal sense to specify an ancestral country with which a group identifies ethnically. But this is not the meaning of the nationality status provided by the Law of Return to all Jews. When Israel enacted this law, "the Jewish people" was transformed in that country from the customary cultural designation of a religious/ethnic group to a legal designation of a national constituency. The concept of an extraterritorial nation, including some citizens of the country and some citizens of other countries, is unique in the world. Because this concept is inadequately understood, it is often mistaken to be an ethnic designation rather than a designation of Israel's claimed national constituency.

The Law of Citizenship (*ezrahut*), the second law enacted by the Knesset, provides for acquisition of Israeli citizenship by Jews and others. But authoritative books written by reputable legal scholars (Badi, 1961; Gouldman, 1970) translate this law into English as "Law of Nationality" and the mistake occurs throughout translations of the text of the law itself. The Hebrew word for "citizens" is consistently translated as "nationals." These erroneous translations imply that "nationality" and "citizenship" are interchangeable terms in Hebrew, as they are generally in the English language and in United States law, but they are not. In the United States, nationals are U.S. citizens and citizens are U.S. nationals, whereas in Israel non-Jews are not and can never be nationals. Because the Law of Citizenship refers to both Jews and non-Jews, translating it as the "Law of Nationality" conveys the false impression that nationality status in Israel is open to all. The

erroneous translation furthermore reinforces the impression that the “Law of Return” is a symbol of Israel’s commitment to preserve “the Jewish people” by returning them from exile rather than a law granting nationality rights in Israel exclusively to Jews. David Ben-Gurion, who was prime minister of Israel when the law was enacted, nicely described it as “the law of perpetuity of Jewish history” (Knesset Debates, vol. 6, July 30, 1950).

A 1972 Supreme Court ruling on the acceptable response to the question of nationality on official identity cards made it evident that nationality is a status exclusively for Jews and that there is a difference between nationality and citizenship in Israeli law. On these cards, which are issued by the Population Registry of the Interior Ministry, neither Jews nor non-Jews may indicate their *nationality* as “Israeli.” The Interior Ministry consistently denied all requests to do so, the acceptable response being either “Jew” or other, such as “Arab” or “Druse.” “Israeli” is an acceptable response only to identify one’s *citizenship*. When Jewish human-rights advocate Georges Tamarin carried a plea to the Supreme Court that his recorded nationality identification as a Jew be changed to “Israeli,” his request was denied. The court ruled against him in a unanimous decision, emphasizing that “there is no Israeli nation separate from the Jewish people.” The presiding judge further explained that “the Jewish people” is composed not only of those residing in Israel but also of Diaspora Jewry.” The court’s statement as to why it is not possible to be officially identified as an *Israeli* national made it clear that the state of Israel is recognized in law as an extraterritorial nation of Jews (the Jewish people), not as an Israeli nation composed of Israeli citizens.

The very purpose of the Populations Registry, officially to separate those eligible for national benefits from those who are eligible only for government benefits, has been effectively obscured. M. D. Gouldman’s (1970:29) lengthy analysis of Israeli citizenship (the misleading title of which is “Israel Nationality Law”) stated that the purpose of the Population Registry Law is to collect statistical information. Oscar Kraines (1976: 50) also explained its purpose as the registration and collection of population data. But the “Who Is a Jew?” controversies generated by official challenges to registrants’ claims that they are Jews have often been so explosive that a government’s stability has been jeopardized. In light of the political turbulence generated by challenges to rulings of the Population Registry, it is absurd to maintain that nothing more is at stake than the accuracy of statistical data. Such misleading statements obscure the fact that these court battles are being fought to obtain the first-class rights that accompany Jewish nationality.

After enacting the Law of Return and the Law of Citizenship, which together establish citizenship and nationality as separate legal statuses and create the legal basis for differential treatment of Jewish and non-Jewish citizens, the Knesset enacted the World Zionist Organization/Jewish Agency (Status) Law, which provides the legal mechanisms to enforce preferential treatment of Jews. This law establishes a juridical partnership between the state of Israel and the WZO/Jewish Agency, together with its subsidiaries, to develop and settle the country, thus Judaizing it. The law states, “the mission of gathering in the exiles is the central

task of the State of Israel and the Zionist Movement.”¹¹ This unusual language for the wording of a law fosters the perception that the WZO is a philanthropic agency rather than an integral part of Israel’s governmental structure. The World Zionist Organization/Jewish Agency is a full legal partner with the state of Israel and is the state’s instrument for providing benefits exclusively to Jews.

A statement by Ben-Gurion in 1952 illustrates the advantages of the State’s partnership with the WZO.

The Zionist Organization, built upon voluntary association and activity, is able to achieve what is beyond the power and competence of the State, and that is the advantage of the Zionist Organization over the State. . . . The State and the Zionist Movement complement each other, need each other and with joint effort can and must activate the Jewish people to realize the ideal of its redemption. (quoted in Mallison 1968:585)

Just as nationals and citizens are legally differentiated in Israel, there is a corresponding significant difference between national institutions and government institutions. National institutions serve “the Jewish people” exclusively; the function of government institutions is to serve all citizens of Israel. Ian Lustick pointed out that this arrangement enables Zionist objectives to be pursued, which would be awkward for the state to do. To illustrate this, he quoted a statement of Ben-Gurion on how to cope with the problem of the gap between Jewish and Arab rates of natural increase.

Since the problem of the birthrate does not affect all the inhabitants but only the Jewish community, it cannot be solved by the Government. Israel provides equal rights for all its citizens without distinction of race and nationality. . . . Consequently if the Government plans to increase the birthrate by providing special assistance to large families, the main beneficiaries will be Arab families, which are generally larger than Jewish families. Since it is only the Jews who need such incentives, the Government is unable to deal with the problem, and the matter should be transferred to the Jewish Agency or some special Jewish organization. (Lustick, 1980:108–9)

According to Lustick (1980:99, 107), national institutions own 92 percent of the land of Israel. The process of securing the land (primarily by purchase and confiscation from indigenous Arabs) and transferring it to the World Zionist Organization/Jewish Agency is referred to as “redeeming the land.” Provisions of the World Zionist Organization’s Jewish National Fund charter grant the “redeemed” land to “the Jewish people” in perpetuity.¹² Lustick further pointed out that the existence of separate Jewish institutions, controlling as they do vast resources, enables the government to transfer resources from the public domain to the Jewish sector without discriminating in the law between Jews and Arabs. The budget of the Jewish Agency is often almost as large as, and in some years has been larger than, the development budget of the government. When operating funds are low, the deficit have been made up with government funds collected through general taxation of all citizens (Lustick, 1980:108–9).¹³

It is apparent that Israel’s “fundamental laws” countermand the declaration of equality expressed in Israel’s Declaration of Establishment, a document which, in any event, is not a law and thus has no legal force.

CONCLUSION

Misinterpretations of racial classifications provided a pseudoscientific rationale for racist doctrines and contributed to the Nazi program to destroy the Jews. When the horrors of the Holocaust became known after World War II, a number of scientists wrote about the dangers inherent in deceptive racist ideologies. Their efforts helped create an enlightened perception that all forms of racism are despicable, and deserving condemnation and punishment. But disagreements about the meaning of “race” contributed to confusion about the meaning of “racism,” helping protect discriminatory governments against charges of racism.

Israel was established at a time when nations were becoming increasingly concerned about human rights and condemnatory of any nation’s attempts to restrict them. If the small state of Israel was to be successfully developed for “the Jewish people,” it would be necessary to encourage growth of the Jewish sector of the population and curtail growth of the non-Jewish sector. The method chosen was to create a preferential status for Jews. But a state dedicated to serving Jews created a problem of Jewish identity that has defied solution. Those who unambiguously define themselves as Jews on the basis of religious belief have strong feelings of Jewishness, but secular Jews need something other than religion to strengthen self-identification with “the Jewish people,” a concept central to Zionist ideology (Berger, 1988).

A Jewish-race concept could contribute to a solution. A perception of close blood relationships among Jews would reinforce feelings of Jewish unity and support the central concept of Zionism, that Jews are a nation. But because of the antiracist ideological atmosphere prevalent in the world today, together with confusion about what constitutes racism, an open promotion of a Jewish-race theory would be an unproductive venture. The idea of a Jewish race has been couched in ambiguities and selectively directed to those who are unequipped to evaluate the research on which the conclusions are based.

Notwithstanding the proclamation of the democratic principle of equal rights in the Declaration of Establishment, legislators enacted “fundamental” laws that discriminate against non-Jews. But, written in euphemistic language replete with religious symbolism, their function has been misinterpreted, and faulty translations compound the confusion (Tekiner, 1987:54–55). Many analyses of Israel’s political system follow official translations and, like a “virus” introduced into a computer system, they repeatedly replicate the mistaken translations. The main source of confusion is the erroneous translation of the Law of Citizenship as “Law of Nationality.” It distracts attention from the true significance of the Law of Return as Israel’s nationality law, which in turn distracts attention from a discriminatory dualistic arrangement whereby Jews hold nationality and citizenship and non-Jews hold citizenship alone.

The appearance of political motivation suggests a need for objective evaluation of research results that are the source of assertions of Jewish genetic distinctiveness. Although they are directed primarily to the Jewish public, both in Israel and throughout the world, their origin in population genetics research, supported by renowned funding institutions,¹⁴ conducted by reputable geneticists, and published in prestigious professional journals, makes the issue more than one of exclusive

Jewish concern. An absence of responsible challenge from the scientific community seems to legitimate a theory that Jews are genetically distinctive. Perceived scientific support of a Jewish race has the potential of achieving a goal that has persistently eluded Israeli politicians—to provide a common basis of unity for secular and religious Jews. If successful, an exclusive, hereditary right to the land of Palestine could be rationalized in scientific as well as religious terms.

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NOTES

¹See in particular Boyd (1950).

²See Mourant (1983) and Vogel (1970) for effects of disease on blood factors.

³See Lauren (1988) for the role of the United Nations in the development of antiracist ideology after World War II.

⁴Kraines (1976), Orr (1983), and Tekiner (1988) discussed consequences of the “Who Is a Jew?” controversy.

⁵For example, *Palm Beach Jewish World*, Palm Beach, Florida (May 3–9, 1985).

⁶Statements of Jewish genetic distinctiveness are based on the following studies: Karlin, Kenett, and Bonné-Tamir (1979); Bonné-Tamir, Karlin, and Kenett (1979); Karlin, Carmelli, and Bonné-Tamir (1982); Bonné-Tamir, Johnson, Natali, Wallace, and Cavalli-Sforza (1986).

⁷The following studies arrive at similar conclusions regarding genetic similarities of Jews and dissimilarities between Jews and non-Jews: Bonné-Tamir, Ashbel, and Kenett (1979); Carmelli and Cavalli-Sforza (1979); Goodman (1980); Kobylansky (1983); Kobylansky, Micle, Goldschmidt-Nathan, Arensburg, and Nathan (1982); Kobylansky and Livshits (1983); Micle and Kobylansky (1985).

⁸*Mada* is published under the auspices of Israel’s National Council for Research and Development, The Israel Academy of Sciences and Humanities, Bar-Ilan University, Ben Gurion University, Hebrew University of Jerusalem, the Technion, Israel Institute of Technology, and the Weizmann Institute of Science.

⁹W. T. Mallison (1964) and Mallison and Mallison (1986:79–87) discussed other consequences of “the Jewish people” nationality claim.

¹⁰For a full account of the reluctance of many Jews to support a Jewish state and the breakdown of this resistance, see Kolsky (1990).

¹¹“Exiles” in Israel law refers to all Jews living outside the country. Therefore Israel’s central task is not to serve all citizens, which is the customary central task of a democracy, but to bring Jews with foreign citizenship to Israel where Israeli citizenship will be automatically conferred.

¹²For an analysis of the structure and function of the Jewish National Fund, see Lehn and Davis (1988).

¹³Jirys (1976) discussed other effects of the “Status” law.

¹⁴Research was supported by the following U.S. institutions: National Institutes of Health, the National Science Foundation, and National Institute of Aging.

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