4

GENETIC AND CULTURAL SEGREGATION OF JEWS AND GENTILES

Do thou, my son Jacob, remember my words, and observe the commandments of Abraham thy father: separate thyself from the nations, and eat not with them and do not according to their works and become not their associate; for their works are unclean and all their ways are a pollution and an abomination and uncleanness (Jub. 22:16)

When the nations of the world hear some of this [the glory of the Jewish God] they say, "Let us join hands with you," as it is written, "Whither is thy beloved gone, O fairest among women, whither is thy beloved gone that we may look for Him together?" Whereupon Israel says to the nations, Oh no! for it is written, "My beloved is mine and I am His . . . . " (Rabbi Akiba, *Mekhilta d'Rabbi Ishmael*, quoted in Alon [1980, 1984] 1989, 525, and dated by Alon to the later first century or early second century A.D.

Verily, this is the authentic religion of truth. It was revealed to us by the master of all the prophets, early and late. Through it, God has distinguished us from all the rest of mankind, as He has said: "Only the LORD had a delight in your fathers to love them, and He chose their seed after them, even you above all peoples" (Deut. 10:15). From Maimonides' Epistle to the Jews of Yemen [12th century]; reprinted in Stillman 1979, 235).

It was noted in Chapter 1 that in order to qualify as an evolutionary strategy, genetic segregation must be actively maintained by the strategizing group.

There are sound theoretical reasons to suppose that a group strategy in a diaspora context could be maintained only by an ideology that emphasizes separation from the rest of society. If individuals are completely free to maximize self-interest, then membership within a kinship group is expected to be only one among several considerations affecting self-interest (MacDonald 1991), and, indeed, it has been suggested that individually adaptive behavior in contravention to the group strategy has been the source of at least some of the genetic admixture between Jewish and gentile populations over historical time (see Chapter 2). Mating on the basis of similarity in social class and assortative mating on a variety of valued phenotypic traits (e.g., intelligence) are expected to gradually break down rigid ethnic barriers in societies where there is free choice of a marriage partner (MacDonald 1991).

A genetically closed group strategy therefore depends on the development of social controls reinforcing group identity and preventing high levels of genetic admixture from surrounding groups. In addition, however, research on social identity theory (Hogg & Abrams 1987) indicates that the erection of very powerful cultural barriers between Jews and gentiles produces an intense identification with the ingroup and psychological distance from outgroups. As indicated in Chapter 3, this very powerful identification with the ingroup was necessary to maintain group cohesion in the face of disasters.

Among the factors facilitating separation of Jews and gentiles over historical time have been religious practice and beliefs, language and mannerisms, physical appearance and clothing, customs (especially the dietary laws), occupations, and living in physically separated areas, which were administered by Jews according to Jewish civil and criminal law. All of these practices can be found at very early stages of the diaspora, and in the ancient world, a *Mitzvoth* of 613 commandments evolved, including prohibitions that very directly limited social contacts between Jews and gentiles, such as the ban on drinking wine touched by gentiles and the undesirability of bantering with gentiles on the day of a pagan festival. Perhaps the most basic signs of separation, appearing in the Pentateuch, are circumcision and the practice of the Sabbath. The following material surveys these ideologies and behaviors with a concentration on the ancient world, the Sephardic Jews in Spain, and the Ashkenazi Jews in Eastern Europe. The chapter concludes by discussing Jewish cultural separatism since the Enlightenment.

From an evolutionary perspective, the uniqueness of the Jews lies in their being the only people to successfully remain intact and resist normal assimilative processes after living for very long periods as a minority in other societies. This unique resistance to assimilation dates from the period of the Babylonian exile and perhaps even the Egyptian sojourn described in Genesis. Bickerman (1988, 38; see also Cohen 1987) points out that in the ancient world there were voluntary diasporas of Greek, Aramaic, and Phoenician peoples, which eventually became assimilated into the surrounding societies. Moreover, it was a common practice of the Assyrians, Babylonians, and Persians to

displace the peoples whom they had conquered, just as the Jews were displaced during the Babylonian exile. For considerable periods, it was common for these displaced peoples to live in separate communities and to continue to identify with the ethnic group and the religion that were left behind: "It could hardly be otherwise: the tribal organization of oriental peoples blocked the road to assimilation" (Bickerman 1988, 38). However, in the long run, these displaced peoples became assimilated, while the Jews did not.[1]

During the period of Greek hegemony, the Jewish religion was unique in forcibly resisting Hellenizing influences (Schürer [1885] 1973, 146), and the Jewish struggle with Rome was the most prolonged and violent of any of the peoples in the Empire. Indeed, one of the major results of the development of the Roman Republic and Empire was that the great diversity of ethnic groups, which characterized Italy and the rest of the Mediterranean region, was largely assimilated. For example, in Italy during the fifth century B.C., Etruscans, Samnites, Umbrians, Latins, Romans, and a variety of other groups were assimilated into a larger culture in which these ethnic divisions disappeared.

The Jews were the only ethnic group to survive intact after the upheavals that occurred at the end of antiquity. After the barbarian invasions and the collapse of the Roman Empire, there were further assimilative processes. The agricultural peoples of the Middle East, with the exception of the Jews, lost their identities in the early Islamic period (Goitein 1974). Moreover, Christianity steadily disappeared in parts of the Arab empire, but flourishing Jewish communities remained even after Jews were relegated to a subservient, humiliated status. Similarly, Lea (1906-07, I:39ff) notes the existence of Ostragoths, Visigoths, Celt-Iberians, and Romans in seventh-century Spain, but only the Jews survived as an independent ethnic group--the others presumably becoming completely assimilated via intermarriage. In general, after the barbarian invasions, Western Europe was a mixture of Roman and Germanic peoples whose ethnic identities, with the exception of the Jews, were eventually lost (e.g., Brundage 1987; Geary 1988). And there were a variety of national groups in medieval and post-medieval Poland besides the Poles and the Jews, particularly Scots, Germans, Armenians, and Tatars. Hundert (1986a) notes that by the end of the 18th century, these other groups had become assimilated and there were the beginnings of a Catholic bourgeoisie resulting from the amalgamation of these groups. The Jews, however, remained separate.

JEWISH CULTURAL SEPARATISM IN THE ANCIENT WORLD

> [The rulers of Alexandria] set apart for them a particular place, that they might live without being polluted [by the gentiles]. (Flavius Josephus, *The Wars of the Jews,* 2:487-488)

There is excellent evidence indicating that Jews actively maintained cultural separatism in the ancient world and that this cultural separatism acted to prevent exogamy. The following passage from 1 Maccabees (second century B.C.) illustrates the perceived connection between assimilation and intermarriage:

> At that time there appeared in Israel a group of renegade Jews, who incited the people. 'Let us enter into a covenant with the Gentiles round about,' they said, 'because disaster upon disaster has overtaken us since we segregated ourselves from them.' The people thought this a good argument, and some of them in their enthusiasm went to the king and received authority to introduce non-Jewish laws and customs. They built a sports stadium in the gentile style in Jerusalem. They removed their marks of circumcision and repudiated the holy covenant. They intermarried with Gentiles, and abandoned themselves to evil ways. (1 Macc. 1:11-15)

Assimilation was thus beginning to lead to intermarriage. However, the result of the Hasmonean victory and the end of Greek domination "was to set up anew walls of separation between Hebrew and heathen" (Epstein 1942, 168). The Book of Jubilees,[2] written during this period, shows an extreme concern for intermarriage. "If there is any man in Israel who wishes to give his daughter or his sister to any man who is of the stock of the gentiles, he shall surely die, and they shall stone him with stones . . . and they shall burn the woman with fire because she hath dishonored the name of the house of her father and she shall be rooted out of Israel" (Jub. 30:7). A variety of separatist practices derive from this period, including prohibitions on feasting with gentiles, using wine or oil from gentiles, and having any kind of sexual contact with gentiles.[3] Although Epstein (1942, 170) notes that the racialism of Ezra was replaced by religious nationalism as the basis for erecting barriers against intermarriage, it goes without saying that the end result was the same from an evolutionary perspective: genetic segregation of the Jewish gene pool from the surrounding peoples.

In its final stage of development in the ancient world, following the Roman conquest, the walls of separation were raised even higher as a response to political dissolution: "[T]he antagonism to intermarriage enters upon its final phase as a bulwark for group solidarity made the stronger as the political unity of the people becomes the weaker" (Epstein 1942, 172). During this period, in

addition to the previous prohibitions on using wine and oil produced by gentiles, Jews were not allowed to use wine or oil that was touched by a heathen, eat food cooked by a heathen, or use products produced by heathens if Jewish rules had not been followed in making the products. Gentiles, their houses, and all of their belongings were regarded as unclean, and no observant Jew would eat with a gentile. There were new sanctions against having any contact with heathen religions, including any kind of business relationship. Chaperones were required for contact between the sexes for Jews and gentiles, and flagellation was the penalty for intermarriage. Capitalizing on a Roman concept, intermarriages were ruled invalid.

In addition, Hegermann (1989, 158; see also Applebaum 1974b *passim*; Sevenster 1975, 102ff) notes that self-imposed residential segregation in diaspora communities governed by religious law became a clear policy among the Jews by the middle of the first century B.C. Moore (1927-30, I:282) also notes an increased concern on the part of the pharisees in the early Christian period with educating Jews on religious practices and enforcing scrupulous observance of ritual, much of which had separatist effects. Then, in the second century, there was increasing concern among Jews to expunge all Greek thought and emphasize knowledge of Hebrew in the period following the failure of the Bar Kocheba uprising (Baron 1952b, 142). This period was generally characterized by a "closing of the ranks" and the erection of barriers against the outside world, including in Baron's view, an increasingly indifferent or hostile attitude toward proselytes. On the Sabbath, Jews were to associate exclusively with other Jews, prompting Baron to comment, "No greater encouragement to the development of a voluntary ghetto was needed" (p. 149). Avi-Yonah (1984, 71ff) finds that even moderates in Palestine in the second and third centuries placed a great emphasis on separatism, but there were influential extremist preachers who advocated complete renunciation of Greek culture, including any knowledge of the Greek language or literature, use of Greek names, *et cetera*.

Neusner (1987, 56) makes the additional point that this trend toward separatism in a diaspora context can be viewed as imposing the cultic life of the priests on all Jews: "And ye shall be unto Me a kingdom of priests, and a holy nation" (Exod. 19:6). This was the program of the Pharisees and found its culmination in the writings of the Mishnah. The elaborate codes of uncleanness and holiness now applied to the everyday life of all Jews--"in kitchens, beds, marketplaces, whenever someone picked up a common nail" (p. 57). In virtually everything one did, one would be aware of the possibility of holiness--and the reality of separation from the rest of society.

Although the issue of cultural and genetic separatism in later periods is discussed in more detail below, it is worth mentioning at this point that there was a direct continuity between these ancient customs and the practices of succeeding centuries. Epstein (1942) notes that these walls of separation regarding intermarriage originating in the ancient world remained in place

without controversy into the 19th century. Moreover, despite the attempts of some radical reformists in Western Europe, intermarriage continued to be condemned even by Reform rabbis well into the 20th century. Epstein notes that the emancipation of Jews in Eastern Europe had actually increased the fear of intermarriage and cultural assimilation:

> They saw the danger of extinction through assimilation, and therefore intensified their opposition to intermarriage even above the restrictions of traditional law. There was the intensity of a struggle against national doom. They considered intermarriage little less than apostasy. It was not unusual for parents to observe seven days of mourning with all its dramatized sorrow for a son or daughter who married out of the Jewish faith, and thereafter to consider that child as physically dead. Even in the new world, it is not unusual for congregations to write a clause in their constitutions to the effect that one married out of the faith cannot be admitted to or retain membership in the organization . . . even among people otherwise indifferent to tradition an intermarriage is considered a family tragedy. (Epstein 1942, 182-3)

JEWISH PROSELYTISM IN THE ANCIENT WORLD

Theoretical Issues

Although there is no question that Jews actively maintained barriers between themselves and their neighbors in the ancient world, it has been proposed that the Jewish community was in fact open to gentiles via conversion and that many gentiles overcame these barriers to become Jews. Such a possibility essentially envisages that the Jewish community in the ancient world had very high barriers, which were actively maintained, but that the community encouraged gentiles to overcome the barriers and become members of the Jewish community.

The issue of Jewish proselytism in the ancient world has received a great deal of attention from historians of Judaism, and often there is a clear apologetic tone in these writings. Several discussions of proselytism by Jewish historians, beginning with the studies of Bamberger ([1939] 1968) and Braude (1940), have developed a revisionist perspective, which attempts to show that Judaism has been a universalist religion at least since the Biblical period. However, they argue that, as a result of the hegemonic actions of governments or other religions (see also Eichorn 1965a; Raisin 1953; Segal 1988), Judaism failed to attract sufficient converts.

From an evolutionary perspective, the implicit argument would then be that the result of these hegemonic actions of other religions was an unintended genetic and cultural segregation from other peoples. Jewish actions facilitating

this segregation were necessary in order to preserve a purely religious/ethical integrity whose correlation with genetic segregation was unintended and purely coincidental.

The idea that Jewish separatism fundamentally derives from a moral, even altruistic, stance has been common throughout Jewish history. Baron (1952a, 12) notes that an integral aspect of the ideology of Judaism has been that "segregation is necessary to preserve at least one exemplary group from mixing with the masses of others" who are viewed as morally inferior. Separatism not only is motivated by ethical reasons, but involves altruism: In being Jews, they were "living the hard life of an exemplar." And by serving as a morally pure exemplar, "they were being Jews *for all men*" (italics in text).

This sense that Judaism represents a moral ideal to the rest of mankind--"a light of the nations" (Isa. 42:6)--has been common throughout Jewish intellectual history, reflected, for example, in Philo, who depicts Israel "as a nation destined to pray for the world so that the world might 'be delivered from evil and participate in what is good'" (see McKnight 1991, 39); or "the Jewish nation is to the whole world what the priest is to the state" (McKnight 1991, 46). This theme also emerged as a prominent aspect of the 19th-century Jewish Reform movement and remains prominent among modern Jewish secular intellectuals (see below). Moore (1927-30, I:229) notes that in the ancient world the ideology contained the thought that "Israel is not only the prophet of the true religion but its martyr, its witness in suffering; it bears uncomplaining the penalty that others deserved, and when its day of vindication comes and God greatly exalts it, the nations which despised it in the time of its humiliation will confess in amazement that through its sufferings they were saved."

The implicit argument would then be that, even though the Jewish religion ended up denoting a highly endogamous, genetically segregated kinship group in which there was a great deal of within-group altruism and cooperation, combined oftentimes with successful competition with gentiles for resources (and sometimes with exploitation of gentiles; see Chapter 5), this fact is simply a consequence of its failure, despite its best efforts, to attract adherents, perhaps in conjunction with normative human tendencies for resource competition.

Apart from the difficult empirical question of whether Judaism was really self-consciously racialist and nationalistic in the ancient world (see below), the anti-voluntarist perspective is problematic from an evolutionary perspective. If indeed the present perspective that historical Judaism has often involved successful resource and reproductive competition with host population gene pools is correct (see Chapter 5), it is certainly reasonable to suppose that this behavior conforms to evolutionary expectations that humans often attempt to maximize biological fitness (reproductive success). One must then suppose that, even though historical Judaism often coincided with what one might reasonably suppose to be individual (and group) genetic self-interest, this result was a major departure from the original intention, since the original intention was to develop not only a religion that was theologically universalist, but also one in

which ethnicity was theoretically irrelevant and in which there was an eager attempt to foster genetic assimilation with surrounding populations.

We must then suppose that only a pure sense of religious idealism prevented the Jews from abandoning this strategy once it failed in its universalist aims, *even though failure to abandon genetic and cultural segregation resulted repeatedly in resource and reproductive competition, accompanied by a great deal of intrasocietal violence and social division between genetically segregated groups.* For example, one would have to suppose that, despite the fact that religious and cultural segregation resulted in Jewish guilds competing with Christian guilds in both pre-expulsion Spain (Beinart 1981) and early modern Poland (Hundert 1992) and despite the fact that this competition led to a great deal of anti-Semitism and violence, this competition was merely an unfortunate result of a purely religious idealism and without interest from an evolutionary perspective.

At a very basic, common-sense level, such a view is extremely difficult to accept. But, more important, it undercuts any attempt to argue that Judaism represents an evolutionarily meaningful example of altruism or selfless moral idealism, since the evidence provided in Chapter 5 indicates that the historical instantiation of the ideology and practice of Judaism often resulted in intense resource and reproductive competition with gentiles in which there were genetic differences between these groups. If Judaism is fundamentally altruistic in an evolutionarily meaningful sense, it would be expected that Jews would characteristically engage in self-sacrificing behavior on behalf of gentiles--a thesis for which there is absolutely no evidence. On the other hand, if Jews wanted to avoid resource and reproductive competition based on the genetic segregation of Jewish and gentile gene pools, an obvious solution would be to adopt the religion of the host society and engage in an active program fostering exogamy.

From an evolutionary perspective, in the absence of actual genetic assimilation one is left to conclude that this Jewish sense of moral and religious idealism, which results in genetic segregation, is in fact a mask for a self-interested evolutionary strategy aimed at promoting the interests of a kinship group that maintains its genetic integrity during a diaspora.

Nevertheless, Bamberger's ([1939] 1968) view that Judaism is indeed a universalist religion that failed in its universalist aims bears scrutiny. If indeed Judaism is properly considered an evolutionary strategy, one might suppose that part of this strategy would be to prohibit conversion entirely. A complete ban on conversion and intermarriage would, after all, preserve the Jewish gene pool from foreign invasion.

However, such a conceptualization of the ideal evolutionary strategy ignores the context of human religious and intellectual discourse, at least in Western societies. Diaspora Judaism by necessity confronted a wide range of other religions as well as secular, rationalist ideologies. Moreover, the original confrontation occurred in the Greco-Roman world of antiquity, where there was

a strong current of critical rationalism and where ethnic assimilation was the norm. Within this context, there is evidence that Judaism perceived a need to present itself in intellectually defensible terms. In the ancient world, "[t]he very survival of Judaism depended on working out a *modus vivendi* with the Gentile world" (J. J. Collins, 1985, 184).

There appeared a large apologetic literature intended to present Jewish life, and particularly Jewish separatism, in a positive light and to present Jews as morally superior to gentiles by, for example, extolling their family life: "Most of the works which have been regarded as propaganda literature show little interest in proselytizing, but show a desire to share and be accepted in the more philosophically sophisticated strata of Hellenistic culture. Salvation is seldom restricted to membership of the Jewish people" (J. J. Collins, 1985, 169).

Modern psychological research indicates that portraying Judaism as open to conversion would have important effects on gentile conceptions of Judaism. Consistent with the results of social identity research (e.g., Hogg & Abrams 1987), portraying Judaism as open to conversions would be expected to result in the perception among gentiles that Judaism is a permeable group, and this latter perception would be expected to reduce gentile hostility and perceptions of conflict of interest with Judaism. The perception that Judaism is a permeable group would also be expected to reduce the ability of gentiles to act in a collective manner in opposition to Judaism.

In fact, beginning with Hecataeus of Abdera (early third century B.C.) and culminating with Tacitus and others, Jewish intellectuals were confronted with a great many Greco-Roman writers whose basic criticisms centered around Jewish separatism, xenophobia, and misanthropy.[4] Given this context, there was a felt need among Jewish intellectuals to present Judaism as a universal religion. Thus, for example, in the *Letter of Aristeas* (written by a Jew masquerading as a gentile [Schürer (1885) 1986, 677]),[5] Judaism is presented as "most especially not an exclusive or closed fraternity. Rather Judaism is a gift to all humanity, since God's providence is universal" (Segal 1988, 349). Nevertheless, this document does not advocate proselytism, but rather separate Jewish and gentile religious rites, both of which are viewed as religiously beneficial.

In *Against Apion* (2:210), Josephus attempts to show that Jewish philosophers, lawgivers, and historians are at least equal to those of the Greeks, and he also notes that "our legislator admits all those that have a mind to observe our laws, so to do; and this after a friendly manner, as esteeming that a true union which not only extends to our own stock, but to those that would live after the same manner with us; yet does he not allow those that come to us by accident only to be admitted into communion with us."[6] As another example, Philo defends circumcision from the derision of pagan writers not as a symbol of ethnic/religious identity and separatism, as it was viewed among many contemporary intellectuals, but for its hygienic value and as a symbol of upright

behavior--"in terms that will appear respectable to a Greek" (J. J. Collins, 1985, 172).[7]

Social identity researchers have also emphasized the point that it is often in a group's interest to attempt to foster perceptions of group permeability even when actual permeability may be minimal or non-existent (Hogg & Abrams 1987, 56). As indicated above, it would appear that Jewish writers in the ancient world were well aware of the need to develop an ideology that Judaism was highly permeable, and that such a strategy had obvious perceived benefits.[8] It does not follow that Judaism was in fact highly permeable, and, indeed, the apologetic nature of this writing has long been apparent to scholars.

One might therefore reformulate the ideal strategy for Judaism as a fairly closed group evolutionary strategy as follows: Allow converts and intermarriage at a formal theoretical level, but minimize them in practice. This *de facto* minimization could occur as a result of failing to make strenuous, organized efforts to obtain converts or to encourage intermarriage; erecting imposing cultural barriers that would minimize social intercourse between Jews and gentiles and thus prevent the types of social contacts that would be the normal precursors of conversion and intermarriage; engaging in cultural practices that result in anti-Semitism, with the result that gentiles would be less likely to convert to a stigmatized religion; the existence of special Jewish taxes, such as the *fiscus Judaicus* imposed by the Romans; maintaining hostile and/or ambivalent attitudes to conversion, as well as hostile and/or ambivalent attitudes toward converts after they were admitted to Judaism, within a significant portion of the rabbinic leadership, as well as among the Jewish community as a whole; making the procedures of conversion highly unpleasant and demeaning (by, e.g., including requirements for the physically painful and dangerous rite of circumcision); reminding the convert of the dangers of being a Jew; relegating the convert to a lowered status within the community and giving the convert fewer rights than other Jews; making these disabilities continue for a number of subsequent generations before the convert's descendants could expect to attain full Jewish status; continuing the practices of endogamy among elite groups within the Jewish community and strictly keeping genealogies among these groups to ensure racial purity so that converts would be aware that marriage into these families would never occur, despite its theoretical possibility, even after many generations; continuing vestiges of Jewish national sovereignty, as represented by the existence of families that were reputed to be descended from the priests and kings of Israel and that retained prestige and authority among diaspora Jews; and keeping the messianic hope of a return to political power in a particular geographical area.

There is in fact evidence that Judaism has been characterized at all points in its diaspora history by at least some of these barriers, and, as indicated in the following, they were all present in the ancient Greco-Roman world, which, until the very recent spate of intermarriage in some Western societies, represented the apogee of Jewish proselytism.

Jewish Proselytism in the Ancient World: Empirical Evidence

Bickerman (1988) notes that there is no evidence of conversions in the pre-Maccabean age (second century B.C.), "nor did they preach salvation to the gentiles" (p. 246). During this period, to be a Jew was to have a legal status as a member of a nationality, so that one would remain a Jew even if one failed to observe any religious laws. Conversely, a Greek who followed Jewish religious law could not legally become a Jew.

Conversions did occur in later times, but there is a large body of Christian and Jewish scholarship that depicts Judaism as hostile, ambivalent, or disinterested in converts from an early period or as changing to an attitude of hostility following the Hadrianic persecutions in the second century (see summaries in Bamberger [1939] 1968; McKnight 1991).

In the following, I will rely mainly on the views of several recent Jewish scholars, such as Bamberger ([1939] 1968; see also Feldman 1993; Rosenbloom 1978), because these authors have taken the position that Judaism has always been fundamentally positive toward converts, at least until external pressures forced them to abandon these practices. The point is that, even based on the views of this school, there is overwhelming evidence for ambivalence and hostility toward converts by some members of the Jewish religious hierarchy, for negative attitudes among the mass of Jews, and for a lowered social status for the convert within the community. Nevertheless, I will also summarize the views of several other scholars who appear to be much less apologetic.

While acknowledging that Ezra and Nehemiah present racialist doctrines, Bamberger ([1939] 1968) claims that Judaism became a universalist religion in the following period. Nevertheless, there are clear indications in his work that this view has been far from unanimous either in theory or in practice.

There were many difficulties confronting converts. Converts were told, "Do you not see that Israel are now sick, shoved about, swept and torn, and that troubles come ever upon them" and that converts will be responsible for obligations to the poor. A prospective proselyte is repulsed three times, "but if he persists further, we receive him . . . one should repulse him with the left hand and draw him near with the right." Circumcision, clearly a very difficult barrier for an adult male, was mandatory for converts.[9]

Although only a theoretical possibility, converts had no right to any portion of Palestine, since this was reserved for the 12 tribes. Converts had a very low social status. If the community must choose among various members for compensation of property, redemption of captives, or saving lives, "the order is: priest, Levite, Israelite, *mamzer, Nethin*, convert, freedman" (Bamberger [1939] 1968, 64). Thus, the convert ranks below the offspring of illegitimate relationships (*mamzerim*)[10] and individuals from a foreign ethnic group who lived as servants among the Israelites (*Nethinim*). Baron (1952b, 409n)

describes the extreme contempt in which rabbis in Talmudic times held *mamzerim*: "To be called *mamzer* was a superlative insult which the rabbis put under a more severe sanction (of thirty-nine stripes) than that of naming one a slave or an evildoer."

The Mishnah states that converts may intermarry with Israelites and Levites. While a priest could not marry a convert, it was controversial whether a priest could marry a convert's daughter.[11] (A convert could marry a daughter of a priest.) On the other hand, converts could marry *mamzerim*, *Nethinim*, foundlings, individuals who had been emasculated, and those with doubtful paternity, while native Jews could not. Israelites were forbidden to marry *mamzerim* or their descendants forever (Epstein 1942, 282; Jeremias (1969, 341). However, permission to marry *mamzerim* was extended to the descendants of converts for 10 generations (i.e., forever), and offspring between converts and *mamzerim* were considered *mamzerim*. (The only way to get rid of the stain of being a *mamzer* was to marry a female slave--obviously not an ideal solution, since the child would have the slave status of the mother (Epstein 1942, 285; Baron 1952b, 223), and being descended from a slave was also regarded with horror (see below). The implication is that if a proselyte married a *mamzer*, his/her children would forever be excluded from marrying legitimate Israelites. This "privilege" of marrying a *mamzer* or a *Nethin* is thus extremely derogatory, and there is a specific incident in which a group of converts was incensed when told of it (Epstein 1942, 200-201). Regarding the *Nethinim*, Alon ([1982, 1984] 1989, 27) states that they eventually were excluded entirely from the Jewish community.

The other categories of possible marriage partners are those in which Jewish ancestry is doubtful or in which the marriage will necessarily be infertile. Philo, who is perhaps the most universalist of all of the ancient Jewish authors, interpreted Deuteronomy as implying that *mamzerim* and those with crushed genitals could not enter the assembly of the Lord, and he had a very negative view of children who were offspring of Jewish men and gentile women (McKnight, 1991, 44). Clearly all of these categories of people were highly stigmatized.

Moreover, the amount the husband had to pay for his convert wife's *ketubah* was only half the amount necessary for marrying a native Jewess, indicating a lessened value for such a woman. A further indication of the lessened value of convert women was that a man who violated a convert who became a Jewess after age three was freed from having to pay a fine to the woman's father. Also, a man who accidentally injured a pregnant convert would not have to pay damages under certain conditions. There were also restrictions on the testimony of converts in legal matters and formal requirements (as well as social practices) barring them from holding office in the community. Bamberger ([1939] 1968, 103), while generally attempting to de-emphasize bars to conversion, states that "converts were excluded in some localities, even where there was no legal impediment." While in theory they could hold some offices,

there is no record of any ever holding office, and there are statements indicating that converts would not be appointed to supervise even the lowliest of community functions.

If a man and his sons converted and the man died, a Jew did not need to repay the children any outstanding debts to the man. Converts were viewed as having no blood relationships, with the result that relatives, including children, who were not Jews could not inherit. If the person had no Jewish relatives, his property went to the first Jew to appropriate it, by, e.g., obtaining physical access to the property. Bamberger ([1939] 1968) notes that there was much discussion of how such property could be obtained, with the general attitude being that such an expropriation was a fortunate windfall.

In conclusion, the convert was clearly a second class citizen according to Jewish religious law (*Halakah*). However, in addition to formal legal status, there is evidence that the actual marriage prospects of converts would be less than those theoretically available. As described more fully below, there was a powerful push toward endogamy within the various levels of Jewish society, so that Jewish society was in fact organized as a hierarchy of ever greater purity of blood ranging into the upper reaches of the priestly class. Even if converts could theoretically marry Israelites, these results indicate that Israelites who aspired to raise themselves or their children in this hierarchy of blood purity would be foolish to marry converts. Surely the existence of an unattainable, highly endogamous priestly class for whom family purity and genealogy were virtual obsessions would give pause to an ambitious person contemplating becoming a Jew. Under these circumstances, I am hard pressed to think of individuals for whom a decision to convert would be adaptive. The truly surprising thing is that anyone at all converted.

Bamberger ([1939] 1968) also considers the non-legal (aggadic) writings of the rabbis of the classical period. While there is no question that there are positive comments, there are also negative comments: "Beyond question, the Talmudic literature contains hostile remarks about proselytes" (Bamberger [1939] 1968, 161). The classic anti-convert statement in the Talmud, translated by Bamberger as "Proselytes are as hard on Israel as leprosy" (p. 163), is repeated five times, a statement that even Bamberger acknowledges as "unfriendly in tone" (p. 164), although he claims its exact meaning is vague, and he suggests that the author of the statement, Rabbi Helbo, is atypical in his animosity toward converts. Interestingly from the standpoint of the ideal strategy from an evolutionary perspective (see above), Rabbi Isaac is credited with the comment that "[e]vil after evil comes on those who receive converts" (p. 163), and the same author is credited with the view that Jews should "repulse the convert with one hand and draw him near with another" (Bamberger 1968, 287).

Even if these comments are atypical, they indicate hostility among some sections of the Jewish intellectual establishment, and this hostility, even if a minority viewpoint, would be highly salient to a potential convert. Moreover,

there are several other negative statements and mixed opinions in the Talmud, summarized by Bamberger, that further indicate a far from unanimously positive official attitude toward converts. Segal (1988; p. 341) also notes that opinions regarding conversion were far from unanimous within the Jewish lay community, ranging from outright condemnation to acceptance on the assumption that the converts would represent a "fairly low number" (p. 365).

Although Bamberger ([1939] 1968) argues that these hostile comments can be interpreted in a benign manner or are obscure, they would surely give pause to a prospective convert. For example, the obvious interpretation of the statement "Converts and those who play with children delay [the coming of] the Messiah" (p. 162) is to lump converts with those who molest children (or, possibly, marry immature girls), and it states that such individuals delay the coming of the Messiah. A variant form is "Converts and nomads . . . ," which also lumps converts with a despised group whose existence is inimical to the goals of the Jewish people.

Bamberger ([1939] 1968) gives as an example of a "mixed opinion" the statement of Rabbi Eliezer: "Why . . . does the Torah warn us (against mistreating) the convert in thirty-six passages (and some say, forty-six passages)? Because his nature is evil" (p. 165). Bamberger states that Eliezer says this because converts, being relatively weak in their commitment to Judaism, may well relapse if they are mistreated. But even Bamberger acknowledges that the passage "reflects a poor opinion of the proselyte" (p. 166), and, indeed, to the extent that the fear of relapse was real (as it may well have been; see below), there is the suggestion that many converts did not persist in their new commitment and were thus lost to the Jewish gene pool. However, the clear implication of the passage is that converts are deficient in some manner. Indeed, Bamberger finds that in general "these 'mixed opinions' are the expression of teachers who were favorable enough to proselytization in theory, but who were dubious about the deep religiosity of the converts who were actually received in their own time" (p. 167). Again, there is the implication that converts were viewed as deficient and that Judaism, while theoretically permeable, was in fact quite impermeable.

Finally, as Bamberger ([1939] 1968) acknowledges, some of the positive comments must be construed as evidence that actual Jewish attitudes toward converts were often negative so that there was a need to remind the Jewish community to be friendly toward them: "*Among the people as a whole, there were certain prejudices against converts*" (p. 277; italics in text). The writers of the Talmud clearly felt a need to prevent particular practices that discriminated against converts, as shown by the following sayings: "If one sees a convert coming to learn Torah, he should not say: Look who comes to learn Torah! One who has eaten carcasses and torn things **.   .   .** , reptiles and creeping things [i.e., forbidden foods according to Jewish religious law] . . . ," or "No one should say to a son of converts: remember the deeds of thy fathers" (p. 158).

Moreover, converts were apparently designated as such by appending the phrase "the proselyte" after their given names (Bamberger, 1968; p. 295), a practice that would certainly emphasize their status in the community. Baron (1952b, 283) notes that synagogue services included a phrase to the effect that the blessing applied to proselytes and that "this extension was doubly necessary as there were recurrent attempts to segregate converts as a separate class of worshipers." Although Baron states that racial prejudice was characteristic only of a minority, such attitudes, even by a minority, would surely give pause to a prospective proselyte.

While Bamberger's self-consciously apologetic perspective is thus compatible with the view that there continued to be *de facto* genetic segregation, there are other recent examples of scholarship on this issue that are even more clearly compatible with the view that Judaism remained fundamentally impermeable in the ancient world. For example, Kraabel (1982) describes as a myth the idea that ancient Judaism was characterized by missionary zeal or that there were large numbers of converts (see also J. J. Collins, 1985, 185). Jeremias (1969, 320ff) interprets the available data as indicating that it was quite difficult to find converts in the first century, at least partly due to ancient anti-Semitism. (Anti-Jewish attitudes of the Roman government following the failed rebellion of 66-70 A.D. resulted in the *fiscus Judaicus*, and Goodman (1989) emphasizes that gentiles would have been discouraged from conversion because they would have been subject to this tax.) Jeremias also notes the extremely debased position of the proselyte in the Jewish community. For example, all proselyte females who converted after the age of three years and one day, even married females, were suspected of having practiced prostitution, with the result that no gentile "knew his father."

In a more detailed presentation, McKnight (1991) notes abundant evidence for nationalistic statements and attitudes against intermarriage in the Tanakh/Old Testament, especially the Book of Ezra, and extending throughout the ancient period (see also the following section). Moreover, he notes that it was a common observation of gentiles in the ancient world that Jews were misanthropic, and there was a long history of gentile criticism of Jewish separatism. There are many writings from the Second Commonwealth period to the effect "that we [i.e., the Jews] might not mingle at all with any of the other nations but remain pure in body and soul" (p. 21). Israel is the "chosen race" and the "best of races" (p. 21). Moreover, "the list of derogatory comments about other nations is almost as long as there are nations" (p. 12) and spans a wide range of Jewish authors. McKnight notes that negative attitudes toward intermarriage are reiterated throughout Jewish literature of the period. For example, the Book of Tobit, whose plot revolves around marrying endogamously, contains the following statement: "Above all choose a wife from the race of your ancestors. Do not take a foreign wife who is not of your father's tribe, because we are the descendants of the prophets. Remember, my son, that Noah, Abraham, Isaac, and Jacob, our ancestors, back to the earliest days, all

chose wives from their kindred. They were blessed in their children, and their descendants shall possess the earth" (Tob. 4:12). Segal (1988, 347) also points out the "ferocity of hatred directed against gentiles by some of the apocalyptic literature," as well as the themes of the inferiority of gentiles and the need for separation from the gentiles (e.g., Jub. 15: 26-27).

Although McKnight (1991, 27-29) explains these attitudes as the result of religious/moral conviction, such an explanation is meaningless from an evolutionary perspective, since the result is to create an ideology that, whether one terms it a moral/ethical idealism or a racialist nationalism, effectively resulted in the separation of gene pools. Moreover, McKnight proposes that there may have been some elements of the Jewish community who were indeed self-consciously motivated by "misanthropy and hate" (p. 28)--a feature unlikely to appeal to prospective proselytes.

McKnight (1991) also notes that many of the putative proselytes from ancient times are apocryphal and that the lists of proselytes suggest that converts were so few in number that individuals were remembered. We do not know the name of a single Jewish missionary, nor do we possess any Jewish missionary text. The evidence that there was any active Jewish proselytism at all is weak, and there is no indication of how common the practice was. Moreover, a major source of literature on conversion involves conversion of gentiles at the end of the world, after "God has subjugated Gentiles and drove them to admit the superiority of the Jewish nation" (McKnight 1991, 35); or God converts gentile nations, which spare Israel. These are clearly views of conversion which are quite consistent with a nationalistic interpretation and in which the Jewish God, but not actual Jews, is the agent of conversion. "A feature of this idea is the crushing defeat of Israel's foes, sometimes by the messiah, who will force submission on the part of the nations to Israel and its God" (p. 50), an idea sometimes combined with the idea that this conversion will happen after the ingathering of Jews from throughout the world. As indicated above, many authors (including Moore 1927-30, I:230; see also Chapter 3) have noted that Judaism's eventual triumph is conceived in nationalistic terms, with the overthrow of former enemies who will then become the servants of Israel.

Moreover, McKnight notes that positive attitudes toward converts do not imply that missionary activity actually occurred. The gentile is typically depicted as approaching the Jew, not the reverse (see also Goodman 1989, 176), as in the writings of Josephus who also had a consistently negative view of conversion (Feldman 1993, 290). Positive attitudes toward converts in the abstract are often mixed with negative beliefs about actual converts within the same author. For example, Philo, despite being perhaps the most universalist of ancient Jewish authors, notes that "to educate a disbeliever is difficult or rather impossible" (McKnight 1991, 43). Again, the data are quite consistent with the proposal that ancient Judaism developed an ideology of group permeability, but actively sought to minimize any actual permeability.

McKnight (1991) also notes that the rabbinic statement that proselytes are equal to Jews cannot reflect actual conditions, since there are many laws, reviewed above, showing the second-class status of converts. Moreover, "the very existence of a separate *halakot* for proselytes is a revelation in itself, which demonstrates that they were not seen as Jews in every respect" (p. 45). "The facts betray that Jews did not immediately accept converts as equals; in fact, the notion of three generations is probably closer to reality" (p. 45). Indeed, Jeremias' (1969, 301; see below) comment that Israelites were admonished not to marry anyone at a lower level of racial purity than themselves suggests that proselytes would not be accepted as full members of the Jewish community until all recollection of their origins had disappeared.

Converting to Judaism was really adopting another nationality: Segal (1988) notes that "[j]oining Judaism was primarily a decision to join another *ethnos*, which was not self-evidently possible to everyone, never taken lightly, and often viewed with some suspicion" (p. 346).[12] Conversion, when it occurred, was a long, gradual process and was never meant to overwhelm the group with pagan converts "because its message was for a sophisticated minority (p. 346). Conversion to Judaism in the ancient world was really the adoption of another nationality with a geographic locus and a government in exile, while being a Jew in the diaspora was "somewhat like being a foreign national today" (Segal 1988, 348).

There is also some evidence for historical shifts in attitudes toward proselytes, albeit within a generally ambivalent, vacillating context. Based on his dating of the various rabbinic pronouncements, Avi-Yonah (1984, 81-83) argues that prior to the Bar Kocheba revolt (135 A.D.) there was a negative attitude toward proselytes (including that of a rabbinic authority who thought that converts were suspect until the 24th generation). In the following period (the first and second Amoraic generations), positive attitudes appeared to be in the majority, but this was followed, beginning in the third Amoraic generation, with an increasing representation of negative attitudes not only among the scholars, but also among the people and the popular preachers, and including the famous statement of Rabbi Helbo cited above. Avi-Yonah suggests that the Talmudic Tractate *Gerim* represents the final compromise, and it is clearly one of ambivalence: "Their ambivalent attitude may be summed up in the saying: 'Let your left hand always push [the proselytes] away and your right hand bring them near'" (1984, 83).

Finally, Goodman (1989) notes the following additional points:

1. There is a trend in Jewish writing throughout the ancient period that gentiles outside of the Holy Land are justified in worshiping their own gods, while on the other hand there is little concern about whether gentiles will join the Jewish community. In the second to fifth centuries, this trend was solidified by the development of the concept of the righteous gentile who observes

the Noachide commandments. There is also "extremely indirect and allusive" evidence for rabbinic approval of attempting to win converts (Goodman 1989, 178). However, this notion was never explicitly developed. Interestingly, ideas hinting at approval of winning converts were developed at the same time and held by the same rabbis who also held what Goodman notes is the contradictory attitude of approval for precise requirements on being a righteous gentile. This is another indication that, although Judaism was permeable in theory, in practice Jews were quite happy to have gentiles go their own way.

2. The idea that Judaism was a universal religion that only ceased winning converts because of pressure from the Roman Empire is inadequate because such pressure did not stop Christianity or Manicheanism from actively seeking and winning converts. In these cases, opposition may have increased attempts to convert others. Moreover, the great majority of ancient cults did not seek converts at all, so there should be no presupposition that Judaism did.

3. The Roman opposition to conversion to Judaism must have been sporadic and/or theoretical, rather than implemented in practice, because inscriptions referring to proselytes were openly displayed by Jews.

How many proselytes were there? Not surprisingly, this is a controversial issue. The only substantial argument that Feldman (1993, 293) is able to provide that proselytism and missionary activity were widespread is that the Jewish population grew rapidly during the period from 586 B.C. to 70 A.D.[13] However, this is far from a conclusive argument, given the vagaries of population estimates in the ancient world (McKnight, 1991, 29) as well as the ability of the Jewish population to expand rapidly in other historical eras (see Chapter 5). Indeed, the proposed increase in a Jewish population from 150,000 to 8,000,000 over a span of 656 years is well within demographic possibility, and the latter figure may well be inflated.[14] If one assumes that the entire increase came about from population growth, the 53.3-fold increase in 656 years would imply an annual growth rate of $r = \ln(53.3)/656 = 0.00606$ per year--much less than one percent, and not at all high for human populations.[15]

We have already noted that Kraabel (1982) describes as a myth the idea that there were large numbers of converts, and a similar view is held by J. J. Collins (1985, 185). Bamberger ([1939] 1968) provides a list of converts from the Talmudic period who are mentioned in the rabbinic literature and notes several other converts who are mentioned in non-rabbinic sources. Bamberger lists 45 instances of conversion, almost all of which involve conversions of particular individuals or families, and many of which are of dubious historical authenticity or known to be apocryphal (see also McKnight 1991). The only

mention of a large group of converts is that of the converts of Mahoza, and the point of this incident was that they were insulted on being told they could marry a bastard (*mamzeret*).

There is also very little evidence for large-scale Jewish proselytism among the Romans. Leon (1960, 251) cites instances where aristocrats adopted some Jewish practices, but never converted, and full proselytism among prominent Romans was rare. Indeed, it is not even clear that the only two prominent Romans mentioned as possible proselytes were complete converts to Judaism: Fulvia, a senator's wife, practiced Jewish rites and was victimized by Jewish charlatans; Poppaea, Nero's wife, was known as a Judaizer, but this does not imply that she converted to Judaism. Among the non-aristocrats, Leon maintains that there are only 7 "indubitable" epitaphs of proselytes among the 534 Jewish inscriptions at Rome. Of these, one is that of a woman who converted at age 70 (apparently a wealthy benefactress of Jews whose property would revert to the Jewish community at her death); another is that of a woman who converted at age 41; a third is that of a female foster child who died at age three. Clearly, none of these individuals contributed to the Jewish gene pool, and the foster child is described as having two Jewish parents, but was reared in a non-Jewish household until adopted by a Jewish family. From a genetic standpoint, she was of pure Jewish stock. The other proselytes consist of two males and two females, but no ages of conversion are mentioned. At least two are former slaves of Jewish masters, and it is well-known from later periods that such individuals were not fully integrated within the Jewish community (see below).[16] In Italy as a whole, Kraabel (1982) notes that proselytes represent only one percent of the Jewish inscriptions. In Egypt there are no mentions of proselytes at all in 122 inscriptions or in 522 fragments of papyrus (Feldman 1993, 290).[17]

Apart from voluntary conversions, there were forcible conversions during Maccabean times. Interestingly, there is evidence that these converts were treated extremely badly by the Jews and not integrated into their community. Moore (1927-30, I:336), with a bit of tongue-in-cheek, terms these forced conversions accompanied by circumcision as "skin-deep." Indeed, Galilee, an area of forced conversion, was the origin of the main founders of Christianity, including Jesus.

Finally, Moore (1927-30) notes that proselytes may well have been the first to turn apostate at the first sign of trouble, as during the Hadrianic persecutions, or if there were any other advantages to be gained thereby. Baron (1952b, 148) and Segal (1988, 366) provide evidence that indeed the rabbis were convinced that proselytes were unreliable and potential informers. At the end of the second century Rabbi Hiyya the Great commented, "Do not have faith in a proselyte until twenty-four generations have passed, because the inherent evil is still within him" (quoted in Feldman 1993, 411). Given the low social status and poor prospects of proselytes within the Jewish communities and the importance of biological kinship ties to Jewish social behavior (see

below), these results are not surprising. The implication would be that the long-term effects of ancient proselytism on the Jewish gene pool were minimal.

In the post-Talmudic period, Bamberger ([1939] 1968, XXIV-XXI); see also Seligson 1965; Eichorn 1965b; Schusterman 1965) lists several individual cases of conversions, but also notes a general reluctance to accept converts on the part of the entire Jewish community. Interestingly, Eichorn (1965b) describes a rabbinic responsum which states that it is not necessary to discourage returning Marranos (i.e., crypto-Jews persecuted by the Spanish and Portuguese in the 15th to the 18th centuries; see Chapter 5) from re-entering the fold, the implication being that others were indeed discouraged. Although in some cases such opposition may have been the result of possible retribution by non-Jews, he notes that "the opposition to which I now refer seems to have become more pronounced after such dangers had ceased to exist" (p. XXIX), and that "many authorities are exceedingly strict" (p. XXIX). The opposition to these restrictive attitudes is characterized by Eichorn as a "fairly small but vocal minority" (p. XXX).

Teitelbaum (1965, 213) notes that Jewish emancipation in the 18th century "failed to bring about any significant modification in the Jewish group attitude toward proselytism." Although the Reform movement dropped many aspects of cultural separatism, there was never any emphasis on proselytism. Interestingly, the prominent 19th-century American Reformist David Einhorn successfully opposed a proposal at a Reform conference that would have allowed male proselytes to forego circumcision. Einhorn stated, "The acceptance of proselytes, through which Judaism acquires many impure elements, must be made more difficult and it is precisely circumcision which can form a barrier against the influx of such elements" (quoted in Meyer 1988, 257). Not surprisingly, Einhorn was opposed to intermarriage because of its effect on racial purity.[18]

In the mid-20th century United States, "despite all social compacts between gentiles and Jews, the Jewish taboo against converting . . . remained largely in force as a social, if not as a legal or religious, measure. The various wings of Judaism may differ in degree but not in kind" (Teitelbaum 1965, 213). Indeed, in a 1965 survey of attitudes on whether Judaism should conduct missionary work among non-Jews, Teitelbaum found that the responses for laymen were 6 percent positive, 78 percent negative, and 17 percent indifferent or uncertain; for Reform rabbis, the figures were 30 percent, 36 percent, and 35 percent, respectively, and for Conservative rabbis, 10 percent, 63 percent, and 27 percent, respectively. Presumably the percentages for Orthodox rabbis would reflect an even more negative attitude about missionary work.

Moreover, even though more of the Reform rabbis expressed positive attitudes, there was no direct missionary effort even by this group. Clearly, attitudes toward proselytism remained at best ambivalent among both the leaders and the lay members of Jewish communities. Teitelbaum (1965, 222; see also Ellman 1987) also gives evidence for negative attitudes toward

converts of many years standing, and concludes his survey by noting that "Jews have been exclusive as much as they have been excluded."

JUDAISM AS A NATIONAL/ETHNIC RELIGION IN THE ANCIENT WORLD

> [Petronius] had also in mind the vast numbers of the Jewish nation, which is not confined, as every other nation is, within the borders of the one country assigned for its sole occupation, but occupies also almost the whole world. For it has overflowed across every continent and island, so that it scarcely seems to be outnumbered by the native inhabitants. (Philo, *Legatio,* 214)

Apologists for the position that Judaism aggressively sought and succeeded in obtaining large numbers of proselytes implicitly downplay the national/ethnic character of Judaism in the ancient world. However, there is overwhelming evidence that in fact Judaism was considered by both Jews and gentiles as a national/ethnic religion throughout this period. In a classic treatment, Moore (1927-30) states that Judaism developed as a national religion and that even after the dispersion, "they felt themselves members of the Jewish nation" (I:224). To those who had dispersed, even after many generations in alien cultures, "Judaism was in reality not so much the religion of the mother-country as the religion of the Jewish race; it was a national religion not in a political but in a genealogical sense" (I:225). As a result, conversion "was not entrance into a religious community, it was naturalization in the Jewish nation, that is--since the idea of nationality was racial rather than political--adoption into the Jewish race" (I:232). And despite instances of conversion, "the Jews . . . were, in their own mind and in the eyes of their Gentile surrounding, and before the Roman law, not adherents of a peculiar religion, but members of a nation who carried with them from the land of their origin into every quarter where they established themselves their national religion and their national customs" (I:233).[19]

Emphasizing the national character of ancient Judaism, both the Persian and the Roman empires recognized the offices of Exilarch (which traced its descent in an unbroken line from King Jehoiachin in the Babylonian exile) and Patriarch (*Nasi*) as symbols of former Jewish sovereignty. Both of these offices had great wealth and prestige, as well as authority and influence over Jews in the diaspora throughout the ancient period (Baron 1952b, 192ff; Avi-Yonah 1984, 38ff).[20] Moore points out that within Roman law the privileges granted to Jews applied only to born Jews, not converts, and the Patriarch of the Jewish religion "was treated as the head, not of a religious body, but of the Jewish people" (p. 234), at least in part because he exercised power over his people in

the same manner as that of a king, including the ability to inflict corporal punishment and even death on his subjects.

Avi-Yonah (1984, 49ff) shows that it was the policy of the Patriarchate to gradually restore as much national sovereignty in Palestine as possible, including the ability to impose the death penalty, and that already in the third century Palestine was essentially a state within a state. The relationship with the homeland was also reinforced by pilgrimages, as well as by an obligation to mention the hope of a restored Temple in Jerusalem three times daily in one's prayers. There were also official contacts between the homeland and the diaspora, particularly via the office of Patriarch. "With the authority from the centre, the envoys supervised the administration of the communities, inspected the implementation of Law and Halakah, and levied taxes destined for the office of the Nasi" (Safrai 1974, 205). Within the homeland itself, there was a major effort to prevent the land from coming into the possession of gentiles and to discourage emigration (Avi-Yonah 1984, 27ff). Even in the fifth century, the patriarch administered an empirewide quasi-state and controlled well-organized legal and tax systems (Bachrach 1984, 413-414). It was only during this period that the Patriarchate was allowed to lapse due to the efforts of the newly powerful Christian Church, but even then another political body, the Sanhedrin, continued to function much as the Patriarchate had (Alon 1989, 10). In the seventh century, Jewish rule in Jerusalem was re-established briefly and it was only after their expulsion by their Persian overlords that realistic hopes for the re-establishment of a Jewish nation disappeared until the present century.

Clearly, Judaism retained its national character in the ancient world, and quite self-consciously so. Many Jews in the period believed in the imminent political restoration of Israel as prophesied in the Bible (Wilken 1984, 449-450), and even in periods of relative calm after the suppression of the Bar Kocheba rebellion, there were persistent attempts by zealots to restore complete national sovereignty in Palestine. Even the moderates had a highly developed sense of national allegiance (Avi-Yonah 1984, 67).

These beliefs were reflected in a strong national sense of messianism, which persisted among Jews long after the ancient period. Werblowsky (1968, 38) notes that "Jewish messianism, for the greater part of its history, retained its national, social, and historical basis whatever the universalist, cosmic, or inner and spiritual meanings accompanying it. One may, perhaps, speak of a spiritual deepening of the messianic idea in the history of Jewish religious thought, but these allegedly more 'spiritual' elements never replaced the concrete, historical messianism; they were merely added to it."[21] Outbreaks of messianism occurred sporadically throughout Jewish history--most notably the fiasco of Sabbetai Sevi in the 17th century--and always with the idea that the political restoration of Israel was at hand. Moreover, it was not uncommon for Jews throughout the centuries to settle in the Holy Land, and Werblowsky (1968, 40) states that these movements were often inspired by messianism.

As discussed below, this self-conscious conceptualization of Judaism as a national/ethnic religion persisted until the 19th-century Reform movement. Meyer (1988, 59) notes that the rejection of the Jewish doctrine of the messianic return to Zion by the Reform movement "cast doubt on a central principle of Jewish faith firmly grounded in all layers of Jewish tradition. To deny hope of Israel's reconstitution as a nation on its own soil and the rebuilding of the temple, it was felt, amounted to a denial of Judaism itself." However, this rejection of nationalism as the basis of Judaism was relatively short-lived, even within the Reform movement, since Reform Jews eventually embraced Zionism and a resurgence of Jewish tradition, and Orthodox Jews never abandoned the old conceptualization of Judaism. Moreover, as Werblowsky (1968) notes, Zionism is the most recent manifestation of the messianic/nationalist ideology of Judaism.

CONSANGUINITY, ENDOGAMY, AND THE HIERARCHY OF RACIAL PURITY AMONG JEWS IN THE POST-BIBLICAL PERIOD

> For our forefathers . . . made provision that the stock of the priests should continue unmixed and pure; for he who is partaker of the priesthood must propagate of a wife of the same nation . . . and take his wife's genealogy from the ancient tables, and procure many witnesses to it; and this is our practice not only in Judea, but wheresoever any body of men of our nation do live; and even there, an exact catalogue of our priests' marriages is kept . . . ; but if any war falls out . . . those priests that survive them compose new tables of genealogy out of the old records, and examine the circumstances of the women that remain; for still they do not admit of those that have been captives, as suspecting that they had conversation with some foreigners . . . ; we have the names of our high priests from father to son, set down in our records, for the interval of two thousand years. (Flavius Josephus, *Against Apion,* 1:30-36)

> While different races base their claims to nobility on various grounds, with us a connection with the priesthood is the hallmark of an illustrious line. (Flavius Josephus, *Vita I*)

> Up to the present, it has not been sufficiently recognized that from a social point of view the whole community of Judaism at the time of Jesus was dominated by the fundamental idea of the maintenance of racial purity. Not only did the priests, as the consecrated leaders of the people, watch anxiously over the legitimacy of priestly families, and weed out all priestly descendants born of an illegitimate union . . . ; but the entire population itself, in the theory and practice of religious legislation at the time of Jesus, was classified according to purity of descent. All families in which some

racial impurity could be established were excluded from the pure seed of the community. (Jeremias 1969, 270)

The Importance of Consanguinity in the Post-Biblical Period

As indicated in Chapters 3 and 8, the Jewish tendency toward consanguinity in marriage is of considerable theoretical importance. During the Second Commonwealth, the Pharisees attached special spiritual significance to marriages with nieces. Uncle-niece marriage was common during the Second Commonwealth (Epstein 1942, 250ff; Mitterauer 1991; Jeremias 1969, 218). While marriage to nieces was essentially tolerated by the Levitical rules, later it came to be viewed as desirable by the more devout, including priestly families whose concern with purity of blood and genealogy is a recurrent theme of this volume. Uncle-niece marriage was idealized in the Talmud: "One who married his sister's daughter--on him the Bible says: 'They thou will call and G-d will answer'" (b. Yeb 62b). The *Shulhan Arukh*, an authoritative legal compilation dating from the 16th century, also idealized uncle-niece marriage.

Goitein (1978, 26) notes that, despite its legitimacy and the elevated status of one's sister's children at the time, there were relatively few uncle-niece marriages recorded in the Geniza documents from the medieval Islamic period, quite possibly because of the influence of the Karaite sect during this period. However, first-cousin marriage was "extremely common" (p. 27). Grossman (1989) notes a clear trend toward consanguinity among the distinguished families of sages in Spain and Germany in the Middle Ages (see also Chapter 6). And Boyajian (1983, 46) finds frequent consanguineous marriages, including marriage between uncles and nieces, as well as between first cousins in the Sephardic international trading networks in the 16th to 18th centuries. Indeed, Beinart (1971a) notes that one of the criticisms of the New Christians by the Old Christians during the period of the Inquisition was that they continued to intermarry--and did so within the degrees of relatedness prohibited by the Church.

In the United States, Jews have sometimes been exempted from laws prohibiting uncle-niece marriages (Epstein 1942) and from laws prohibiting first-cousin marriage (Goodman, 1979, 463). Bermant (1971) shows that cousin marriage was common among wealthy Jewish families in England beginning in the 18th century.[22] Kaplan (1983, 298) shows that Jews in Germany between 1870 and 1930 were far more likely to engage in consanguineous marriages than gentiles, especially in the more traditional small towns and rural areas. In the 1920s, 18 percent of the Jews in one Hohenzollern town were married to first cousins, and the rate in another was 11 percent.[23] Generally, however, in recent times, the rate of consanguineous marriages, including uncle-niece marriages, has been declining among all Jewish groups, especially Ashkenazi Jews, although such marriages are not uncommon among some Oriental and

Sephardic groups (Goodman 1979, 463-467). In one group of Oriental Jews, the Habbanites, the rate of first cousin marriage in modern times was 56% (Patai & Patai 1989, 230).

The Maintenance of Racial Purity in the Post-Biblical Period

During the Restoration following the Babylonian exile, Ezra's racial doctrine legally prohibited any marriage with individuals with a taint of foreign blood, and there was an increased concern for tracing genealogies and separating the community into groups that varied in the purity of their blood. The result, as we have seen in Chapter 3, was that the community was divided into a hierarchy of racial purity.

While racialist ideology declined after Ezra's Restoration, racial exclusivity continued in practice: "Purity of stock continued as a token of aristocracy, family records were guarded jealously, and the separation of classes by blood taint as established by Ezra remained in effect for centuries after" (Epstein 1942, 167), even beyond the end of the Second Commonwealth. Intermarriage of those known to have foreign blood with those of doubtful status would not occur in practice until all memory and records of the foreign taint were lost (Epstein 1942, 186). And such persons could never intermarry with those whose genealogies were known, including especially the priests and the *meyuhasim* (those able to marry into priestly families) who were at the top of the hierarchy of purity of blood. The priesthood itself was "a closed circle which was not easily penetrated except by a few Israelitish families of exceptional distinction" (Epstein 1942, 309). Legitimacy within the priesthood was established by producing the appropriate genealogies, and, indeed, the common conceptualization of Jews in the ancient world (as seen by the epigraph from Josephus quoted at the beginning of this section) was that priests could be traced directly back to Aaron, the brother of Moses.

Stern (1976) comments on the high level of consanguinity of the priests during the Second Temple period and notes the preponderance of these families in the Jewish aristocracy of the period.[24] As Mitterauer (1991, 312-313) notes, concerns for consanguinity and for racial purity dovetailed, because, by choosing a close relative for marriage, one could be more sure about his/her purity of descent. Other families that became prominent, such as the Tobiads and the Hillels, managed to marry into the priestly families.

Jeremias (1969, 213-221) and Schürer ([1885] 1979, 242) provide detailed accounts of Jewish practices related to racial purity in the ancient world. Genealogical examinations extending back at least four generations of mothers on each side (five if the prospective bride was a Levite or Israelite) were very carefully performed for all priests and for some Levites, as well as their wives. The extreme seriousness of these concerns can be seen from by the fact that

priestly families typically went beyond the law by invoking draconian penalties on anyone whose sexual behavior might bring defilement on the family.[25]

Moreover, ordinary Israelites also knew the last few generations of their ancestors and which of the 12 tribes they belonged to. This was extremely important because only families of pure race were considered to make up the "true Israel" (Jeremias 1969, 275). Some lay people had genealogies that, like those of the priests, extended back to the time of King David. There is some suggestion that the priestly genealogies, along with the genealogies of the lay families who had married into the priestly class, were stored in an official archive at the Temple, which was destroyed early in the common era by King Herod out of jealousy because of his own lack of lineage.

Moreover, establishing one's genealogy was the ticket to success in the society and inclusion among the elect in the messianic world to come. It was the height of respectability to be able to say that one came from a family that could marry their daughters to priests or have sons who could serve in the Temple. All important honors and positions of public trust were dependent on establishing one's genealogy. Emphasizing the religious nature of the obligation to retain genetic purity, Jeremias (1969, 301-302; see also Mitterauer 1991, 312-313) notes that "[h]ere we have the most profound reason for the behaviour of these pure Israelite families--why they watched so carefully over the maintenance of racial purity and examined the genealogies of their future sons- and daughters-in-law before marriage. . . . For on this question of racial purity hung not only the social position of their descendents, but indeed their final assurance of salvation, their share in the future redemption of Israel."[26] The doctrine that only pure Israelites would share in the redemption brought about by the Messiah resulted in the belief that salvation itself depended on purity of blood.

Given the hierarchy of racial purity, it is not surprising that individuals at the lower levels of racial purity would attempt to remove rigid barriers between groups. Epstein (1942, 190) indicates that the pressure to remove most legal barriers to intermarriage came from the non-priestly classes whose power was increased following the collapse of the Jewish state and the establishment of a hierarchy based on learning.

However, the evidence indicates that the priestly class did not abandon its concern with genealogy when legal barriers to marriage were lessened. Jeremias (1969, 274; see also Epstein 1942, 190) emphasizes that the priestly class adopted "an inexorably rigorous stand" on issues related to marriage and racial purity--far more restrictive than that prescribed by the scribes. Even though it was legally possible for a priest to marry any Israelite of legitimate descent, in fact high priests almost invariably married members of other priestly families (Jeremias 1969, 155). This continuing concern with genealogy, despite the lack of legal restrictions, was typical of the community as a whole, not only priestly families: Epstein notes that "Israelites of distinction thought it

socially improper to marry a half-Jew, despite the leniency of the halakah" (Epstein 1942, 196).[27]

In the diaspora, it was common for priestly genealogies to be publicly displayed well into the medieval period (e. g., Ahroni, 1986, 74). And genealogies continued to be of great importance among the scholars and other elite Jewish families in 12th-century Babylon (Grossman 1989, 120). Descent in these families was traced back to the original tribes of Israel.[28] Similarly, Goitein (1978, 4-5) describes the reading of genealogies at funerals in the medieval Islamic period, in which ancestors were commonly traced back 10 or more generations. Levite families were able to trace their ancestry to the Biblical tribe of Levi, suggesting a continuing concern with maintaining the purity of lines of descent over a period of at least 1,000 years. Goitein notes that in the 20th century even common Jewish emigrants from Yemen knew their ancestors for six or more generations and suggests that this represents a continuity with previous practices.

A continuing concern with genealogies and purity of blood can also be seen by considering with writings of Maimonides in the 12th century. Johnson (1987, 183) notes that Maimonides himself could list six generations of his father's ancestors and 14 generations for his father-in-law's family through the illustrious female side. He also notes that most Jews could trace their lineage through at least seven generations. Reflecting the supreme importance of scholarly ability within the Jewish community (and the high level of reproductive success of scholars; see Chapter 7), the genealogy typically began with the name of a well-known scholar.

Maimonides' concern with genealogy is also apparent in his codification of Jewish law in the 12th century.[29] Priests were liable to be flogged for any intercourse with a heathen woman. A priest caught in the act of intercourse with a heathen woman was liable to be put to death: "[S]hould zealots fall upon him and slay him, they are worthy of commendation for their zeal" (p. 81). A child born from such a union was not admitted to the fold of Israel, and, indeed, the heathen woman "is liable to be put to death, because an offense has been committed by an Israelite through her, just as in the case of an animal" (p. 83). At this point Maimonides relies on Numbers 31:16-17, in which Moses commands the killing of the non-virgin Midianite women captured in the war of the conquest of Canaan.

Maimonides notes that the rules of the Torah and the Sages are fairly lenient regarding intercourse with a slave woman. He states, however, "[n]evertheless, let not this transgression be esteemed lightly in your eyes, just because the Torah does not prescribe a flogging, for this also causes a man's son to depart from following after the Lord, since the bondswoman's son is likewise a slave, and is not of Israel" (p. 83). The offspring of a concubine/slave is thus not admitted to the community, and, indeed, intercourse with such a woman is compared to sodomy, citing Deuteronomy 23:18. Conversion of the bondswoman removes these difficulties,[30] but Maimonides reiterates the general

distrust of proselytes typical of the ancient world, citing the Talmudic dictum that "'[p]roselytes are as hard to bear for Israel as a scab upon the skin,' since the majority of them become proselytes for ulterior motives and subsequently lead Israel astray, and once they become proselytes it is a difficult matter to separate from them" (p. 91). The latter comment indicates that the community would attempt to remain separate from proselytes.

The Maimonidean code reiterates the discriminatory regulations on the marriage of proselytes. Interestingly, the descendants of the proselyte continue to be impaired until all memory is lost of a person's impaired origins. Thus, the offspring of two proselytes (but not the offspring of a proselyte and an Israelite) is permitted to marry a bastard, "[a]nd so on until his proselyte descent sinks into oblivion, and the fact that he is a descendant of proselytes is no longer known. After that he is forbidden to marry a bastard" (p. 99). Presumably the requisite length of time would be at least seven generations, since it was common to know one's genealogy at least to this extent (see above).

Maimonides describes rules for ascertaining the purity of descent of a family. If two witnesses testify that a bastard, an unfit priest, or a slave is in a family's ancestry, people are advised not to marry into the family until there is an investigation of the eight maternal relatives on each side (including great-great-grandmothers). If the family is Levitical or Israelite, the investigation is to proceed to the great-great-great-grandmother level because there is said to be a greater danger of pollution in non-priestly families. Interestingly, despite the concentration on investigating female relatives to assure family purity,[31] the goal is to maintain the purity of the male line--Ezra's "holy seed." Females can marry men of invalid descent, but not the reverse, and, in a previous passage, Maimonides notes that in intermarriages among priests, Levites, and Israelites, the child retains the status of the father, "as it is said, *and they declared their pedigrees after their families, by their fathers' houses* (Num. 1:18)" (pp. 124-125; italics in text).

Maimonides then presents a discussion of the necessity of proving genealogy for the priests in his day. Pedigree must be traced back to a priest who ministered at the altar in the Temple or was a member of the Sanhedrin prior to the destruction of the Temple in 70 A.D., "since only priests, Levites, and Israelites of proven genealogy were appointed to the Sanhedrin" (p. 127). Priests of proven genealogy must produce witnesses that their sons are indeed their sons and that the women they marry are of valid descent. There is a long section on determining whose testimony is to be believed, on preventing fraud, and on ensuring that the father was a priest by classifying as doubtful priests those children born to a woman who remarries within three months of the birth of a child. If a child is born out of wedlock, he cannot be a priest, "as it is said, *and it shall be to him and to his seed after him, the covenant of an everlasting priesthood* (Num. 25:13): so long as his seed traces its proven genealogy from him with assurance" (p. 132; italics in text).

All of these concerns indicate that in the 12th century genealogy, and especially the genealogy of the priestly group, was still of great concern. Moreover, being of priestly descent still resulted in considerable social respect. Maimonides describes a child recounting his immersion and eating of the priestly heave offering who states that his companions "kept their distance from me and called me 'Johanan, the eater of dough offering'" (p. 130).

The elevated status of individuals from the tribes of the Levites and the priests (*Kohanim*) continued as an element of synagogue service into modern times and persists among Orthodox Jews and Haredim (Heilman 1992; Mintz 1992). The first two men to read from the Torah at the traditional Ashkenazi synagogue service were required to be from the tribes of the Levites and the Kohanim (Zborowski & Herzog 1952, 56). The rules requiring Kohanim to refrain from marrying widows or divorced women were also observed, as was the rule that the Kohanim must have no contact with the dead (pp. 272, 282). The birth of one's firstborn son was the occasion for a contribution to a member of the Kohanim (p. 320), a practice that dates back to the idea that the firstborn son was obligated to serve in the temple unless redeemed by a payment to the priesthood.

Genealogy was also of great importance in the traditional Jewish *shtetl* communities of Eastern Europe. There was a strong concern for *yikhus*, defined as referring to the purity of one's lineage, but also including the scholarly credentials and economic success of one's ancestry. Mayer (1979, 82) notes that yikhus is "a sort of credit rating. One's rating is presumed to be known until proven otherwise. But proof of one sort or another must be furnished in the form of recognizable credentials." In the Eastern European shtetl, "the yikhus of every member is generally known down to the last detail, and to recite one's yikhus to a new acquaintance is an integral part of an introduction (Zborowski & Herzog 1952, 78). Moreover, "the family with yikhus will strive to maintain it, to keep its purity unsullied, and if possible to augment it. Many a girl has been forced to renounce her beloved because to marry beneath her yikhus would 'put a spot on the family name'" (Zborowski & Herzog 1952, 78). Although an illustrious pedigree was not a necessary condition for yikhus, it appears to be a sufficient condition, since the best type of yikhus depends on the number of wealthy and learned ancestors. It was common to refuse marriage with any family whose yikhus did not extend back seven or eight generations. In the 20th century, some families were able to trace their ancestry back to the medieval period, as, for example, the family of 20th-century Zionist Nathan Birnbaum, who traced his roots back to the medieval scholar Rashi (Birnbaum 1956, 11).

There is a powerful continuing concern with yikhus among groups of Orthodox Jews in contemporary America and Israel (see Heilman 1992; Mayer 1979; Kamen 1985). Kamen (1985) describes one such community of Hasidic Jews in 20th-century America. The *tzaddikim* (righteous men) who lead the community are regarded as having "holy seed" (p. 3) and inherit their positions--what Kamen terms "hereditary saintliness" (p. 3). Hasidic rebbes

typically trace their genealogy to the founder of Hasidism, Baal Shem Tov, or one of his disciples (Zborowski & Herzog 1952, 169). Mayer (1979) describes the followers of one Eastern European rebbe who re-established his lineage in 1963 by locating his grandson. Clearly, genetic linkages are an extremely important aspect of legitimacy in these communities.

GENETIC AND CULTURAL SEGREGATION AMONG THE SEPHARDIC JEWS IN THE MEDIEVAL PERIOD

Baer (1966, vol. I) emphasizes the continuity of Sephardic customs and beliefs from practices originating in the ancient world. There remained a consistent trend in Jewish religious thought in the Middle Ages that depicted Jews as a chosen people living among hostile nations from whom they must remain separated, while remaining tied to their ancestral homeland (e.g., Judah Halevi [12th century]). Beginning in the 13th century, a long series of cabalistic writings created "a new, mystically clothed, ethnic concept" in which the non-Jewish world was viewed as evil, and any compromise or assimilation with it was rejected. The worst behavior of all was to enter into intimacy with gentile women (Baer 1961, I:246). "Jewish pietism, with its overtones of mysticism deepened the sense of 'foreignness' imbedded in the consciousness of a people living in exile in strange lands" (Baer 1961; I:248). Later, in the 15th century and beyond, the records of the Iberian Inquisitions "breathe a nostalgic yearning for the national homeland, both earthly and heavenly--a yearning for all things, great and small, sanctified by the national tradition" (Baer 1961, II:425).

Maintaining Racial Purity among the Medieval Sephardim

The medieval Sephardic Jewish community was greatly concerned with providing and enforcing communal sanctions aimed at preventing gentile contamination of the Jewish gene pool. We have already noted that Maimonides, whose views were authoritative, had a very negative attitude regarding having sexual intercourse with gentile slaves and/or converting them. Baer (1961) gives many examples of rabbinic writings that indicate disapproval of sexual relationships with gentiles, as in the following: "Intercourse with a slave woman is a capital sin . . . for the sinner defiled the holiness of God by loving and possessing 'the daughter of an alien god' (Mal. 2:11). His alien offspring will be a snare to him and a reminder of his sin" (quoted in Baer 1961, 256). Cabalistic writers, citing Hosea 5:7, railed against those who "have

betrayed the Lord by begetting alien offspring"; and further, "He who lies with a Gentile woman . . . of this it is written, 'and the people began to have illicit relations with the daughters of Moab . . . and the anger of the Lord blazed against Israel'" (Num. 25:1,3) (from the *Sefer ha-Zohar*; see Baer 1961, I:262).

Neuman (1969) provides an opinion of a medieval Jewish court in Spain that two individuals were "of pure descent, without any family taint, and that they could intermarry with the most honored families in Israel; for there had been no admixture of impure blood in the paternal or maternal antecedents and their collateral relatives" (II:6). In this case, two brothers had been accused of having a slave as an ancestor, and the charge was so serious that the accused "could not rest with the verdict of the local rabbis" and invoked the aid of all the prominent rabbis in their vicinity, begging them to confirm with the weight of the authority the sentence already pronounced. "The entire responsum is charged with deep emotion. The fact that a blemish had been cast on an innocent family in Israel was regarded with horror as an act of monstrous villainy" (II:7). Notice also that even collateral relatives were examined. Having impure blood cast a shadow over the entire family, not only on the direct line of descent.

Offspring of female slaves received "grudging social recognition and tolerance," the master freeing the slave, converting her to Judaism, and then engaging in a "semi-marriage" (Neuman 1969, I:11), presumably similar to concubinage. The opinions of Maimonides and the responsum discussed above indicate the descendants of such unions were not accepted as full members of the Jewish community, and this was certainly the case for the mixed offspring of Sephardic masters and their gentile slaves immigrating into the Ottoman Empire during the period of the Inquisition (Shaw 1991, 47).

Neuman (1969) also finds that the Jewish authorities were greatly concerned with discouraging any sexual relationships between Jews and gentiles. They dealt severely with the Jewish offender. In one instance, when a Jewish woman gave birth to a child by a Christian man, two rabbis concurred that her nose should be cut off. Reformists periodically removed non-Jewish women from the Jewish quarter. The mystic Don Todros "rose and expelled the alien women from the Jewish quarter" (Baer 1961, I:257), and regulations were adopted such that Jews were required to refrain from intimacy with Moslem women and to sell their Moslem slave girls on pain of excommunication.

Neuman (1969, II:12) notes that some Jewish communities established Jewish prostitution in order to ensure that young men would not consort with Christian prostitutes. Brundage (1987) notes that Mosaic law forbade Jewish women from prostitution, but that foreign prostitutes were tolerated. However, this stricture was not always obeyed, and some authorities distinguished between prostitution within the Jewish community and outside it: "Some later authorities argued that even a priest might marry a Jewish harlot, provided that in the course of her career she had not had sexual relations with any gentiles,

slaves, members of her own household, or married men of any kind" (Brundage 1987, 56).[32]

Community Enforcement of Separation Among the Medieval Sephardim

In Chapter 1, it was noted that an essential feature of any group evolutionary strategy is to develop mechanisms that prevent individuals from self-interested behavior which conflicts with group goals. As noted above, Jewish diaspora communities beginning in the ancient world were characterized by powerful internal governments, which aggressively monitored individual behavior and ensured conformity with group interests.

In Spain prior to the expulsion of 1492, there was a strong separation between the Jewish *aljamas* and the rest of society. This residential segregation was not rigidly maintained or legally imposed until after the destruction of many Jewish communities in 1391, after which residence in a *juderia* became compulsory in some areas (Neuman 1969, I:166; Gampel 1989; Leroy 1985). Nevertheless, even in the absence of residential segregation, all Jews were under the authority of the *aljama* government.

As was also the case in Poland (e.g., Weinryb 1972), besides the physical separation, the aljamas were fiscally separate from the surrounding communities and were governed by Jewish religious law, rather than the common law of the land, "*imperia in imperio.*" As the rabbis said, "God forbid that the holy people should walk in the ways of the gentiles and according to their statutes. . . . Would they teach their children the laws of the gentiles and build themselves altars of the uncleanliness of the heathen?" (Neuman 1969, I:14).

The judicial and legislative powers of the aljamas represented a potent means of social control within the community. Any Jew who attempted to avoid the Jewish courts in proceedings against other Jews was viewed as an informer and was subject to severe discipline, including excommunication and heavy fines. Even the death penalty could be imposed against informers after getting approval from the authorities.[33] The courts, often in conjunction with the royal authorities, prosecuted violations of religious practices, such as the regulations concerning the Sabbath.

There were less-formal mechanisms of social control as well. A particularly interesting aspect of community control over individual behavior relates to the prevention of apostasy. Writing of 13th-century Spain, Baer (1961) notes that measures were taken to protect converts to Christianity from abuse by their former co-religionists.[34] The interesting thing is that conversion was "a blot on the family. The disgrace of one convert in a family was enough cause to warrant the disruption of the wedding engagement of an innocent relative. His

former brethren regarded him as a renegade and ostracized him" (Neuman 1969, II:190).

This type of social control in which relatives were penalized for individual behavior in contravention of group norms was common throughout Jewish history. Goitein (1978, 33, 45), writing of medieval Islamic times, notes that the responsibility of the extended family was recognized by public opinion, although it was not a formal part of Jewish law. Hundert (1992; see also Katz 1961a) notes that in traditional Ashkenazi society the son of a convert was ostracized and ridiculed because of his father's apostasy, indicating that conversion had negative effects on the entire family even beyond the immediate generation. And Deshen (1986) describes a 19th-century Moroccan case in which a man was allowed to break an engagement with a woman whose aunt had given birth out of wedlock. The decision was based on a precedent in which a man was allowed to break an engagement with a woman whose sister had converted to Islam. The following takhanan of the Synod of Frankfort (1603) illustrates well how community controls over individual behavior related to cultural separatism were linked to penalties on other family members: "If it is proven that any Jew has drunk wine in the house of Gentile, it shall be forbidden for any other Jew to marry his daughter, or to give him lodging, or to call him to the Torah or to allow him to perform any religious function" (quoted in Finkelstein 1924, 260). The same synod established penalties for avoiding Jewish charity, which included the exclusion of children from the community.

These social controls on individual behavior facilitated the group strategy because an individual contemplating apostasy or other major breaches of the rules would realize that the consequences of such an act would accrue not only to himself, but also to the relatives left behind--thus raising the stakes considerably. There is, of course, an excellent evolutionary logic embedded in such controls: Individuals are implicitly assumed to take into account the costs of their actions on their relatives.

The Practice of Cultural Separatism among the Sephardim

Interestingly, the Sephardic Jews are credited by Roth (1974) with pioneering the discarding of external signs of Jewish separateness such as clothing and language,[35] and Castro (1971) notes that Jews often lived among non-Jews, rather than in exclusively Jewish quarters (*Juderia*). Nevertheless, the Sephardic concern with external signs of separateness was highly compatible with a strong sense of exclusivity. The dietary laws, circumcision, the practice of the Sabbath, and the *Mitzvoth* of 613 commandments in general would be expected to result in a profound sense of being a Jew and being separated from gentile society.

It should be noted that the Sephardic sense of exclusivity and superiority is legendary even among the other branches of Judaism (e.g., Patai 1977, 381-383; Chapter 8). After the expulsion, the Sephardim continued to use a dialect of archaic Spanish (*Ladino*) in their communities in other parts of the world, so that in the 19th century most Sephardic Jews living in the Turkish Empire could understand neither Turkish or other local languages such as Greek and Romanian. In Morocco, the Sephardic Jews continued to speak a Castilian dialect which differed from Ladino until the 19th century.

Benardete (1953) emphasizes that, in addition to this "secretive language for communication among coreligionists" (p. 59), there was a wide variety of other religious customs, gestures, celebrations, and culinary laws that separated them from gentiles and even other Jews living among them. Benardete cites observations indicating that the Sephardim in the United States considered themselves "a people apart" with "hermetic groupings" and superior to Ashkenazi Jews, even though they were of lower social class than the latter (whom they referred to with the derogatory term *tedesco*) (1953, 145-146; see also Patai 1977, 381-383; Sachar 1992, 63; Baron 1973, 36). In Morocco, the Sephardim remained separate for the most part from the native Jews for whom they used the disdainful term *forasteros* (aliens) (Patai 1986).

This is perhaps an appropriate place to mention the general phenomenon of linguistic separatism among the Jews. Patai (1971) notes that from the Middle Ages to at least the 19th century there has been a strong trend for linguistic separatism characterized typically by Jews clinging to archaic native languages to which they added Hebrew words (e.g., Ladino, Yiddish, Judeo-Persian, Hebrew-Aramaic-Arabic). The result was that in many areas, such as Poland on the eve of World War I (Lichten 1986), the great majority of Jews could not communicate in the language of the gentiles. In addition, Hebrew ("the holy tongue" [Patai 1971, 131] remained throughout the ages as a language of written and often oral communication among Jews. Hebrew was a prominent sign of Jewish separatism in the medieval period--viewed by Christians as a "hidden language" all the more mysterious because of the rabbinic prohibition on teaching the language to gentiles (Gilman 1986, 25-26). Clearly, linguistic separatism has been an important force for maintaining genetic and cultural separation between Jews and gentiles over a very long period of historical time.

GENETIC AND CULTURAL SEGREGATION AMONG THE ASHKENAZIM IN THE TRADITIONAL SOCIETIES OF EASTERN EUROPE

> [Russian Jews] never seem for an instant to lose the consciousness that they are a race apart. It is in their walk, their sidelong glance, in the carriage of their sloping shoulders, in the curious gesture of the uplifted palm (Harold Frederick, *The New Exodus: Israel in Russia* [London, 1892], 79-80); quoted in Lindemann 1991, 129)

> As I began to reconstruct the life of my grandfather's family . . . , I received the distinct impression that the life of my grandfather and that of the Hungarian peasants of Pata had almost nothing in common. . . . The contact between my grandparents and the peasants of the village was confined to the occasions when the latter stopped by the store to make their small purchases. . . . [A]part from this, my grandfather lived entirely in the world of Jewish tradition, primarily that of the Talmud. He knew almost nothing of the cultural traditions of the Pata peasants. . . . [B]oth grandfather's and grandmother's clothing was different; so were their hair styles and the food they ate, and, because of the strict separation of milk from meat dishes, even the arrangement of the kitchen. If one adds the differences between the intellectual interests of a learned and traditional Jew and those of a Hungarian peasant, and between the ethos of the one and of the other, one reaches the conclusion that this Hungarian Jew lived in practically complete cultural isolation from his purely Hungarian environment (Patai 1971, 136-137)

There is no question that there was a powerful tendency toward cultural separatism among the Ashkenazi Jews. The principal barriers included physical appearance, attitudes, language, residential propinquity, and social relationships. Jews tended to live in the same neighborhoods, whether in the ghetto imposed by the authorities or in self-chosen segregated neighborhoods near the synagogue (Hundert 1992; Katz 1961a). As was the case throughout the diaspora from ancient times, Jews lived under their own laws derived from the Talmud and organized their own communities.

Indeed, even when the ghetto was imposed by the gentile authorities, "[m]any rabbis would have liked the walls of the ghetto higher" (Johnson 1987, 238). Any contact at all between Jew and Gentile was more or less deemed a departure from a theoretical ideal: "[H]ad it been practically feasible, complete segregation from the outside world would have been desirable. . . . [T]he Jewish quarter lived a life of its own in which society-at-large had no part" (Katz 1961a, 33).

Jewish education was "introverted and singular, devoted exclusively to Jewish studies" (Weinryb 1972, 98; see also Chapter 7). Jews spoke a different language, Yiddish, at least among themselves, and Lichten (1986) notes that on the eve of World War I the Jewish masses of Poland did not understand Polish. Those least likely to know the language of the gentiles were those with the highest prestige in the Jewish community, the rabbis (Zborowski & Herzog 1952, 160). An edict of the Russian government that every rabbi learn the Russian language was avoided by several subterfuges, including abandoning the distinctive hat of the rabbi in public. In 19th-century Lithuania, "the study of European languages was seen as unnecessary and even dangerous" (Etkes 1989, 167).

Regarding physical appearance, Weinryb (1972, 83) notes that "Jews in Western countries mostly wore clothes that distinguished them from non-Jews, possibly at first for religious reasons: as a barrier against the outside world." Besides clothing, Katz (1961a, 13) also notes that men and women wore their hair differently, and there were perhaps even differences in their physiognomy, "which was somehow more distinctive than during periods of social rapprochement."

Regarding attitudes, the Jews viewed themselves as separate even from the land: Many rabbis viewed Poland itself as defiled and unclean, and not the permanent habitat of the Jews (Weinryb 1972). Reflecting this sense of sojourning, the burial service in traditional Ashkenazi shtetl communities included depositing a small amount of soil from Palestine under the head of the deceased (Zborowski & Herzog 1952).[36] Katz (1961a) notes that Jews were conscious of being only temporary resident aliens and were considered in this manner by gentiles. There was also a powerful sense of separation from gentiles. Katz (1961a, 26ff) describes the common philosophical belief among Jews that Judaism and Christianity differed not merely in matters of ritual and belief, but also in essence. Moreover, this essential difference was often viewed as ultimately the result of racial differences, with Jews descending from Abraham, Isaac, and Jacob, while the gentiles descended from Esau.

Social contacts between Jews and gentiles were to remain "strictly business-like. No encouragement whatsoever was given to sociability as such, to cultivation of personal attachments, entertainment, and fraternization" (Katz 1961a, 22)--practices that were even more strictly enforced later than they were in the medieval period. Dietary laws prevented Jews from eating at gentile homes, so that "only on rare formal occasions did Jew and gentile invite each other. Religious authorities inveighed against even these occurrences, however exceptional" (Katz 1961a, 22).

These barriers had the expected effect of preventing marriage with non-Jews. Fraikor (1977, 120; see also Weinryb 1972, 96) characterizes the Ashkenazi Jews as an "extremely religious, cohesive, endogamous group who were extremely selective in choosing marriage partners according to Biblical,

Talmudic, and rabbinical precepts," including, as already noted, a preference for uncle-niece marriage.

Throughout the Jewish settlement in Poland, there was a very low level of assimilation via conversion and especially forced conversion. Voluntary conversions were small in number and most involved poor and obscure Jews (Weinryb 1972, 94). During persecutions, particularly during the 1648 massacres, there were forced conversions as well as conversions of convenience of Jews in Poland. However, there were also laws preventing reconversion to Judaism of those who had converted to Christianity, suggesting controls on "conversions of convenience" and an attempt to prevent crypto-Judaism. However, many of these converts succeeded in returning to Judaism after the danger had passed, and some converts continued to maintain their relationships with their Jewish relatives and other Jews after conversion, suggesting crypto-Judaism.

There are indications that when Jews converted to Christianity, they were able to rapidly intermarry with Poles, indicating that the barriers to intermarriage were mainly erected by the Jews.[37] For example, Ciechanowiecki (1986) describes a wealthy Jewish family that converted and attained important places in the aristocracy and was able to make very good marriages with other aristocrats. Intermarriages, though rare, were not scandalous (Kieniewicz 1986). Indeed, as was the case in England at least until the end of the 18th century (Bermant, 1971, 14), there is evidence that intermarriage following religious conversion tended to occur only within the highest stratum of the gentile population.[38]

Jews in Poland actively resisted assimilationist attempts by non-Jews resulting from the ideology of the Enlightenment. Enlightenment intellectuals advocated giving Jews complete access to economic activity, including state service, but called for an end to the "damaging Jewish monopoly in trade and finance" (Kieniewicz 1986, 72). These ideas were rejected by Jewish and Polish conservatives alike, the latter advocating emancipation of Jews only after they had assimilated. Emancipation "did not initiate a marked assimilation trend" (Kieniewicz 1986, 76). "The assimilative trend, which grew noticeably among Polish Jews in the second half of the nineteenth century, slackened, or even came to a halt in later times (p. 77; see also Lichten 1986, 128).[39]

Moreover, from the present perspective, the precise meaning of assimilation is important. Barriers such as clothing and language are important to viewing Judaism as a fairly closed group evolutionary strategy only insofar as they are means toward the end of genetic segregation. However, it is quite possible that these barriers could fall, but that genetic segregation (as well as resource and reproductive competition between ethnic groups) could continue. Indeed, Lichten (1986) notes the broad range of Jewish assimilationist positions in Poland from the late 19th century to the pre-World War II period, the vast majority of which were consistent with continued genetic segregation and resource competition.

For example, an assimilationist organization in 1937 expressed patriotic sentiments for the Polish state as well as support for the idea that all citizens be treated according to their personal accomplishments, regardless of religion or national origin (see Lichten 1986, 124). By themselves, these proposals would clearly not be sufficient to end genetic segregation and resource competition based on ethnicity. In fact, if such a program (which essentially corresponds to the official position of Reform Judaism [see below]) had been implemented, it is quite possible that the result would have been to intensify ethnically based resource competition on the assumption that complete emancipation of the Jews would result in their being better able to compete with gentiles. Evidence for this latter proposal is presented in Chapter 5.

CONFRONTING THE MODERN WORLD: THE IDEOLOGY AND PRACTICE OF GENETIC AND CULTURAL SEPARATION SINCE THE ENLIGHTENMENT

It is not an overstatement to claim that the European Enlightenment has been the most traumatic event in the history of Judaism as a group evolutionary strategy. We have seen that in traditional societies over nearly two millennia the separation between Jews and gentiles was more or less complete, with the result that "nobody would have doubted at the end of the eighteenth century that the Jews were an ethnic unit, separate from the local inhabitants in any place where they may have built a community. Similarly, the unity of these communities all over the world was also taken for granted" (Katz 1986b, 90). The barriers erected to restrict the normal intercourse among individuals were very high indeed, and Jews generally organized themselves as a state within the larger gentile political organization.

However, with the Enlightenment all this changed. Jews were expected to take their place as citizens like any other in nation-states, and the powerful centralized Jewish governments disappeared as a condition of Jewish citizenship. Judaism was forced to come to grips with the fact that the intense cultural separatism characteristic of Jews in traditional societies was widely viewed as incompatible with life in a modern nation-state. Judaism of necessity became a voluntary association, and there was no way for any central authority to prevent intermarriage or complete defection from Judaism.

The problem, then, was whether separation could be maintained in this radically new environment. Jews were forced to walk a very fine line between two unacceptable alternatives: On the one hand Jews were strongly motivated to avoid the traditional hermetic Jewish separatism because of its perceived incompatibility with citizenship in a modern state and its tendency to provoke

anti-Semitism. On the other hand, there was a powerful fear that abandoning these traditional practices would result in true assimilation into gentile society and the end of Judaism as fundamentally a cohesive national/ethnic entity.

Theoretically, there is no reason to suppose that the voluntary nature of post-Enlightenment Judaism is incompatible with Judaism continuing as a group evolutionary strategy as outlined in Chapter 1. One need only suppose that some subset of group members will actively attempt to continue Jewish separatism even in the face of powerful assimilatory pressures and that those who fail to adhere to this separatism will simply be excluded (or exclude themselves) from the group. Under conditions of voluntarism, it is expected that Jewish education and socialization will become even more important for maintaining group commitment than in traditional societies where the possibilities of changing group membership were severely limited.

In the following, several modern reformulations of Judaism will be discussed because they illustrate how Jewish *de facto* separatism can persist even when the basis for group cohesion was forced to change. In each of these cases, the intention has always been to continue Jewish cultural and genetic separatism, although different mechanisms, including ideological rationalizations, have been used to achieve this goal. Moreover, the mechanisms have differed in their success in achieving the twin goals of accommodating to the modern world while maintaining group cohesion and *de facto* separatism from the gentile world.

Reform Judaism as a Response to the Enlightenment

> We are not a *people*, we are a *religion*. (French rabbi Lazare Wogue [1843]; quoted in Meyer 1988, 170; italics in text)

> We recognize in the modern era of universal culture of heart and intellect the approaching of the realization of Israel's great Messianic hope for the establishment of the kingdom of truth, justice and peace among all men. We consider ourselves no longer a nation, but a religious community, and, therefore, expect neither a return to Palestine, nor a sacrificial worship under the sons of Aaron, nor the restoration of any of the laws concerning the Jewish state . . . We are convinced of the utmost necessity of preserving the historical identity with our great past. (From the Pittsburgh Platform [1885]; reprinted in Meyer 1988, 388)

> The definition of the Jewish community as a purely religious unit was, of course, a sham from the time of its conception. (Katz, 1986, 32)

The Reform movement of Judaism beginning in the 19th century was an attempt to integrate Jews into the modern Western European nation-state. In Germany, the *font et origo* of the Reform movement, the goal was political

emancipation. From the standpoint of the Jewish reformers, there was no intention to end separatism, but only to find a new basis for voluntary separatism now that the old powerful, centralizing force of Jewish autonomous communities had disappeared (Sorkin 1987, 101). On the other hand, the entire purpose of emancipation from the perspective of Christian countries was "to put an end to the anomaly of Jewish existence, offering Jews of every country the chance to be absorbed into the local population" (Katz 1986b, 143).

In the event, Jews were not simply absorbed into German society: "The experience of certain individuals notwithstanding, the entrance of Jewry as a *collective* into the body of German society did not mean integration into any part, stratum, or section of it. It meant, rather, the creation of a separate subgroup, which conformed to the German middle class in some of its characteristics" (Katz 1985, 85; italics in text; see also Katz 1986, 143-144). In fact, emancipation led to a new kind of German-Jewish subculture: "Assimilation--as intermarriage, conversion, or the denial of connection with and separation from other Jews--was not the experience of the majority of the new bourgeoisie but a marginal phenomenon. The bulk of the bourgeoisie shared a specifically German-Jewish life: they were members of a minority group who constituted a community" (Sorkin 1987, 6).

A crucial aspect of this transformation was the development of institutions that served many of the functions of the old *Kehilla* system and served to reinforce the internal cohesion of the community in the absence of powerful central controls--what Volkov (1985, 196; see also Sorkin 1987, 113) refers to as a post-emancipation "intimate culture" composed of specifically Jewish associations. By 1900, there were 5,000 Jewish associations in Germany, which formed a society parallel to the gentile society, including a vast array of charitable services (see Chapter 6). Even by 1840, there had developed a homogeneous German Jewish subculture based now on voluntary association, rather than rigid centralized control. This fundamental homogeneity transcended religious differences among the Jews: "The manifest discrepancy between the ideologues' vision that the Jews would be distinguishable by religion alone and the actual social situation of German Jewry led to a fundamental paradox. What eluded German Jewry was that at the very moment that religious practice and belief became a divisive factor within the community, a secular ideology had become a new structural factor of cohesion" (Sorkin 1987, 123).

While emancipation led to no structural changes in Germany, there were major ideological changes. The principle change was the attempt to recast Judaism as a universalist missionary religion whose mission was to continue to remain separate from the gentiles while showing them the true religion and leading them to more elevated ethical behavior--the ancient idea that Judaism represents "a light of the nations" (Isa. 42:6).[40] In the words of Nachmam Kochmal in the early 19th century, Judaism had survived "so that it might become a Kingdom of Priests, i.e., teachers of the revealed absolute faith to the

human race" (quoted in Meyer 1988, 155). Sorkin sums up this broad intellectual trend by noting that "[t]he ideologues thus effected a theoretical reconciliation of the inherent paradox: universal values could sustain the Jews' particularism, were indeed integral to it, since Jews had a role to play on the stage of universal moral history" (Sorkin 1987, 103; see also Endelman 1991, 196; Neusner 1987, 187; Patai 1971, 46).[41]

Reform Judaism explicitly rejected nationalistic aspirations of a return to Israel. During the French Revolutionary period and the Napoleonic period, French Jews attempting to obtain equality of economic and political rights "went out of their way to state publicly that their religion did not conflict with the duties of citizenship" (Meyer 1988, 27) by de-emphasizing the messianic return to Palestine. An assembly called by Napoleon explicitly declared that the Jews were no longer a separate people or, as Napoleon believed, a "state within a state."[42] Similar sentiments appeared in the Pittsburgh Platform of 1885.

Patai (1971, 43) notes that as a result of these ideas, the traditional prayers referring to the chosenness of the Jews, "Jewish peoplehood," a return to Jerusalem, and even almost all mention of Zion or Jerusalem were expurgated from the prayer books of Reform Judaism or at least modified in order to be less incompatible with citizenship in a secular nation-state. Prayers asking God to protect Israel were changed to ask God to protect all oppressed people. "By means of such devices the *Union Prayerbook* actually succeeds in transforming the Jewish synagogue service from a family colloquy between the Children of Israel and God their Father--which was its character throughout Jewish history--into a formal audience in which the Jewish worshipers appear before the Lord in their capacity of a self-appointed delegation to present to Him the petitions of all mankind" (p. 45).

Given the *quid pro quo* of Jewish emancipation in Germany, the reforms served the function of making gentile political leaders more willing to grant Jews complete political and economic emancipation (Meyer 1988, 144). However, the ideological rationalizations also served the same functions as they did in the ancient world: to provide an ideological basis intended to appeal to gentile intellectuals during an era in which Judaism was beset by lack of respect from gentile intellectuals (Meyer 1988, 204)[43] and to shore up morale within the Jewish community, which was badly in need of a new basis for internal cohesion after the decline of Jewish political autonomy (Sorkin 1987, 102).

As early as the beginning of the 20th century, there was a trend among American Reform Jews to reverse the entire process and re-introduce elements of Jewish particularism (Meyer 1988, 295), including the celebration of traditional religious feasts and a greater appreciation of Orthodox Judaism as essential to the continued existence of Reform Judaism, rather than simply an outdated relic of the past. By mid-century, educational efforts had been extended, and the goal "was no longer simply to make Jewish young people into better human beings, but to make them also into dedicated members of the Jewish people" (Meyer 1988, 299). Reform Judaism became increasingly less

differentiated from Conservative Judaism, where ethnic identification and religious rituals continued to retain a prominent role.

Moreover, there was an increasing attempt to make Reform Judaism compatible with Zionism. The issue of Zionism was extremely difficult for Reform Jews because of the issue of dual loyalty. But, in 1937, the Columbus Platform officially accepted the idea of a Palestinian homeland and shortly thereafter accepted the idea of political sovereignty for Jews in Israel.[44] As Sachar (1992, 510) comments in his discussion of this statement: "Was the statement, then, ethnicity reflecting itself as Zionism, or Zionism as ethnicity? In fact, each reinforced the other." Reform Judaism had clearly made its peace with Jewish ethnicity and the ideology of Jewish nationhood.[45]

Reform Judaism was therefore not intended to end Jewish cultural separatism (see also Woocher 1986, 5). Nor was it intended to end Jewish genetic segregation. According to Katz (1985, 85; see also Levenson 1989), the clearest sign of continuing separatism in post-emancipation Germany was endogamy: Jews continued to marry almost exclusively among themselves. The small percentage of Jews who married exogamously (and their children) were lost to the Jewish community. Moreover, "[a]s far as actual and active kinship was concerned, Jews remained almost exclusively bound to their own kind--a fact that more conspicuously than any other set them apart from the population at large" (Katz 1985, 86). Sorkin (1987, 111) notes that there was very little defection from Judaism in the 19th century in Germany despite the disappearance of powerful community controls. The annual rate of apostasy among Jews is estimated at no more than 6 or 7 per 10,000, and intermarriage is described as "not a significant factor."

The vast majority of those attending the Reform conference of Brunswick (Germany) in 1844 were opposed to mixed marriage, but many of the participants felt a need to make some accommodation on the issue in order to avoid charges of Jewish misanthropy. The conference resolved to state that mixed marriages were valid, but that there was "a lack of sympathy" for them (Meyer 1988, 135) because of the stated fear that mixed marriage would decimate the Jewish community. Indeed, the conference included the provision that the children of mixed marriages should be raised as Jews, and since this was impossible in Germany, there could be no practical effect of this resolution.

The Reform attitude toward intermarriage parallels the Jewish response to conversion in the ancient world, reviewed at the beginning of this chapter. In both cases, there appears to have been a gap between rhetoric, in which intermarriage or conversion was theoretically tolerated in order to appeal to the gentile community, and actual practice, which strongly discouraged these activities. Levenson's (1989, 321ff) discussion indicates that throughout the 19th century and into the 20th century in Germany, the Reform policy was to affirm the validity of intermarriage in principle in order to avoid charges of misanthropy and intolerance, but also to strongly oppose intermarriage in practice. In the words of Ludwig Philippson, a major Reform leader, whose

opposition to intermarriage became stronger as time went on, "The reason lies simply in that one feels in part not entirely at one with one's self on this matter, and in part one fears, by giving a decisively negative answer, the reproach of intolerance . . ." (quoted in Levenson 1989, 324).[46] And in fact levels of intermarriage remained extremely low.

Levenson (1989, 326) notes that the public opposition to intermarriage was stronger among Reform thinkers in the United States than in Germany because intermarriage in the United States was more likely and the costs of an intolerant policy were lower (because of lower levels of anti-Semitism). The American thinkers were thus able to be much more forthright in their condemnation of intermarriage and even engaged in anti-Christian polemics, which would have been unthinkable in the German milieu.

While official ideology is undoubtedly a poor guide to private attitudes, it is worth noting that the Reform opposition to intermarriage in the United States officially avoided framing the reasons in racialist terms (Levenson 1989, 327ff). For example, the prominent Reform rabbi Samuel Schulmann explicitly rejected the racialist arguments against intermarriage put forward by the German Zionist Arthur Ruppin, arguing instead that intermarriage would destroy the Jewish community. However, explicitly racialist considerations for opposing intermarriage did appear among prominent Reform intellectuals. The prominent 19th-century Reform leader David Einhorn was a lifelong opponent of mixed marriages and refused to officiate at such ceremonies, even when pressed to do so (Meyer 1988, 247). Einhorn was also a staunch opponent of conversion of gentiles to Judaism because of the effects on the "racial purity" of Judaism (Levenson 1989, 331). The influential Reform intellectual Kaufman Kohler was also an ardent opponent of mixed marriage, as well as a believer in the hereditary genius of the Jewish people in the area of religion. The election of Israel is due "to hereditary virtues and to tendencies of mind and spirit which equip Israel for his calling" (Kohler 1918, 328). Kohler goes on to note that the idea of the election of Israel is closely linked in Deuteronomy to negative attitudes regarding intermarriage. The conclusion is that Israel must remain separate and avoid intermarriage until it leads mankind to an era of universal peace and brotherhood among the races (Kohler 1918, 445-446). Moreover, Israel's mission is not to convert others, but to be an altruistic martyr who provides a shining example of morality to the rest of mankind who will eventually acknowledge the truth represented by the Jewish God (pp. 339-340, 375).

The negative attitude toward intermarriage is confirmed by survey results. A 1912 survey indicated that only seven of 100 Reform rabbis had officiated at a mixed marriage, and a 1909 resolution of the Central Council of American Rabbis declared that "mixed marriages are contrary to the tradition of the Jewish religion and should be discouraged by the American Rabbinate" (Meyer 1988, 290). In 1947, a resolution to ban officiating at mixed marriages was narrowly defeated, and a 1973 resolution actually strengthened the language of

the 1909 resolution opposing intermarriage (Levenson 1989, 331). Even in the 1970s "virtually all" Reform rabbis opposed mixed marriage in principle (Meyer 1988, 371) and a majority of Reform rabbis refused to officiate at such marriages.

Meyer (1988, 144) makes the interesting point that in Europe Reform Judaism was most successful in societies, as in 19th-century Germany, where there was a realistic hope of political and economic gains by de-emphasizing the national/ethnic character of Judaism. "Had German Jews been totally without hope of full acceptance, as in eastern Europe, or already achieved it entirely, as in France, they would not have felt as self-conscious about the prayers for return to the Land of Israel." Similarly, it was noted above that, because of differing political situations Jewish rhetoric against intermarriage could afford to be much more strident in the United States than in Germany. This suggests that in the absence of perceived necessity, there is an inertial tendency to return to an ideology of ethnic and cultural separatism. The following explores several modern formulations in which the national/ethnic character of Judaism remains salient.

Zionism, Conservative Judaism, and Neo-Orthodox Judaism as Responses to the Enlightenment

While Reform Judaism rationalized a limited cultural assimilation between Jews and gentiles by de-emphasizing the national/ethnic character of Judaism, the reverse process is apparent in Zionism and the recent upsurge in Neo-Orthodox and Conservative Judaism. It is important to note that Zionism must be viewed as one of the responses of Judaism to the Enlightenment, and, indeed, Woocher (1986, 9) describes it as the most important response of Eastern European Jews to modern times--as a mechanism that, along with Reform, Conservatism, or Neo-Orthodoxy, would "enable Jews to live in the modern world on its terms, but as Jews" (p. 9).

Zionism openly accepted a national/ethnic conceptualization of Judaism that was quite independent of religious faith. As Theodore Herzl (1988, 76) stated, "We are a people--one people." In words highly compatible with the theoretical perspective developed here, the Zionist Arthur Hertzberg stated that "the Jews in all ages were essentially a nation and...all other factors profoundly important to the life of this people, even religion, were mainly instrumental values" (quoted in Neusner, 1987. 203).

Interestingly, Endelman (1991, 196) argues for a link between the development of Zionist ideology and the perceived failure of the Reform movement due to the fact that many Jews became completely assimilated, including especially a substantial incidence of conversion and intermarriage. "Zionist ideologues and publicists argued that in the West assimilation was as

much a threat to the survival of the Jewish people as persecution was in the East" (Endelman 1991, 196). Zionists, such as Moses Hess ([1862] 1918, 124), early on noted that the Reform conceptualization of Judaism as a religion with no national basis "fostered only indifference to Judaism and conversions to Christianity." As early as 1862, Zionism was thus seen by its proponents as an attempt to retain the national/ethnic character of Judaism in the face of the corrosive assimilative forces of the modern Western world. In terms of the group strategy idea, Zionism is therefore an attempt to continue Judaism as a fairly closed group evolutionary strategy.

Similarly, the recent revival of Neo-Orthodox Judaism in the United States is attributed by Danzger (1989) to a rejection of Reform Judaism because the relative assimilation of these Jews had resulted in high rates of intermarriage and conversion and a complete lack of religious or ethnic identification by some Jews. This movement is essentially an "ethnic return" (p. 7) and implies a return to the traditional manners of observing the laws of family purity, the Sabbath, and ritually prepared food, as well as minimizing the importance of secular education or even banning it altogether. Kaplan ([1934] 1967, 149) notes the importance of cultural isolation, which "demands racial purity and precludes intermarriage," for Neo-Orthodoxy. Mayer (1979, 92), describing contemporary Neo-Orthodox groups, states that "[t]he value of separateness and the closed or exclusive structure of the Orthodox and Hasidic community needs little further elaboration. Whether in the ghettos of Eastern Europe or in the low-status ethnic enclaves of New York City, the world of the Orthodox Jew has been woven out of a special language (Yiddish) and particular values, along with specialized religious paraphernalia (clothes and institutions) which perpetuate the values."

Neusner (1987, 189ff) also shows that Neo-Orthodox Judaism, although remaining much closer to the original separatist formula than Reform Judaism, also made accommodations to the modern world, and one wing of Neo-Orthodoxy accepted the legitimacy of secular education (see also Mayer 1979, 72ff). Orthodox Judaism accepted enough of the gentile customs to "lessen the differences between the Holy People and the nations" (p. 196). However, as Patai (1971, 47ff) points out, many Orthodox (and Conservative) Jews have continued to accept the ideology of a nation in exile, while still attempting to better their lot in the countries of the *galut* and with no intention of emigrating to Israel.

A resurgent sense of ethnocentrism and cultural separatism is also a factor in the increasing importance of Conservative Judaism. A 1990 survey found that over 40 percent of American Jewish households considered themselves Conservative, approximately the same as the percentage identifying themselves as Reform (Kosmin et al. 1991). While Conservative Judaism is more liberal in rejecting some Orthodox requirements (e.g., mixed-sex seating at synagogue) and has attempted to become "fully American" (Elazar 1980, 105), there is far more emphasis on traditional ceremonies and practices that promote

separatism, including a strong stand against intermarriage. Sachar (1992, 685) notes that "[t]here was little pretense to prophetic universalism among the Conservatives. . . . From beginning to end, their focus was on Jewish peoplehood." Woocher (1986, 7) notes that for the Conservative movement ideology was far less important than "the primordial affinity of Jews for one another . . . ."

Indeed, Elazar (1980, 107) notes that it was common for Conservative Jews to have theological doubts, but to rationalize the continuation of religious rituals "for the sake of Jewish peoplehood"—clearly a position not much different from the practices of Judaism as a civil religion, described in the following section. The clear commitment to peoplehood as central to Judaism attracted to the Conservative movement a considerable number of Zionists, Jewish educators, and others who were intensely committed to Jewish life. Sachar (1992) notes that since the mid-1970s Conservative Judaism has declined somewhat, but this decline does not indicate an overall decrease in Jewish separatism and a declining concern with ethnicity, since there has been a corresponding upsurge of Orthodox Judaism, and Reform Judaism has become more traditional. In the end, Reform, Neo-Orthodoxy, and Conservatism, despite elements of disagreement about ideology and practice, "were in fact ideological allies. All affirmed the possibility and necessity of maintaining Jewish identity and communality in the modern world (Woocher 1986, 8).

The example of Zionism shows that Jewish cultural separatism can be maintained independent of religious organization, and this is also the case for secular re-interpretations of Judaism.[47] Indeed, Elazar (1980) describes the "religious" nature of contemporary American Judaism as a "protective coloring" (p. 9), adopted because "it is a legitimate way to maintain differences when organic ways are suspect" (p. 23)—a comment itself indicative of the tensions arising from conceptualizing Judaism in ethnic terms in the post-Enlightenment intellectual world.[48] Consistent with such a perspective, he notes that philanthropy has become far more important to identification with Judaism than religious worship. "Rightly or wrongly, secretly or openly, Jews function as Jews in response to their needs as a collectivity first and foremost—in other words, as a polity . . ." (p. 10). "Even their Jewish concerns . . . tend to be 'tribal' in character, not motivated by any hope for the redemption, individual or collective, traditionally associated with the Jews' covenant with God, but by the comforts derived from the association of like with like, or, with renewed importance, fears for survival" (p. 17).

Moreover, support for Israel, rather than any set of traditional religious beliefs, has become the litmus test of being a Jew: Elazar (1980) notes that "Israel has become the keystone to the entire Jewish belief system" (p. 92), so that individuals who fail to support Israel's claims are "more or less written off by the Jewish community and certainly are excluded from any significant decision-making role" (p. 91). Thus, for example, the "committed Jewish left"

is forced to straddle a fine line between support for Israel and, because of its general sympathy with Third World causes, support for Palestinian self-determination.

Judaism as a Civil Religion in the Contemporary World

The result is that the best characterization of contemporary Judaism is what Woocher (1986) calls a "civil religion." As described by Woocher (1986, 12-13), the civil religion of Judaism has been firmly in place at least since the 1960s. This civil religion is a vehicle for unity among the different religious and national ideologies that have grown up within Judaism since the Enlightenment. The focus of civil religion is on the civic political institutions of the society, not on what are traditionally thought of as religious beliefs. The Jewish civil religion acknowledges the tension between integration into American life and the survival of Judaism as a distinct group, but denies that there is any inherent conflict and actively attempts to promote the continuation of a powerful sense of group identity in the face of constant threats of assimilation emanating from the wider society. "The civil religion's commitment to Jewish continuity constitutes a clear response to the threats to Jewish survival which have become manifest in recent decades" (Woocher 1986, 65).

Once again, as in the "light of the nations" concept so common throughout Jewish history, the proposed moral nature of Judaism is utilized as a rationale for maintaining the perpetuation of the group: "The identification of Judaism with applied morality has been a primary Jewish civil religious strategy for vindicating both its embrace of America and its support of Jewish group perpetuation" (Woocher 1986, 28). The belief gradually emerged that "the Jewish community qua Jewish community had an important contribution to make to American life, and the Jewish tradition had helped to shape America's values" (p. 45). In a manner that recalls the rationalization of the Reform movement for continued separation (see above), the continuation of Jewish group identity and a measure of cultural separatism were thus viewed as quintessentially true to American ideals because of their moral, civilizing influences on American life. Within the confines of Judaism as a civil religion, "[t]he survival of the Jewish people is a consuming passion because the Jewish people plays a unique role in history as the bearer of Jewish values. In the work to insure the perpetuation of these values, the survival of the Jewish people and the Jewish community becomes a value in its own right, a crystallization of all that is being defended" (Woocher 1986, 76).

The acceptance of mutual responsibility and within-group charity (*tzedakah*) are basic tenets of Judaism as a civil religion and are central to the perceived moral nature of Judaism. As in traditional Judaism (see Chapter 6), charity is conceptualized primarily as directed within the group. Thus, Woocher (1986,

125) finds that 51 percent of a group of American Jews in Jewish leadership development programs agreed that providing social and welfare services for Jews was a high priority, and only 2 percent viewed it as a low priority. However, only 4 percent agreed that providing social and welfare services for anyone in need was a high priority, compared to 70 percent who viewed it as a low priority.

Within-group charity has become a primary mechanism for maintaining group cohesion and separation in contemporary American society. Indeed, Woocher (1986) finds that voluntary within-group altruism has become a primary criterion for who is a Jew (see also Chapter 6). The result is that "Jewish involvement in nonsectarian fundraising and social service was thus integrative, but not assimilatory in its impact" (Woocher 1986, 37). Fund raising on behalf of group interests, rather than the common acceptance of religious dogma, became a basis for unity: "[F]ederation [i. e., secular communal organization centered around fundraising for communal causes] has become, in effect, religion" (Woocher 1986, 54). "The communal enterprise not only expressed Jewish values, it became a source of meaning in life, the meaning that flows from being united with others in an unquestionably great task" (p. 56).

Woocher's (1986) data indicate that the leaders of civil Judaism in the 1970s had a strong sense of Jewish ethnicity and were greatly concerned about Jewish intermarriage. A strong sense of ethnic pride and a sense of Judaism as making a unique, irreplaceable contribution to human culture are characteristic of these individuals, as indicated by agreement with the following statements: "The Jewish contribution to modern civilization has been greater than that of any other people" (over 60% agree or strongly agree); "The Jewish people is the chosen people (over 60% agree or strongly agree). Regarding the latter, Woocher (1986, 145) notes, "Civil Judaism, like many modern Jews, often finds the traditional language of chosenness, and the implications of that language discomforting. For this reason, it is possible to lose sight of how critical the myth of chosenness really is, to fail to recognize that it is the glue which holds together the pragmatic ethos and the transcendent vision of civil Judaism." In addition, 72 percent agreed that intermarriage was a "very serious" problem, and an additional 21 percent viewed it as "moderately serious."

Several other authors have noticed an upsurge recently in an ethnic rather than a religious conceptualization of Judaism (e.g., Elazar 1980; Neusner 1987, 198). Indeed, in 1972, only 18 percent of Jews in the United States viewed being Jewish as primarily religious, while 61 percent perceived Judaism as denoting an ethnic/cultural group (Sachar 1992, 699-700). Reflecting this trend, Sachar (1992, 746) notes that in recent years "[t]he emergent music, drama, poetry, and prose of American Jews, even their religious expression, all laid increasing emphasis on ethnic Jewishness, on Jewish peoplehood in its widest contours." There was also a rejection of the melting pot

conceptualization of the United States in favor of a cultural pluralism model developed originally by Horace Kallen (1915, 1924) early in the century as a mechanism for preserving Jewish separatism within American society.

Whatever the ideology underlying separatism, the attempt to remain separate in the United States was largely successful, at least until very recently. Goldstein (1974) found that, among the Jews of Los Angeles, close personal relationships were with other Jews, even though synagogue attendance was low and secular interests and other signs of assimilation were high. Writing of the 1970s in the United States, Sachar (1992, 688) states that "the Jewish family's principal 'religious' 'philosophic' concern was simply the in-group marriage of its children. It was to ensure that immemorial endogamy that Jewish education acquired its unique importance in the postwar years." "Well into the 1980s, even with all doors swinging open, Jews still joined, visited, and married largely among their own" (Sachar 1992, 863).

Finally, data on intermarriage from the last few years indicate a significant rise in the rate of intermarriage for Jews in the United States as well as increases in the numbers of gentiles converting to Judaism in conjunction with marriage to a Jewish spouse (e.g., Ellman 1987; Kosmin et al. 1991). These data present difficult problems of interpretation, and the long-term implications of these trends are much in doubt. Nevertheless, there is the *prima facie* possibility that these events could have a major impact on the conceptualization of Judaism within an evolutionary framework. From an evolutionary perspective, intermarriage is the only form of assimilation that really matters, and if it occurred to a sufficient degree, it would effectively end Judaism as an evolutionary strategy. The issues raised by these very recent events are deferred to *SAID* (ch. 10).

NOTES

1. See, for example, Dandamayev's (1984, 339) description of the gradual assimilation of Egyptian exiles in Babylon during the same period when the Israelite exiles developed their ideology of retaining genetic and cultural separatism in a diaspora. While the other exile groups in Babylon were gradually assimilating genetically and culturally, Bickerman (1984, 348), on the basis of the material in the Book of Tobit, states that members of the exiled Israelite aristocracy were marrying their kin and were greatly concerned with genealogy.

[2]. The Book of Jubilees generally exhibits a powerful concern with separation of Jews and gentiles, as does the Mishnah, particularly the tract *Avoda zarah*. Bickerman (1988) describes the Book of Jubilees as "ultraorthodox" (p. 250).

[3]. Josephus (*Antiquities of the Jews,* XII:4, 6) tells the story of Joseph the tax collector, who plotted to have a sexual relationship with a heathen, but, because of his

brother's chicanery, ends up marrying his niece—the epitome of a consanguineous relationship.

[4]. These writings are reviewed in *SAID* (ch. 2).

[5]. The attempt at deception is significant. There was a large Jewish apologetic literature in antiquity, and a common technique was to masquerade as a gentile in order to achieve greater credibility. See *SAID* (ch. 4).

[6]. Interestingly, Baron (1952b, 195) notes that Josephus never mentions the existence of the "princes of captivity" (i.e., the Patriarch of Palestine and the Exilarch of Babylon) in his apologia for Judaism intended for Western audiences, clearly because these offices pointed to the national character of the religion.

[7]. Similarly, the European Enlightenment resulted in a powerful upsurge of intellectual work by Jews, intended to show that Judaism could be made intellectually, esthetically, and socially acceptable as a universal, ethical religion, while still maintaining cultural and genetic separatism—a project that continues to draw intense interest from Jewish intellectuals (Meyer 1988, 62ff; see below and *SAID*, ch. 4). As in the ancient world, there have been attempts to show that Judaism could be rationalized in the presence of powerful intellectual critiques emanating from gentile philosophers such as Kant, Hegel, and Schleiermacher and in the context of Darwinism and modern Biblical scholarship. This enormous intellectual energy in the service of developing self-justifying ideologies is an excellent testimony of the critical importance of ideology in an evolutionary account of human affairs.

[8] The intensity and clear apologetic tone with which Jewish scholars such as Bamberger ([1939] 1968) and Eichorn (1965a) have approached these issues are also testimony that there is a continuing interest in fostering the belief that Judaism has always been a permeable group. See *SAID* (ch. 4).

[9]. Simon ([1948, 1964] 1986, 486) states that circumcision was "physiquement pénible et, pour un païen de l'époque, moralement humiliante." Circumcision also may have a rather potent symbolic function that would exclude gentiles: Discussing circumcision in the ancient world, Boyarin (1993, 233) states "It was not that the rite [circumcision] was difficult to perform . . . but rather that it symbolized the genetic, the genealogical moment of Judaism as the religion of a particular tribe of people. . . . [B]y being a marker on the organ of generation, it represents the genealogical claim for concrete historical memory as constitutive of Israel." Besides circumcision, converts were baptized by immersion in water up to the genitals in the Gerim version, a ceremony that may reasonably have been perceived as symbolizing the cleansing of the genetic material on admission to the fold. Alon (1977, 148) argues that the immersion of proselytes is, like other immersions described in the Torah, intended to "purify a person from his bodily defilement." Moreover, a prominent legal aspect of conversion was that the convert had no blood relationships with non-Jews and had no father. Both of these principles suggest that conversion involved a complete break with membership in a different gene pool. In a sense, therefore, these phenomena attest to the self-conscious belief that indeed converting to Judaism was essentially an act of entering a different gene pool.

[10]. Baron (1952b, 409) notes that the word *mamzer* originally referred to the offspring of prohibited unions with foreigners, but in Talmudic times came to mean the offspring of any adulterous or incestuous relationship.

[11]. Amazingly, Bamberger ([1939] 1968) claims that the restriction on priestly marriage with converts does not betray a negative attitude toward converts because of the priestly emphasis on genealogy: "No matter how friendly one might be toward a convert, one could not regard him as of the aristocracy of Israel" (p. 85). The comment reveals Bamberger's awareness that genealogy was in fact a highly valued resource in Jewish society. However, it was clearly a resource that a convert and his descendants could never possess.

[12]. Segal's (1988) remarks suggest that converts would have come disproportionately from the more successful classes of gentiles. This fits the general patterns of what we know about converts in other ages (see Chapters 2 and 7).

[13]. This is a surprising argument, given that over the great majority of this time span Judaism had no pretensions at all of being a universal religion and concerns with racial purity and rejections of gentile culture were highly salient. Apologia intended to portray Judaism as universalist did not appear until the first century and were intended to counter gentile beliefs in Jewish exclusivism. (As is typical of his methods, Feldman (1993, 432ff) interprets Jewish religious apologia and the large literature which glorifies Jewish culture and accomplishments as evidence for actual missionary efforts and large-scale conversion to Judaism. For a contrary view of this literature, see J. J. Collins 1985, 169.) In order to be viable, the demographic argument must suppose that there was a mass conversion of gentiles toward the end of this period. Such an event would certainly have been noted, but there is no evidence at all for large-scale conversions to Judaism at this time, and indeed Goodman (1989) emphasizes the almost complete lack of interest in converts at least to the end of the first century.

[14]. Safrai (1974, 122) suggests a population of around 6-8 million *circa* 70 A.D.

[15]. I am indebted to Alan Rogers, Department of Anthropology, University of Utah, for these calculations. They are based on the formula for the rate of natural increase of populations: $r = \ln(n_2/n_1)/T$, where n_1 is the original population size, n_2 is the later population size, and T is the number of intervening years. The populations of Kenya and Kuwait have recently been growing at $r = 0.04$, or 6.6 times the rate suggested by Feldman's data on Jewish population size. Supposing that one might justify an inference of conversion with $r = .05$, the Jewish population of 70 A.D. would need to be about 2.6 x 10^{19} (10 billion times larger than the current population of the world) to warrant such an assumption. Obviously, no human population can sustain such growth, but the point is that human populations can grow very quickly. Without some data about survivorship and fertility, Feldman's proposal is meaningless. Weinryb (1972, 137) notes that the Jewish population of Poland increased by a factor of 40 or 50 in a period of 250 years, reaching a population of about 500,000 and indicating a growth rate of between .0148 and .0156. Although these estimates include immigration, the data indicate that Jewish populations can grow very quickly. In the modern era, Johnson (1987, 356) notes a Jewish population growth rate of 2 percent per year in Europe in the period from 1880 to 1914. See also Chapter 5.

[16]. Feldman (1993, 392) notes that converting slaves was a religious obligation at least partly because conversion would allow slaves to perform their duties (such as food preparation) in a manner consistent with Jewish religious law. Thus, one source of proselytism may well have been forcibly converted slaves. As indicated below, the descendants of slaves were not considered as marriageable by other Jews.

[17]. If the 1 percent figure is extrapolated to the entire Roman Empire, given a Jewish population in the Roman Empire numbering several million, the proselytes would number in the tens of thousands. This range for the number of proselytes would surely be sufficient to include the numbers of proselytes known from the sources, but, clearly, a conversion rate of 1 percent would not have a major effect on the genetic makeup of the Jewish population, especially given the fact that non-reproductives and slaves appear to be overrepresented among converts.

[18]. Nineteenth- and 20th-century attitudes on intermarriage, including Einhorn's, are considered in more detail below.

[19]. See also Alon (1980, 1984) 1989, 86-87; Baron 1952b, 103-104; Kraabel 1982; Neusner 1987, 141; Safrai 1974, 185.

[20]. The Patriarchate was abolished by the Church in the fourth century. However, Benjamin of Tudela (see Adler 1909, 39-42) describes the great power and influence of the Exilarch over Jews in Muslim lands in the late 12th century. The Exilarch's authority as the Head of the Captivity was officially recognized by the Muslim authorities.

[21]. Interestingly, some ancient rabbis stated that in the messianic age all ritual prohibitions would be suspended (Werblowsky 1968, 37-38), a comment that suggests a self-conscious awareness of the necessity of maintaining the law as a wall of separation during the *galut* (exile).

[22]. See also Chapter 6. In the case of the Rothschilds, there was a dramatic increase in consanguinity as their economic fortunes improved. Prior to becoming an extremely wealthy and powerful family, the first two sons of Mayer Amschel Rothschild married undistinguished Jewish females. As the family prospered, the next two sons married the daughters of the most prestigious Jewish families in England and Germany, respectively. However, the youngest son, whose marriage occurred after the family had become the wealthiest in Europe, married his niece, and in the next generation, no less than 9 of the 12 marriages consummated by the sons were with first cousins in the male line (an additional marriage was to a cousin in the female line, Juliana Cohen). Moreover, five of the six marriages of daughters were with other Rothschild family members (including Betty, who married her uncle James) (see genealogy in Morton 1961). Morton finds that of the 58 weddings contracted by the descendants of Mayer Amschel Rothschild, fully half were with first cousins.

[23]. During this period, it was common to attribute any ailment putatively associated with Jews, such as hysteria, to the practice of consanguineous marriages (Gilman 1993, 108, 116), suggesting a common perception even among Jewish scientists of the period that consanguineous marriages had been common.

[24]. The general rise of the tribe of Levi to the point where its members dominated the aristocracy of the Second Temple period paralleled the rise to power of the Hasmoneans who were from that tribe, and there was a corresponding decrease in the status of the tribe of Judah (Stern 1976, 581). Such a result, in conjunction with the data on endogamy, represents a good example of the persistence of the importance of kinship for Judaism during this period.

[25]. For example, a young girl who had been given as hostage was refused marriage even though all attested that she had retained her virginity and even though hostages were not considered prisoners of war (for whom marriage to a priest was illegal).

[26]. Jeremias refers here to passages in b. Qidd. 70a and 70b. The following are relevant (Neusner's [1992] translation; italics in text):

> And said Rabbah bar R. Adda said Rab, and some say, said R. Sela said R. Hamnuna, "Whoever marries a woman who is not genealogically suitable to him—Elijah binds him to the stock and the Holy One, blessed be He, administers the flogging." *And a Tannaite statement:* In regard to all of them, Elijah writes and the Holy One, blessed be He, signs: "Woe to him who invalidates his seed and does injury to his family's genealogy. Elijah binds him to the stock and the Holy One, blessed be He, administers the flogging."

> Said R. Hama b. R Hanina, "When the Holy One, blessed be He, brings his divine presence to rest on Israel, he will bring it to rest only on families of proper genealogy in Israel: 'At that time says the Lord will I be the God of all the families of Israel' (Jer. 31:1)—not to 'all Israel,' but to 'all the families of Israel,' 'and they shall be my people.'" Said Rabbah bar R. Huna, "This is a distinguishing point that separates Israelites from proselytes, *for in the case of Israelites it is written,* 'and they shall be my people,' *while with reference to proselytes,* 'for who is he who has boldness to approach me,' says the Lord. 'You shall be my people,' then 'I will be your God.'" Said R. Helbo, "Proselytes are as hard for Israel as a scab: 'And the stranger shall join himself with them and they shall cleave to the house of Jacob' (Isa. 14:1). Here we find the word 'cleave,' and elsewhere, using the same letters, it is written, 'This is the Torah for all kinds of signs of the plague of the skin ailment: And for a rising or for a scab' (Lev. 14:56)."

In these passages, therefore, God's favor is reserved for racially pure Israelites, and proselytes are viewed as a temporary affliction, which will be removed eventually in a process of racial purification. At b. Qidd. 71a, there is a discussion of God purifying the tribes of the genetically tainted, and there are several repetitions of the following statement implying a hierarchy of racial purity: "All other countries are like gross dough [not fine flour] in comparison to the Land of Israel, and the Land of Israel is like gross dough by comparison to Babylonia." The Babylonians were known to be extremely concerned about purity of descent. The Babylonian Rabbi Zeiri refused to marry the daughter of Rabbi Yohanan despite the latter's accomplishments as a scholar because of the relative impurity of his descent. Yohanan states, "Our Torah is valid, but our daughters aren't valid?" (b. Qidd. 71b).

[27]. A high priest could not marry a woman who had been captured in war, presumably because such women might be raped by their captors and even give birth to genetically tainted children. Jeremias notes that this rule was taken very seriously by the Pharisees, who rebuked both John Hyrcanus and his son on these grounds.

[28]. Benjamin of Tudela describes two heads of the Babylonian academies as tracing their pedigrees back to Moses and Samuel, respectively. There is also reference to two different lines of Exilarchs descending from King David, one through the scholar Hillel (see Adler 1907, 39-40).

[29]. References are from *The Code of Maimonides, Book 5: The Book of Holiness*, ed. L. Nemoy, Yale Judaica Series (New Haven and London: Yale University Press, 1965), ch. XII.

[30]. Epstein (1942, 299) describes the Talmudic law as prohibiting the marriage of a Jew to a former slave with whom he has had sexual relations (while a slave) and who has converted. This would also tend to minimize such conversions.

[31]. Maimonides claims that the focus is on females because any blemish among the males would have been used as a slur in the quarrels among men, while women seem less interested in using such accusations. As a result, any blemish in the male line would have been well known (p. 126).

[32]. The importance of purity of descent also emerged in questions related to the status of the New Christians after the forced conversions of 1391. See *SAID* (ch. 3).

[33]. Castro (1954) relates the story of the execution of Don Juzaf Pichon in 1379 as a result of a conspiracy among other Jewish courtiers. The subsequent scandal resulted in the removal of the power of capital punishment from the aljamas. Castro states that the episode was "a drama characteristic of life in the *aljama* with their dense, indeed choking, atmosphere of passion" (p. 533n).

[34]. Hostility directed against apostates has been a common phenomenon in other times and places as well. For traditional Poland, see Weinryb 1972; Zborowski & Herzog 1952, 231; for medieval France, see Chazan 1973, 23; for Arab countries in the 20th century, see Stillman 1991, 21; for 16th-century France, see Davidson 1987, 26.

[35]. It should be noted that lack of linguistic separatism among the Jews living in Spain was not without its critics: Neuman (1969) notes that it was common for Jewish intellectuals in Spain to deplore the fact that most Jews had only superficial knowledge of Hebrew. Moreover, "(t)hey decried the fact that Hebrew was no longer the spoken tongue of the Jews and pleaded passionately for the study of Hebrew grammar and philology" (Neuman 1969, II:98).

[36]. The uncleanness of gentiles and gentile land in particular is enshrined in Jewish religious ideology. See, for example., *The Code of Maimonides, Book 10, The Book of Cleanness*.

[37]. In some cases, barriers to intermarriage were also maintained by gentiles. Nevertheless a common pattern in both pre-expulsion Spain and other parts of Europe was for wealthy Jews to marry daughters into the gentile nobility in return for providing a substantial dowry. In these cases, the stem family remained Jewish. See discussion in *SAID* (ch. 3).

[38]. While conversion followed by intermarriage appears to have occurred occasionally at the top of society in England and Poland, it should also be noted that there is evidence (summarized in Chapters 2 and 7) that in general poor Jews have been most likely to defect. This suggests a bi-modal situation in which defection has been more likely to occur at either the very top or the bottom of Jewish society.

[39]. Similarly, Lindemann (1991) notes that Jews in 19th-century Russia were typically viewed as a stubborn, compact mass. Most of them remained, by their own image of themselves, "a people apart," not only in religion, but also in language, dress, culture, and economic activity. They were not "Russians," and most resisted the idea of ever becoming Russians. Danzger (1989, 149) recounts the story of a *yeshiva* in Russia

in 1893 that closed rather than agree to a demand by the authorities that Russian be taught.

[40]. The "light of the nations" conceptualization of Judaism was also invoked by secular Jewish intellectuals in the 20th century. See *SAID* (ch. 4).

[41]. The claim that Judaism was nothing more than a religion often proved difficult to maintain. Patai (1971, 39) notes that Jews were considered by both Jews and gentiles as ethnic minorities in non-Western countries. "Nevertheless, all individuals who followed the Jewish religion . . . were considered by the assimilationist Western Jews as members of a purely religious community to which they applied the term Diaspora." Ragins (1980, 85) focuses on the tension between the statements of liberal Jews that Judaism was nothing more than a religion and their recognition that traditional Judaism had been far more than simply a religion. The claim that Judaism was nothing more than a religion also conflicted with the reality that "there was a sense of relatedness and cohesiveness among Jews which seemed to extend beyond the lines drawn by religious factions, uniting Orthodox and Reform." Recognizing this, the Centralverein, a self-defense committee representing liberal Jews in Germany beginning in 1893, at times acknowledged that Judaism was more than simply a religion and should be defined by a "consciousness of common descent *(Abstammung)*" (p. 85) or race (p. 86).

[42]. Interestingly, Napoleon advocated mixed marriages as a means of eventually assimilating the Jews into French society. The assembly tactfully stated that intermarriages were not forbidden by Jewish law, but that they had no religious status. Epstein (1942, 180) describes several historical inaccuracies in the Jewish position intended to present Jewish attitudes toward intermarriage in a favorable light.

[43]. Meyer (1988, 201) points out that the entire Reform movement faced a crisis in Germany when the changes in ideology and liturgy failed to result in respect from gentile intellectuals and failed to end general anti-Semitism. While the Reformers had hoped that science would vindicate the role of Judaism in establishing the moral basis of Christianity, gentile scholars during the period developed the view that in fact rabbinic Judaism and Christianity really had very little relationship. Gordon (1984, 24) provides a long list of German gentile intellectuals described as "respectable anti-Semites," some of whom focused on the ethnocentric nature of Judaism. See *SAID* (ch. 2-3). The entire Reform project may have been considered deception by many anti-Semites. Writing of the upsurge in anti-Semitism in Germany in the late 19th century, Meyer (1988, 202) notes that anti-Semites focussed their hatred most on the non-Orthodox Jews, "since they were the least conspicuously Jewish, yet persisted in maintaining a purposeful religious differentiation."

[44]. The 1937 Columbus Platform illustrates some of the intellectual tensions of Reform Judaism and indeed Judaism in general in the modern world. The statement attempts to continue the conceptualization of Judaism as a religion, while nevertheless affirming the importance of deeper ties among Jews. And there is an attempt to reconcile Zionism with loyalty to the modern nation-state:

> Though we recognize in the group loyalty of Jews who have become estranged from our religious tradition, a bond which still unites them with us, we maintain that it is by its religion and for its religion that the Jewish people has lived. The non-Jew who accepts our faith is welcomed as a full member of the Jewish community.

In all the lands where our people live, they assume and seek to share loyally the full duties and responsibilities of citizenship and to create seats of Jewish knowledge and religion. In the rehabilitation of Palestine . . . we behold the promise of renewed life for many of our brethren. We affirm the obligation of all Jewry to aid in its upbuilding as a Jewish homeland (From the Columbus Platform: "Guiding Principles of Reform Judaism" [1937]; reprinted in Meyer 1988, 389)

[45]. While the 1937 Columbus Platform still regards Judaism primarily as a religion (see note 44 above), the San Francisco Platform of 1976 speaks openly of the Jewish people and again shows the tensions between Zionism and loyalty to the modern nation state:

The State of Israel and the diaspora, in fruitful dialogue, can show how a people transcends nationalism even as it affirms it, thereby setting an example for humanity which remains largely concerned with dangerously parochial goals . . . Until the recent past our obligations to the Jewish people and to all humanity seemed congruent. At times now these two imperatives appear to conflict. We know of no simple way to resolve such tensions. We must, however, confront them without abandoning either of our commitments. A universal concern for humanity unaccompanied by a devotion to our particular people is self-destructive; a passion for our people without involvement in humankind contradicts what the prophets have meant to us. Judaism calls us simultaneously to universal and particular obligations. (From the San Francisco Platform: "Reform Judaism—A Centenary Perspective [1976]; reprinted in Meyer 1988, 393-394)

[46]. Reflecting the deceptive nature of the Reform rhetoric on intermarriage, Levenson (1989, 322) notes that in 1807 the Paris Sanhedrin "gave Napoleon a qualified 'no' which they hoped he would take as a qualified 'yes.'"

[47]. There is good reason to view most manifestations of the Jewish left, which originated in the late 19th century, as a secular form of Judaism. See *SAID* (ch. 6).

[48]. As also noted by Katz (1986, 32) and Woocher (1986, 8), the attempt to portray Judaism as a religion must be seen as a rationalization for a movement that has remained at its core an national/ethnic group strategy. Indeed, Elazar (1980, 23) notes that, while a religious conceptualization of Judaism retains its usefulness in the contemporary United States, in Latin America Jews are viewed as an ethnic minority with their own mother country (Israel).