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Israel's Immigration Policies and the Promotion of Genetic Testing: Empiricizing Definitional Criteria, Bolstering State Demographic Security, or Hastening the Messianic Era?

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Abstract

The aims of this study are to document a relevant array of perspectives on the use of genetic testing for the purposes of approving immigration to state of Israel, and to consider the potential implications of such testing for the larger Jewish world. Further, this work analyzes the views of a number of prominent national figures—in the rabbinical, governmental, educational, and private sectors in Israel—on this subject. Finally, it provides a critical assessment of the varying contentious scenarios that may manifest themselves with regard to the claims of contested Jewish communities from the Global South whose genetic “evidence” is not as readily accessible as is that of Jews hailing from established centers of Jewish life.

Keywords

Genetics; identity; Judaism; Israel; Lost Tribes; immigration

Introduction

Academic disagreements surrounding the question of how definitively to determine Jewishness—what William F. S. Miles has aptly termed the “‘Who Is a Jew?’ Conundrum”—have preoccupied a host of different thinkers working in the disciplines of sociology, ethnography, religion, and other related areas of inquiry.² Indeed, what has become (in the view of this author) a rather tiresome query continues to occupy center stage in a veritable plethora of theoretical studies, even a smattering of which would be far too much to cite here.³ Suffice it to say that post-exilic Jewish rabbinic law, which stipulates maternal heredity as the decisive factor in the ascription of Jewish identity, is a classification

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Disclosure statement

The author does not have a conflict of interest with the content of this manuscript.

²William F. S. Miles, “Malagasy Judaism: The ‘Who Is a Jew’ Conundrum Comes to Madagascar,” *Anthropology Today* 33, no. 6 (2017): 7.

³Although a comprehensive inventory of such studies is impossible to list, the following is a representative sample of some of the major recommended works on the subject: Caryn Aviv and David Shneer, *New Jews: The End of the Jewish Diaspora* (New York: New York University Press, 2005); Eliezer Ben-Rafael, *Jewish Identities: Fifty Intellectuals Answer Ben Gurion* (Leiden: Brill, 2002);

historically and epistemologically at odds with a number of other noteworthy definitions concerning Jewishness, not least of which include those found in the Hebrew Scriptures.⁴

The state of Israel, for its part, formulates policy on this issue through the auspices of two separate governmental bodies: the Ministry of the Interior and the Chief Rabbinate, each of which works independently of (and sometimes at odds with) the other.⁵ The Ministry of the Interior, which is responsible for approving and facilitating immigration, historically has used the same criteria to establish Jewishness as did the Nazis under the Nuremberg Laws (i.e., an individual with one Jewish grandparent is considered Jewish), precisely in order to absorb those Jews in the diaspora fleeing persecution under the same definitional criteria.⁶ The Chief Rabbinate, which presides over all matters concerning Jewish religion, ritual, and law in the state, however, uses much stricter, rabbinic criteria to classify the “national” (read: religious) status of naturalized individuals. The details of the latter appear without exception on every Israeli citizen’s personal identification card, which is issued by the Ministry of the Interior.⁷ Thus, a person’s “national” definition as a Jew or non-Jew, once absorbed in the state, depends not upon the entity that approved and facilitated that person’s naturalization, but upon the quite dissimilar guidelines of an inherently disparate governmental entity. The Rabbinate can also challenge, or in some cases even nullify, the Jewish status of immigrants who have been properly admitted under national state criteria, rendering them non-Jewish Israeli citizens.⁸

A further complication with regard to the vetting of Jewishness by the state of Israel concerns the legitimacy of individuals from so-called “Judaizing” or “emerging” Jewish communities in the developing world, for whom neither state entity referenced above has

Ben-Rafael, “The Space and Dilemmas of Contemporary Jewish Identities,” in *Contemporary Jewries: Convergence and Divergence*, eds. Eliezer Ben Rafael et al. (Leiden: Brill, 2003), 343–159; Maria Diemling and Larry J. Ray, *Boundaries, Identity, and Belonging in Modern Judaism* (London: Routledge, 2016); Jacob S. Dorman, *Chosen People: The Rise of American Black Israelite Religions* (Oxford: Oxford University Press, 2013); Janice W. Fernheimer, *Stepping into Zion: Hatzaad Harishon, Black Jews, and the Remaking of Jewish Identity* (Tuscaloosa: University of Alabama Press, 2014); Bruce D. Haynes, *The Soul of Judaism: Jews of African Descent in America* (New York: New York University Press, 2018); Frederick S. Roden, *Recovering Jewishness: Modern Identities Reclaimed* (Santa Barbara: Praeger, 2016); and Ephraim Shmueli, *Seven Jewish Cultures: A Reinterpretation of Jewish History and Thought*. Translated by Gila Shmueli (Cambridge: Cambridge University Press, 1990); and Efraim Sicher, ed., *Race, Color, Identity: Rethinking Discourses About “Jews” in the Twenty-First Century* (New York: Berghahn Books, 2013).

⁴Although the rabbinic characterization of Jewishness is embraced by the more observant-leaning denominations of Judaism (Conservative, for the most part; and Orthodox and ultra-Orthodox, without exception), the increasing backlash to characterizations of that sort among more liberal Jewish factions shows no signs of abating. As Miles observes, “Even within the Jewish religion, the question has no authoritative answer [because] each denomination invoke[s] its own criteria.” Miles, “Malagasy Judaism,” 7.

⁵Such a problematic configuration creates what the celebrated Israeli author and political activist A. B. Yeshoshua has termed a “permanent tension” between these two bodies, which results from “the constant contradiction between [each body’s] goals.” A. B. Yeshoshua, *Between Right and Right*. Translated by Arnold Schwartz (New York: Doubleday, 1981), 46.

⁶The full eligibility criteria are listed as follows: “The child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion [...] ‘Jew’ means a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion.” See “The Law of Return,” The Knesset, accessed September 1, 2018, <https://knesset.gov.il/laws/special/eng/return.htm>.

⁷Criteria mandated by the Rabbinate in order that it endorse one’s Jewish status include, in most cases, the same aforementioned rabbinic condition of maternal descent; requisite identity papers from Jewish institutions; certifications from Rabbinate-approved sources; and a verification process of one’s Jewish ritual observance (mandated level: Orthodox). Although the Rabbinate cannot dictate policy to the Ministry of the Interior (nor to that ministry’s extra-governmental proxy for the diaspora, the Jewish Agency for Israel) with regard to decisions affecting immigration eligibility, it can advise and issue recommendations regarding the legitimacy of individuals or communities whose Jewishness may be in doubt. Much of the time, such recommendations carry significant weight.

⁸Again, Yeshoshua’s remarks on the employment of “two different codes” by these two very different governmental systems are instructive. According to Yeshoshua, such a utilization creates differing sets of expectations. On the one hand, “the basic needs of national existence,” which include, in this case, imperatives surrounding immigration, naturalization, and population registration need to be considered. On the other, one must take into account the “spiritual goals for the people,” which include customs tied to religious-cultural outlook, degrees of ritual observance, and public and private expressions of faith. Yeshoshua, *Between Right and Right*, 46.

issued clear directives for recognition.⁹ Established Jewish communities outside of the state of Israel have, for their part, employed contrasting criteria in order to assess the authenticity of such communities. This appraisal is often done in a fashion that mirrors each community's own denominational position on Jewish belonging. Although some conventional centers of Jewish life have welcomed them, most worldwide Jewish organizations, including those in the state of Israel, have remained suspicious of such individuals' motives. While the number of Judaizers in the developing world is impossible to determine, approximating their numbers in the millions—and likely in the tens of millions—would not be at all a stretch.¹⁰

Adherents belonging to such Judaizing communities, most of whom hail from the African continent, include those who simply wish to convert to Judaism for spiritual reasons and have no prior known ties to the Jewish people. Others wish to “revert”—that is to say, to reclaim some kind of lost Jewish identity, which may, as they claim, have been suppressed by nefarious political powers or diluted by the sands of time. Suppositions about such ancient roots are often tied to ideas regarding similarities between local and Jewish liturgical languages, in other words, Hebrew or Aramaic. Other perceived similarities are focused on the proximity between native customs and lifestyle mandates detailed in the Hebrew Scriptures, such as circumcision, menstrual seclusion, Saturday Sabbath, food and hygiene taboos, monotheism, and divine kingship. Finally, some commonly invoke legends regarding descent from one of the Ten Lost Tribes of Israel.

In the absence of conventional written documentation (a medium that, without a doubt, creates specific hierarchies of privilege) that would attest to historical connections with recognized areas of Jewish life elsewhere—and because of the aforementioned denominational schisms that exist—one heretofore “empiric” and largely unprecedented method of ascertaining the validity of such individuals' claims would be, according to some proponents, the use of genetic testing as a mechanism that would ostensibly point to the presence or absence of a common Jewish genealogical origin.¹¹ This increasingly popular way of “proving” one's roots scientifically (as seen in a myriad of other ethnic and heritage-

⁹For more information on this phenomenon, see the following selected major works, which I have recommended without exception in all previous publications on this topic: Marla Brettschneider, *The Jewish Phenomenon in Sub-Saharan Africa: The Politics of Contradictory Discourses* (Lewiston, NY: Edwin Mellen, 2015); Edith Bruder, *The Black Jews of Africa: History, Religion, Identity* (Oxford: Oxford University Press, 2008); Yulia Egorova and Shahid Perwez, *The Jews of Andhra Pradesh: Contesting Caste and Religion in South India* (Oxford: Oxford University Press, 2013); Daniel Lis, Miles, and Tudor Parfitt, eds., *In the Shadow of Moses: New Jewish Movements in Africa and the Diaspora* (Los Angeles: African Academic Press, 2016); Miles, *Afro-Jewish Encounters: From Timbuktu to the Indian Ocean and Beyond* (Princeton: Markus Wiener, 2013); Miles, *Jews of Nigeria: An Afro-Judaic Odyssey* (Princeton: Markus Wiener, 2012); Parfitt, *Black Jews in Africa and the Americas* (Cambridge: Harvard University Press, 2013); Parfitt, *The Lost Ark of the Covenant: The Remarkable Quest for the Legendary Ark* (New York: HarperCollins, 2008); Parfitt, *The Lost Tribes of Israel: The History of a Myth* (London: Weidenfeld and Nicolson, 2002); and Parfitt, *The Thirteenth Gate: Travels among the Lost Tribes of Israel* (Bethesda, MD: Adler and Adler, 1987).

¹⁰See, for instance, the estimation of Parfitt as cited in Judy Maltz, “Number of Wannabe Jews Equals That of Recognized Jews,” *Haaretz*, November 4, 2014, accessed March 30, 2015, <http://www.haaretz.com/jewish-world/.premium-1.624585>.

¹¹The notion of “genetic testing” referenced throughout this article refers only to such testing as it may be used to pinpoint a particular provenance or “ethnicity region” associated with a known Jewish history, not a “Jewish gene” per se; it therefore conveys a conceptual nativity rather than precise ethnogenesis. All mentions in this essay of cases related to genetic testing draw their relevance from foci on particular epigenetic shifts—in other words, variations in the genomes due to cultural, religious, or geographic singularity—and not on attempts to demarcate quasi-racial categories. For material on this topic in its relation to Judaizing movements, see the following: Nadia Abu El-Haj, *The Genealogical Science: The Search for Jewish Origins and the Politics of Epistemology* (Chicago: The University of Chicago Press, 2012); Egorova, “The Proof Is in the Genes? Jewish Responses to DNA Research,” *Culture and Religion* 10, no. 2 (2009): 159–175; Egorova, “Theorizing ‘Jewish Genetics’: DNA, Culture, and Historical Narrative,” in *The Routledge Handbook of Contemporary Jewish Cultures*, eds. Nadia Valman and Lawrence Roth (London: Routledge, 2014), 353–364;

centered contexts), is sometimes conducted using successful commercial ventures, such as 23andMe, AncestryDNA, and Helix, and it represents a recent trend in social identity formation that Jonathan Freedman has labeled the “turn to the genetic.”¹² With such possibilities for showcasing Jewish identity contexts now on the radar of major decision-making bodies in the state of Israel, moves to use genetic testing in order to corroborate Jewishness for purposes of large-scale immigration are becoming increasingly common across an unusually diverse cross-section of the Israeli political spectrum.¹³

In the opinion of some advocates who focus on human security with particular regard to population growth, the opportunity to bolster Israel’s Jewish demographic by way of “technological exactitude that translates into bureaucratic rapidity,” will serve as a way to “counter the Arab demographic threat.”¹⁴ (That is to say, ensuring Israel’s Jewish majority will serve as a way to justify the continued ethnocentric nature of the state, thus preventing the slippery slope toward a model of minority rule.) As for those advocates whose enthusiasm stems from religious expectations surrounding the prophesized “ingathering of the exiles” (and thus the hastening of the Messianic Era which is to follow it), the possibility of harnessing the power of genetic testing to bring about that ingathering is a topic of paramount theological significance, not to mention a subject of much hotly-contested debate.¹⁵

Although an important, previously-noted body of scholarship has examined the claims of “crypto-Jewish” groups the world over and the ways in which the state of Israel has responded to them, very little has been written on this quite recently-proposed prospect of employing genetic testing in order to ascertain the genealogical origins of potential immigrants. Given the ghastly and oft-cited associative links between “Jewish genetics” and Nazi eugenics policies, it should not come as a surprise that many in Israel have voiced opposition to the use of such testing.¹⁶ Nevertheless, despite widespread unease about this topic, a growing number of high-level individuals in Israel are beginning to advocate the use

Parfitt, “Genes, Religion and History: the Creation of a Discourse of Origin among a Judaizing African Tribe,” *Jurimetrics: The Journal of Law, Science, and Technology*, 42 no. 2 (2002): 209–219; Parfitt, “Descended from Jewish Seed: Genetics and Jewish History in India: The Bene Israel and the Black Jews of Cochin,” *Journal of Indo-Judaic Studies* 6 (2003): 7–18; Parfitt, “Place, Priestly Status and Purity: The Impact of Genetic Research on an Indian Jewish Community,” *Developing World Bioethics*, 3 no. 2 (2003): 178–185; Parfitt, “The Development of Fictive Israelite Identities in Papua New Guinea and the Pacific (17th-21st Centuries),” *Diasporas: histoire et sociétés*, 5 (2005): 49–56; Parfitt, “DNA, Indian Jews, Manipuris, and the Telugu Speaking Community,” Kulanu, 2002, accessed June 30, 2018, <http://www.kulanu.org/india/dnamarker.php>; Parfitt and Egorova, *Genetics, Mass Media, and Identity: A Case Study of the Genetic Research on the Lemba and Bene Israel* (London: Routledge, 2006); Noah Tamarkin, “Religion as Race, Recognition as Democracy: Lemba ‘Black Jews’ in South Africa,” *The Annals of the American Academy of Political and Social Science* 637, no. 1 (2011): 148–164; and Tamarkin, “Genetic Diaspora: Producing Knowledge of Genes and Jews in Rural South Africa,” *Cultural Anthropology* 29, no. 3 (2014): 552–574.

¹²Jonathan Freedman, “Conversos, Marranos, and Crypto-Latinos,” in *Boundaries of Jewish Identity*, eds. Susan A. Glenn and Naomi B. Sokoloff (Seattle: University of Washington Press: 2010), 196.

¹³For the most comprehensive treatments on this topic to date, see Ian V. McGonigle and Lauren W. Herman, “Genetic Citizenship: DNA Testing and the Israeli Law of Return,” *Journal of Law and the Biosciences* 2, no. 2 (2015): 469–478; and McGonigle, “‘Jewish Genetics’ and the ‘Nature’ of Israeli Citizenship,” *Transversal: Journal of Jewish Studies* 13, no. 2 (2015): 90–102.

¹⁴These are the words of a military expert who wished to remain anonymous, which were spoken directly to me. All interviews for this study were conducted in Israel during May 2018. Only those clearly attributed sources have given their permission to be publicly identified here; all others have wished to remain anonymous. In the latter case, anonymity has been preserved via study codes and other non-identifiable markers, with all information saved on a password-protected computer. Quotations from such individuals will hereafter not be given footnote references.

¹⁵For biblical prophecies concerning the ingathering, see, for example, Numb. 23:9; Deut. 32:8; Ezek. 39:28; and Isa. 11:12.

¹⁶The remarks on this subject by Israeli cultural critic Shlomo Sand are evocative of many Israelis’ feelings on the subject: “It is a bitter irony,” writes Sand, “to see the descendants of Holocaust survivors set out to find a biological Jewish identity.” Shlomo Sand, *The Invention of the Jewish People*. Translated by Yael Lotan (New York: Verso, 2010), 319.

of genetic testing to determine the Jewishness of individuals hailing from far-flung locales or those whose conventional attempts at “proving” their origins do not suffice for purposes of immigration or both of these. These proponents include parliamentarians, scientists, rabbis, members of right-leaning Israeli demographic think tanks, and other influential figures, who work both inside and outside the legal state framework.

The aims of this study are to document a relevant array of perspectives on genetic testing for the state of Israel and to consider their potential uses as well as the implications of all of this. Thus, this work will analyze of the views of a number of prominent national figures—in the rabbinical, governmental, educational, and private sectors—on this subject.¹⁷ It further seeks to understand how such figures anticipate the manner according to which, in Yulia Egorova’s terms, the “potential sociocultural and political consequences of population genetic research concerned with reconstructing human histories” might play out in a Jewish Israeli context. This article also evaluates rather than forecasts the ways in which the implementation of genetic testing represent a likely sea-change with regard to the next waves of Jewish immigration to Israel.¹⁸ Finally, it provides a critical assessment of the varying contentious scenarios that may manifest themselves, if, in the words of Tudor Parfitt and (again) Egorova, figures of authority from disparate schools of thought may eventually come together to “decid[e] the relative weight given to genetic evidence [regarding Jewishness] over other sorts of evidence, from oral history to conventional genealogy.”¹⁹ As the reader will understand, the possibility of such scenarios is of particular importance for the claims of contested Jewish communities whose “evidence” is not as readily accessible as is that of Jews hailing from established centers of Jewish life.

Background and Context

The impetus behind these conversations in Israel stems principally from three current developments. One is the recently-published (and long-awaited) report of a government-commissioned external affairs committee, whose goals, as described by the leading daily *Haaretz*, include scrutinizing “Israel’s approach to communities that are not Jewish but have an affinity to the Jewish people.”²⁰ According to the report’s authors, the projected number of individuals belonging to such communities stands at around sixty million people.²¹ In his

¹⁷In addition to drawing on existing scholarly, archival, and journalistic references, this study utilizes qualitative interview-based data collected during ethnographic fieldwork research in Israel in order to assess multiple viewpoints on the subject in question. Oral consent from the interviewees, whom I either contacted directly or with whom I came into contact via referrals, was obtained in all cases. The interviews were all semi-structured and utilized open-ended queries. Other methodological procedures were conducted as per the guidelines of the Institutional Review Board at the University of Utah, which granted this study an exemption (under 45 CFR 46.101[b], Category 2) from federal policies pertaining to research with human subjects.

¹⁸Egorova, “The Substance That Empowers: DNA in South Asia,” *Contemporary South Asia* 21, no. 3 (2013): 292. On this topic, see also Egorova, “DNA, Reconciliation and Social Empowerment,” *The British Journal of Sociology* 69, no. 3 (2018): 545–551.

¹⁹Parfitt and Egorova, *Genetics, Mass Media, and Identity*, 4. I would like to acknowledge here an intellectual debt to these two authors, as I have drawn much inspiration from their work on similar Jewish genealogical and identity themes. In particular, I have found compelling their approach whereby the details of the science behind such testing are given the requisite attention, but in which the chief emphases of the work rest “mainly [on] the implications of DNA testing for target communities,” as opposed to the “‘pure science’ behind the tests” themselves. *Ibid.*, 8.

²⁰Noa Landau and Chaim Levinson, “Israeli Ministry Sets Sights on Millions of ‘Potential Jews’ to Improve Country’s Image and Fight BDS,” *Haaretz*, March 27, 2018, accessed April 9, 2018, <https://www.haaretz.com/israel-news/MAGAZINE-israeli-ministry-sets-sights-on-millions-of-potential-jews-1.5954692>. This and similar articles are based on the public version of the report, currently available only in Hebrew. See Ofir Haivry et al., *Report of the Public Advisory Committee on the Examination of Relations between Israel and Worldwide Communities with an Affinity for the Jewish People* (Jerusalem: Ministry of Diaspora Affairs, 2018) (Hebrew).

²¹*Ibid.*, 122.

preface to the report, parliamentarian Dvir Kahane, Director of the Ministry of Diaspora Affairs and the report's initiator, emphasizes the "strategic potential" for the state of Israel to engage with such movements.²² Overwhelmingly, the authors of the report recommend entering into deeper contact "with these communities and introducing them to content related to Israel and Judaism," given that, in the estimation of the Ministry of Diaspora Affairs, "there is an unprecedented opportunity to build cooperation with these communities and thus to turn them into a strategic asset for the Jewish people and for Israel."²³ The committee stops short, however, of advocating "working for the conversion or immigration of these communities."²⁴

Although they do not explicitly encourage its use to ascertain the Jewishness of heretofore isolated communities, the authors of the report refer repeatedly to the potentiality of genetic testing, calling it "a phenomenon that is expected to grow significantly in the coming years, due to [its] increasing availability and application."²⁵ At several points in the report, the authors discuss in general terms, "new technologies (such as genetic testing) that are expanding and that will, in the future, increase even further the possibilities of [obtaining] information on, and the identification of, the descendants of Jews."²⁶ They also predict "a new category being formed," namely, "'genetic Jews,' who, thanks to relatively new scientific developments," may be able to demonstrate a "high likelihood" of their descent from Jewish ancestors, "in spite of the absence of any [concurrent] historical proof."²⁷

The second development behind these conversations is the dissemination of contemporary popular scholarship in the field of human genetics, whose authors have examined the specifics of certain genetic markers common among a number of known Jewish subgroups. For instance, the bestselling *Legacy: A Genetic History of the Jewish People*, written by prominent medical geneticist Harry Ostrer, made headlines the world over and has sparked continuous debate years after its initial publication.²⁸ In his book, Ostrer posits that certain indelible signs of "genetic sharing" among a variety of self-defining Jewish individuals demonstrate, in his expert view, "a biological basis for Jewishness."²⁹ His research establishes that all known Jewish communities, in "all of the populations, with the exception of the Indians and Ethiopians," possess "mitochondrial [maternal-derived] genomes" belonging to an original source population "of Middle Eastern origin."³⁰ This discovery ostensibly validates the supposition according to which the historicity of most of the present-day Jewish people is firmly rooted in a Hebraic or Israelite ethnogenesis, save (as quoted) those communities whose members' conversions to Judaism likely took place outside of the Land of Israel in the post-exilic period.³¹ Thus, in Ostrer's estimation, the Jews "can be said

²²Ibid., 5. My translation. All translations from the Hebrew throughout this article are my own, unless otherwise noted.

²³Anonymous officials from that ministry quoted in Landau and Levinson, "Israeli Ministry Sets Sights on Millions of 'Potential Jews.'"

²⁴Ibid.

²⁵Haivry et al., *Report of the Public Advisory Committee*, 76.

²⁶Ibid., 97.

²⁷Ibid., 117.

²⁸See also, for example, Jon Entine, *Abraham's Children: Race, DNA, and the Identity of the Chosen People* (New York: Grand Central Publishing, 2007); Yaakov Kleiman, *DNA and Tradition: The Genetic Link to the Ancient Hebrews* (New York: Devorah Publishing, 2004); and David B. Goldstein, *Jacob's Legacy: A Genetic View of Jewish History* (New Haven: Yale University Press, 2008).

²⁹Harry Ostrer, *Legacy: A Genetic History of the Jewish People* (New York: Oxford University Press, 2012), xiv.

³⁰Ibid., 111.

to be a people with a shared genetic legacy, although not all Jews share the same genes.”³² Ostrer clearly emphasizes that, despite such commonalities, a genetic inheritance is not “a requirement for being Jewish,” asserting that “Jewish origins have been determined not only by the flow of genes but also by the flow of ideas.”³³

This popular-oriented coverage of the topic has not escaped the notice of the rabbinical authorities in Israel, many of whom now cite such material as a rationale for advocating the use of genetic testing to corroborate, in the initial stage, Ashkenazi Jewish origins.³⁴ This method of testing, they reason, would allow the authorities at the outset to do away with any potential complications concerning the Jewish status of new immigrants (mainly those from the former Soviet Union) whose documentation of Jewishness may qualify them for naturalization under the Law of Return, but whose status would not be deemed officially Jewish according to Israeli rabbinical courts. In other words, the use of genetic testing early on in the vetting process would allow the state expeditiously to reject, on religious grounds, those potential immigrants whose Jewishness would likely not past muster with the rabbinical courts upon their arrival. Doing so would mitigate somewhat what Michael Kravel-Tovi accurately describes as the “incongruity between inclusive national aspirations and exclusive rabbinic gatekeeping practices and, relatedly, between collective, population-related concerns and procedures that focus on the religious conduct and sincerity of individuals.”³⁵ Such testing would thus alleviate the myriad bureaucratic difficulties that many past and current “non-Jewish” immigrants face with regard to equal rights in matters concerning their status in the military, access to university and mortgage funds, and proper support for marriage, burial, and other life events.

The most vocal among the advocates of genetic testing is the famous rabbinical judge Yosef Carmel, who serves as Rabbinical Dean of the Eretz Hemdah Institute for Advanced Jewish Studies. According to Carmel’s estimation, employing the technological mechanism of genetic testing “would absolve about 40 percent” of the new immigrants who hail from former Soviet countries “of the requirement [formally] to convert” to Judaism once naturalized inside of Israel.³⁶ In opposition to the views of some of his more hardline contemporaries, Carmel stresses that the tests should not be used punitively in order “to revoke someone’s Jewish status,” even in the case that “they were not found to have the

³¹On the possible origins of self-defining Indian and Ethiopian Jews, see (respectively) the following major works: Nathan Katz, *Who Are the Jews of India?* (Berkeley: University of California Press, 2000); Egorova, *Jews and India: Perceptions and Image* (London: Routledge, 2006); Steven Kaplan, *The Beta Israel (Falasha) in Ethiopia: From Earliest Times to the Twentieth Century* (New York: New York University Press, 1992); and Edward Ullendorff, *The Two Zions: Reminiscences of Jerusalem and Ethiopia* (Oxford: Oxford University Press, 1988).

³²Ibid., xvii.

³³This assertion is similar to Goldstein’s, who posits that “from a demographic and genetic perspective we see the history of the Jews as an intricate combination of forces, both genetic and cultural, woven together and operating with different strengths at different times.” Goldstein, *Jacob’s Legacy*, 6.

³⁴For Sephardic Jewish populations (i.e., those hailing from the Iberian Peninsula, Turkey, North Africa, or the Middle East) there are currently no appropriate reference populations. This is partly due to the ambiguities surrounding the term *Sephardic*, which can refer to any source area from the Mediterranean Basin (around which such populations intermingled and were repeatedly scattered) to Iran. (The term *sfarad* simply designates “Spain” in medieval Hebrew.)

³⁵Michal Kravel-Tovi, *When the State Winks: The Performance of Jewish Conversion in Israel* (New York: Columbia University Press, 2017), 1.

³⁶Carmel’s aforementioned views are paraphrased in David Israel, “Revolutionary Ruling Permits Genetic Testing of Halachic Jewish Status,” *Jewish Press*, October 1, 2017, accessed May 5, 2018, <http://www.jewishpress.com/news/israel/religious-secular-in-israel-israel/revolutionary-ruling-permits-genetic-testing-of-halachic-jewish-status/2017/10/01/>.

required markers.”³⁷ His encouragement of the use of this technology rests on the idea that it “can be a tool in trying to rule on the Jewish status of a person who lacks full proof without it.”³⁸

The third and final development behind the recent high-level policy conversations on this topic in Israel is the increasing popular interest in the ethnohistory (often linked to discussions of genetics and genealogical origins) of the previously-mentioned emerging Jewish communities, mainly those hailing from Sub-Saharan Africa. For example, the southern African Lemba, a Shona-speaking people found principally in South Africa and Zimbabwe, are one community that has consistently dominated headlines in the Jewish and international press since the late 1990s, due almost exclusively to research initiated and conducted by Tudor Parfitt.

Parfitt, a historian who collaborated with leading geneticist colleagues to examine the probability of the Lemba’s long-held notions of ancient Israelite descent, published a series of articles demonstrating the surprising (to many besides the Lemba) corroboration of that people’s claims, using Y-chromosome (paternal-derived) DNA evidence that seemed to validate their oral histories.³⁹ Specifically, Parfitt’s research demonstrated that the patrilineal genetic markers of the Lemba’s priestly *Buba* class carry a high frequency of correspondence with markers of the “Cohen modal haplotype” gene, a well-known haplotype among Jews possessing the surname of Cohen the world over. Parfitt’s work indicates their common point of origin in the Levant, and links them to Jews descended from the Levites, the Aaronite priestly class (*cohanim* in Hebrew). This finding was the subject of a number of groundbreaking articles in leading scientific journals, not to mention in a host of popular journalistic publications. As a result, the mention of the Lemba today has become *de rigueur* in discussions on Jewish genetic similarities, supposed Jewish origins in ancient Israel, and “exotic” Jewish communities from unanticipated locales.⁴⁰

Although the Lemba have never formally petitioned for recognition from the state of Israel, save in several individual cases, their story is widely known in Israel, and they are mentioned repeatedly in the report commissioned by the Ministry of Diaspora Affairs. In fact, although they are not (yet) embraced by the state of Israel, the continued buzz about their “positive” Jewish genetic test results has led many Jews, both inside and outside of the state, to support efforts toward their eventual inclusion. For, as Parfitt notes, “While previously they had no evidence to support their claims,” they are now able to “use the DNA research as evidence,” a development that has “proved extremely effective in opening new channels of communication with Jews around the world.”⁴¹ This has also led many non-

³⁷Also paraphrased in Jeremy Sharon, “‘Who Is a Jew?’ Can Now Be Answered by Genetic Testing,” *Jerusalem Post*, October 3, 2017, accessed November 30, 2017, <https://www.jpost.com/Israel-News/Politics-And-Diplomacy/New-law-says-genetic-test-valid-for-determining-Jewish-status-in-some-cases-506584>.

³⁸Yosef Carmel, “Parashat Hashavua: More on MtDNA,” *Hemdat Yamim*, accessed July 4, 2018, <http://www.eretzhemdah.org/newsletterArticle.asp?lang=en&pageid=4&cat=7&newsletter=2545&article=6953>.

³⁹This kind of genetic testing has also been conducted on other patrilineal Jewish-related groups, such as the Samaritans. See, for example, Peter J. Oefner et al., “Genetics and the History of the Samaritans: Y-Chromosomal Microsatellites and Genetic Affinity between Samaritans and Cohanim,” *Human Biology* 85, no. 6 (2013): 825–858.

⁴⁰For instance, Dean M. Hamer, in his bestselling book *The God Gene*, notes: “There is [only] one group [...] for whom DNA analysis has provided a direct link to the Jews of biblical times. These are the Lemba, a southern African tribe.” Dean Hamer, *The God Gene: How Faith Is Hardwired into Our Genes* (New York: Doubleday, 2004), 192.

Jews (mainly evangelical Christians) who are invested in facilitating the ingathering of the exiles to point to the case of genetic testing on the Lemba as a successful precedent concerning how to employ the means of science for the attainment of theological ends.

Another major Judaizing movement in Sub-Saharan Africa whose (selected) members have recently undergone Y-chromosome genetic testing (the “negative” results of which were disputed) is the Igbo, an approximately thirty-million strong ethnic group centered primarily in southeastern Nigeria.⁴² According to Daniel Lis, approximately forty thousand Igbo belong to Judaizing communities.⁴³ Igbo oral history traces its people’s ancestral lineage to the lost Israelites, specifically to the tribes of Gad and Ephraim. Although certain American Jewish groups are beginning to pay particular attention to and, in some cases, practically and financially support the efforts of the Igbo to join mainstream world Jewry, Israel’s rabbinical authorities have thus far rejected their appeals for recognition. Neither conventional American nor Israeli Jewry has been involved with the only large-scale effort (referenced above) to test certain members genetically for a common Middle Eastern origin. Jewish Voice International, a Messianic Jewish outreach organization based in the United States carried out that endeavor in 2016–17.⁴⁴

Opinions of Key Individual Proponents

During fieldwork research in Israel for this article, the author discussed the topic of genetic testing with a number of key people whose opinions will carry significant weight with regard to any eventual policy formations on this subject. These individuals include government-appointed rabbinical authorities; politicians; and high-level bureaucrats in the Ministry of the Interior, the Ministry of Diaspora Affairs, and elsewhere. Equally important will be the opinions of other major players with whom the author spoke, such as senior functionaries in the Jewish Agency for Israel, the quasi-state apparatus that aids in immigration; rabbis who are not on the governmental payroll but who nonetheless exert great influence in matters pertaining to Jewish law and policies espoused by the Rabbinate; and individuals from private outreach organizations who frequently (and sometimes unofficially) liaise with government decision-makers on issues related to emerging Jewish communities.

As noted, the most vocal proponent of genetic testing at this stage is Rabbi Yosef Carmel, who thus far has only advocated for genetic testing to be carried out among Ashkenazi populations. Carmel justifies his opinion by pointing out that genetic testing, in tandem with other relevant evidence demonstrating Jewish roots, can constitute what he terms a “probabilistic majority” of indications that point to Jewish parentage. Advocating that

⁴¹Tudor Parfitt, “Constructing Black Jews: Genetic Tests and the Lemba—The ‘Black Jews’ of South Africa,” *Developing World Bioethics* 3, no. 2 (2003): 118.

⁴²On the Igbo, see Remy Ilona, *The Igbos: Jews in Africa?* (Abuja: Mega Press, 2004); Ilona, *The Igbos and Israel: An Inter-cultural Study of the Largest Jewish Diaspora* (Washington, DC: Street to Street Epic Publications, 2014); Lis, *Jewish Identity among the Igbo of Nigeria*; and Miles, *Jews of Nigeria*.

⁴³Daniel Lis, “‘Ethiopia Shall Soon Stretch Out Her Hands’: Ethiopian Jewry and Igbo Identity,” *Jewish Culture and History* 11, no. 3 (2009): 28.

⁴⁴On the controversies surrounding this testing, see Sam Kestenbaum, “African ‘Lost Tribe’ Debates DNA Testing for Jewish Roots,” *Forward*, March 13, 2017, accessed June 13, 2017, <http://forward.com/news/365443/african-lost-tribe-debates-dna-testing-for-jewish-roots/>.

modern-day genetic testing should be considered under the rubric of what the rabbis of the Talmud refer to (in other contexts) as a *siman muvhak* (unambiguous sign), which is part of the functional framework used to adjudicate on matters of Jewish belonging, Carmel argues that genetic testing should be considered alongside other forms of “acceptable evidence” when ascertaining Jewish descent.⁴⁵

This stance in favor of the use of genetic testing follows his assessment that, “DNA tests employed today can be of very high reliability [...] and can serve as acceptable proof of Jewishness,” providing that the court reviewing the matter also consider “additional indications that the person is Jewish (even if they are insufficient in and of themselves).”⁴⁶

Two collections of recently-published rabbinical responsa also analyze this subject from various perspectives. One, a special volume of *Sheelot vetshuvot* (Questions and Answers), a responsa series published by Carmel’s own Eretz Hemdah Institute, more or less follows the same lines of thinking as espoused above, while incorporating the viewpoints of a number of different rabbinical judges.⁴⁷ The other, *Birurei yehadut leor mekhkarim genetiiim* (Investigating Jewishness in Light of Genetic Testing), a volume coauthored by the rabbinical judges Isroel Barenbaum and Zeev Litkah, also maintains that the potential rubric of “positive” genetic results can indeed be applied to the same general Talmudic methods of disambiguation as advocated by Carmel.⁴⁸ Nonetheless, this second collection of responsa goes a step further by affirming the need to create a modified conceptual and practical interpretation of those ancient guidelines in order more cogently to fix Jewish belonging in the modern era. In the views of the coauthors, the rules and procedures established in the immediate postexilic period cannot adequately address the situational complexities of today’s world. Barenbaum and Litkah stress that the rabbinical sages codified the criteria for determining Jewishness during a period in which, quite unlike today, the “quantity of people [whose Jewish identity was in doubt] was relatively limited.”⁴⁹

The emphasis in this volume on the potential windfall of Sephardic Jewish reverts is particularly worthy of mention. In one section, which focuses on the benefits of bringing back into the fold descendants of Jews whose ancestors converted to Christianity in order to escape the wrath of the Inquisition, the writers emphasize that there are millions of Jews “who have been living hundreds of years in Spain and Portugal who are unaware that they are complete Jews!”⁵⁰ Although the coauthors hint at various points in the text at the possibility of someday testing by other means (i.e., Y-chromosome testing) probable descendants of Sephardic Jews, the volume as a whole adopts a rather hard line against this prospect. For, while the aforementioned “complete Jews” would presumably be identified through mitochondrial DNA testing, other individuals of supposed Sephardic Jewish descent

⁴⁵Yosef Carmel, “Determining Jewish Identity on the Basis of Genetic Testing,” Eretz Hemdah Pessach 5777 Newsletter, accessed May 20, 2018, <http://www.erezhemdah.org/Data/UploadedFiles/SitePages/3276-sFileRedir.pdf>. In this explanation, Carmel demonstrates how his rulings on genetics are solidly based on principles from the lessons found in the Talmudic tractate *Yevamot* 121a and the legal compendium *Shulchan Aruch* (*Even Haezer* 17).

⁴⁶*Ibid.*

⁴⁷*Sheelot vetshuvot bemareh habazak*, vol. 9 (Jerusalem: Eretz Hemdah Institute, 2014).

⁴⁸Isroel Barenbaum and Zeev Litkah, *Birurei yehadut leor mekhkarim genetiiim* (Jerusalem: Institute for the Study of Halacha and Technology, 2017).

⁴⁹*Ibid.*, 94.

⁵⁰*Ibid.*, 195.

who have already verified their ancestry “based on Y-chromosome” genetic data collection kits should be, according to the writers, excluded. As mere patrilineal “descendants of Jews,” they should in fact be considered at present as “complete gentiles” for all practical purposes.⁵¹

Several public figures with whom the author shared these observations in the aforementioned responsa, and who wished to remain anonymous, expressed incredulity at what they referred to as the authors’ “short-sightedness.” One individual, a former senior military officer now affiliated with a right-leaning think tank, told the author that “the state should be putting extra effort into facilitating the immigration of converts and descendants of Jews,” given that they “make great soldiers, and they are not afraid to die for Israel.” This person also declared that he “couldn’t care less if such people were *really* Jewish,” noting that Messianics, non-Jewish Russians, and Druze all volunteer in high numbers for combat outfits, and bring a great “national pride” to their units while demonstrating a contagious “fighting spirit.” Another interviewee, a rabbi who has led a quiet campaign to oppose such exclusionary policies as advocated in the responsa, told me that his position stems both from the demographic concern that “there is no other major source of Jewish bodies to keep the dreaded ‘apartheid’ label on Israel at bay,” as well as from visceral disagreements with applying Talmudic law to preexilic groups. According to this individual, it makes the most sense to gather the dispersed of Israel through Y-chromosome testing rather than by using mitochondrial testing, as the “largest number of lost Jewish souls” would invariably come from communities scattered before the advent of Christendom. “Assyria and Babylon are what counts,” the rabbi averred, “Anything that comes after, including matrilineal descent, is just not significant in comparison.” And yet one other anonymous rabbi, who spoke to the author about groups who would not be recognized as Jews under the rabbinic criterion of matrilineal heritage (such as those African Judaizers who claim descent from one of the Ten Lost Tribes), stressed that, in their cases, (patrilineal) genetic testing should not be used. Instead, he supports the use of unspecified “other methods” to verify their Jewishness, just like the state “did in the case of the Ethiopians.”

Opinions of Key “On the Fence” Figures

While a number of other rabbinical figures who work frequently with emerging Jewish communities express general agreement with many of the opinions cited above, such individuals are not outright enthusiasts of genetic testing. Among them is Rabbi Aharon Halevy, Assistant Director at the Meir Institute, an establishment devoted to helping its body of international students “develop a personal connection to their heritage, enhance their Torah knowledge, and guide them to find their path toward living a complete Jewish life.”⁵² In Halevy’s more cautious approach, potential returnees to Judaism from isolated locales, who only have vague Jewish traditions “from their grandparents,” but who could demonstrate positive results from genetic tests, might be dealt with a bit more leniently (with an eye toward eventual conversion) than others with no genetic connection at all. “In God’s eyes,” Halevy said to me, “He knows whether you’re a Jew or not. But down here on earth

⁵¹Ibid.

⁵²“What Is Mechon Meir?” Mechon Meir, accessed July 30, 2018, <http://meirtv.com/en/page/what-is-machon-meir>.

we have to follow guidelines.”⁵³ Halevy’s perspective is that those “guidelines” are ancient ones, which were codified by the rabbinic sages, even if they are not, as noted in some of the examples above, entirely ideal for application in the modern era. In his estimation, genetics “shouldn’t be the only way to describe us [as Jews].” Rather, it should be considered as “just one tool in the arsenal,” the most powerful of which is still Talmudic taxonomy.

The viewpoints of Rabbi Chaim Amsalem, a prominent Sephardic parliamentarian, correspond with those of Halevy’s. Amsalem calls genetic testing “a blessed development that will be an enormous aid when we go out into the world [seeking the dispersed of Israel]” because it can aid in “determin[ing] who is connected to the Jewish people and in what manner.”⁵⁴ Like Carmel, Amsalem clarifies that in no case should “positive” results of genetic testing be considered a definitive “proof of Jewish status.”⁵⁵ In an important departure from many of his Ashkenazi colleagues—and without referencing the particular ethnic status of any potential returnees—Amsalem goes decidedly beyond reliance on maternally-derived DNA results in his enthusiasm for this new technology. “If the test shows that someone has Jewish paternal roots,” Amsalem stresses, “we can use this to determine that, if they [sic] choose to convert, the process should be done in a more positive [i.e., lenient] manner.”⁵⁶ Of course, any case in which “the genetic testing shows that the person has maternal Jewish roots” would be more clear-cut, resulting in “a much shorter process that fulfills the basic requirements.”⁵⁷

Other leading rabbinical figures in Israel express ambivalence about using genetic testing for purposes of identification or immigration, but concede that its capacity to help clarify the picture of where the dispersed of Israel might now reside is a welcome development. For instance, such an assumption is championed by Rabbi Harry Rozenberg, who has been described as “one of the leading voices backing the reconstitution of a global Israelite family” and one of the major players “trying to bring about the ‘prophetic reunion’ of ‘lost tribes’ with modern Jews.”⁵⁸ Founder of the social network project iTribe, which Rozenberg and his colleagues call “a project to map and connect with the greater Israelite diaspora,” his goal is to connect “hundreds of millions of people across the globe who identify as descendants of the ancient people of Israel.”⁵⁹ This includes tribes such as the Pashtun (Pathan) of Afghanistan, a community long suspected of having Israelite origins, but for which, due to obvious recent geopolitical reasons, any open connection between its members and overseas Jewish organizations could easily result in death for the said members⁶⁰.

⁵³All direct quotations listed by Halevy here are from the same personal communication, May 17, 2018.

⁵⁴Quoted in Eliana Rudee, “Thousands of Jews May Be Recognized with New Genetic Determination of Jewish Status,” *Breaking Israel News*, October 23, 2017, accessed May 9, 2018, <https://www.breakingisraelnews.com/96640/hundreds-thousands-jews-may-recognized-groundbreaking-authorization-genetic-determination-halachic-jewish-status/>.

⁵⁵Ibid.

⁵⁶Ibid.

⁵⁷Ibid.

⁵⁸Respectively, “Author: Harry Rozenberg,” *Israel Rising*, accessed May 1, 2018, <https://www.israelrising.com/author/harry/>; and Kestenbaum, “Search for ‘Lost Tribes of Israel’ Goes Digital,” *Forward*, May 18, 2017, accessed June 4, 2017, <https://forward.com/fast-forward/372438/search-for-lost-tribes-of-israel-goes-digital/>.

⁵⁹“About Us,” iTribe, 2017, accessed July 29, 2018, <http://www.itribe.us/about>.

⁶⁰On this postulation, see, for example, Eliyahu Avichail, *The Tribes of Israel: The Lost and the Dispersed* (Jerusalem: Amishav, 2012), 75–143; Rivka Gonen, *To the Ends of the Earth: The Quest for the Ten Lost Tribes of Israel* (Northvale, NJ: Jason Aronson, 2002), 81–102; and Parfitt, *The Lost Tribes of Israel*, 125–128.

During a conversation on the topic of genetic testing, Rozenberg told the author that any vetting of the potential descendants of dispersed Jews should be part of a discussion that was “not religious, but family-oriented.”⁶¹ In his view, efforts should be aimed at bringing about a general kind of reunification of the Children of Israel, rather than at facilitating their conversion, reversion, or eventual immigration to Israel. He sees the insistence on obliging such “lost” individuals to conform to rabbinic criteria before their (re-)inclusion in the worldwide Jewish body as unnecessary, given the existence of, in his words, heretofore “unknown theological implications” to this “family reunification,” which is only in its beginning stages⁶². Thus, from Rozenberg’s perspective, “messing with the thorny issue of *halacha* [Jewish law] is not [a] necessary [step]” for initiating the process of ingathering the scattered remnants of the House of Israel.

And so, although he does not advocate the use of genetic testing for purposes of bolstering Israel’s Jewish demographic or for hastening the arrival of the Messiah, he does concede that DNA can be “part of this story.” In his opinion, efforts to pinpoint lost Jews genetically could be best served by focusing on the largest self-defining, non-normative populations, such as the Igbo and the Pashtun. He anticipates that genetic testing could help to “crack the code” of the ways in which each purported segment of the Children of Israel is genealogically linked to the other. This knowledge, in turn, would do wonders toward the establishing of pertinent “reference populations” for other far-flung groups that might possess heretofore unknown linkages. In Rozenberg’s estimation, whether the testing focuses on patrilineal or matrilineal descent is immaterial, as both methods would be relevant enough to “justify going deeper into the mystery.” “Sooner or later,” Rozenberg explained to the author, “We’ll be able to tell how the DNA of the tribes evolved,” as the Jews morph from “a religion into a family—into a global force of a thing called Israel.”

Opinions of Key Individual Opponents

Those who oppose genetic testing as a method to verify Jewishness base their disapproval on what they consider to be several problematic aspects of this potentiality for the Israeli nation-state. These issues include the damage likely to be done to time-honored Jewish legal institutions, in which rigorous debate and engagement with the source texts have always formed the marrow of postexilic rulings; dramatic upsets to the already-fragile denominational religious fabric; the exacerbation of preexisting societal inequalities by way of nebulous notions surrounding “genetic prestige;” and the bolstering of right-wing, national-religious elements in Israel.

One of the most vocal challengers of this potentiality is Rabbi Seth Farber. Farber, the director of ITIM (Hebrew for “Passages”), an organization founded to help secular Israelis deal with “the alienation that [they] feel [due to dealings with the ultra-Orthodox Rabbinate]

⁶¹All direct quotations listed by Rozenberg here are from the same personal communication, May 18, 2018.

⁶²The reasons for which Rozenberg’s rationale differs considerably from some of his colleagues’ doctrinal views on proper Jewish belonging may stem from his own specific trust in certain kabbalistic [Jewish mystical] tenets dealing with the End of Days. Specifically, Rozenberg referenced in this vein the mystical doctrine of the “Torah of the Messiah,” which indicates that a new Torah will come into being during the Messianic era, replacing the one given to Moses at Sinai. Along similar lines, Rozenberg also referenced the legend according to which the Messiah, after his eventual coming, will delineate each person’s distinct Israelite tribal lineage. See Midrash Leviticus Rabbah (on Isaiah 51:4) and Midrash Ecclesiastes *Rabbah*, esp. 11:12.

at what are supposed to be the most significant moments of their lives as Jews: birth, marriage, divorce, burial, and conversion,” worries that genetic testing will aggravate the ethnic-, class-, and religious-oriented divisions in Israel⁶³. He favors the reliance on traditional “principles in Jewish law, such as the presumption that a person or family is Jewish,” rather than reliance on vague bio-racial categories, in order to go about demarcating Jewish identity⁶⁴. In his opinion, these time-tested principles have, throughout the generations, helped to preserve “a sense of community and kinship” in the Jewish fold⁶⁵. According to Farber, the implementation of genetic testing would lead to a “slippery slope to greater reliance on scientific methods” that might eventually run counter to the spirit of traditional Jewish law⁶⁶.

One leading Israeli academic and political theorist, who has also served as a governmental consultant on issues related to the Jewish diaspora, is firmly against the use of genetic testing as a determiner of Jewishness. He has concerns about the reliance on this new technology center on issues related to cohesion among different sectors of the Jewish Israeli populace. He asserts that, if Israel does indeed engage in outreach to lost individuals or communities of any kind, there should be a “cultural dimension of Jewishness” already present among the said individuals or communities “before they are approached” by state representatives. He thus attaches no importance to the results of genetic testing, including those of the Lemba, because the aforementioned “cultural dimension” is, to his mind, the most important component in the equation. He does, however, concede that “positive” results might make potential converts or returnees at least feel a certain tangible connection to Israel. For outreach, he has concluded, this could in fact be a good thing.

Another high-profile individual who is not in favor of this kind of classification is Rabbi Mordechai Chiqui, director of the Ramhal Institute, an establishment dedicated to propagating the teachings of the celebrated mystic Rabbi Moshe Chaim Luzzatto (1707–1746, known by the Hebrew acronym “Ram[c]hal”). Moroccan-born Chiqui has taken the lead among ultra-Orthodox Israeli clergy in his efforts to reach out to the dispersed of Israel and educate them Jewishly; this is especially true for his work among African Judaizers. Part of the motivation behind this stance, evidenced in a number of noteworthy initiatives spearheaded by his institute, is that the dissemination of the Ramhal’s work is thought to be key to bringing about that point in time which will “inaugurate the messianic era,” including the (perhaps not literal) ingathering of the exiles⁶⁷.

As someone who has worked extensively with those claiming supposed descent from the Ten Lost Tribes, Chiqui worries that current efforts to conduct standard mitochondrial

⁶³“About Us,” ITIM, accessed April 5, 2018, <http://www.itim.org.il/en/about-itim/about-us/>. These concerns, not unique to Farber or his organization, mirror many other expressions of trepidation voiced by leading figures in Israel about “add[ing] another layer of contestation and confusion” to preexisting ideas concerning “belonging and legitimacy within the Jewish community,” which are “already fraught with definitional ambiguity,” as McGonigle and Herman (“Genetic Citizenship,” 478) correctly point out in their research on the topic.

⁶⁴Quoted in Jeremy Sharon, “‘Who Is a Jew?’”; also reproduced in Ilanit Chernick, “Should Jewishness Be Determined by a Genetic Test? A Look at the Pros and Cons of Using DNA to Prove and Define Jewish Identity,” *Jerusalem Post*, November 25, 2017, accessed November 25, 2017, <https://www.jpost.com/Magazine/Should-Jewishness-be-determined-by-a-genetic-test-514968>.

⁶⁵Ibid.

⁶⁶Paraphrased in Jeremy Sharon, “‘Who Is a Jew?’”.

⁶⁷“Ramhal Institute,” Ramhal Institute, accessed June 2, 2018, <http://www.ramhal.com/Ramhal-Institute.html>.

genetic testing might lead to “negative” results for the individuals in question, thereby harming the legitimacy of those seeking inclusion. Referencing the legend according to which God will lead those specific dispersed tribes that he wants back to Israel—because some, according to Jewish lore, will not return—Chriqui advises, as have others quoted in this article, that Jews are bound to investigate the whereabouts of the tribes “only in the cases where a kind of lifestyle similarity has been preserved.”⁶⁸ Science, according to Chriqui, cannot adjudicate in the realm of (preserved) culture.

In a further departure from some of his colleagues, Chriqui is of the opinion that those belonging to the lost tribes need not be reabsorbed in Israel proper, because, as he sees it, “the spirit of nationalism is finished.” If, however, there are dispersed Jews who would wish to come to Israel for relocation, there should be, he suggested, some kind of trial period, complete with study and instruction, with policies regarding eventual naturalization modeled on the regulations of an “immigration-savvy country like Canada.” Alluding to the randomness of Israel’s immigration laws and the societal turmoil caused by two systems that tend to work against each other, he asked: “Why did [Israeli Foreign Minister] Shimon Peres agree to let in one million Russians [after the collapse of the Soviet Union in the early 1990s], but said no to the *Marranos*, those ancestors of Jews expelled from the Iberian Peninsula during the Inquisition?” Chriqui believes that we are entering the phase of the “grand *tikkun* [healing]” between Israel and the nations, and that we do not yet know what it all will mean in the final scheme of the End of Days. Reuniting the dispersed of Israel—perhaps only spiritually, not necessarily literally—should happen only in order to hasten the arrival of the Messiah, he said, not to bolster one side in a nasty demographic showdown. Either way, genetics should play no part.

Discussion and Concluding Remarks

After having underscored the ways in which the perspectives articulated thus far form a broad cross-section of views on this topic among leading Israeli public figures, it is necessary objectively to analyze the relevant scientific, historical, and cultural considerations related to the potentiality of genetic testing as it has been outlined according to those figures’ standpoints.

First, it behooves every nuanced observer to closely to examine the significant scientific differentials with which any Israeli genetic testing policy would need to contend, should any such policy go “live.” Because the key to establishing an “ethnic” connection in population genetics is customarily the particular reference population against which such samples are tested, the analysis of heritage origin is highly susceptible to inference, given the mutability of most populations (sustaining frequent migrations, intermingling, conversion, etc.). While the precise methods for such testing in Israel have not yet been proposed, it seems likely that those methods would correspond to the mechanisms currently favored by for-profit genetic testing companies—dependence upon the supposed homogenous quality of reference populations, as noted above—which promises customers a way to engage with an ostensibly unalloyed indigeneity⁶⁹. In light of the near-possibility of establishing appropriate reference

⁶⁸All direct quotations listed by Chriqui here are from the same personal communication, May 13, 2018.

populations for the majority of the world's crypto-Jews (in whichever ethnic subgroup), statements such as Carmel's alluding to "Jewish blood" seem to be misguided, unless they are meant to be taken in an explicitly hyperbolic fashion⁷⁰. Even for Ashkenazi Jews, no "pure" Jewish bloodline exists; there is simply ample genetic commonality. Indeed, as alluded to above, leading scholars of human genetics have concurred that DNA tests cannot be thought of as definitive by any means, given the multivalent components of genetic identity markers.

Second, it would be pertinent to reiterate that genetic specificities, even those that can be somewhat conclusively proven, are often blurred by non-empiric definitions ascribed by culture. This is especially true with regard to the mixed-race series of civilizations to which Jews (including Hebrew, Israelites, and Judeans, for purposes of the illustration) have belonged, as Judaism was, for much of its existence, a proselytizing religion, or at least a religion that readily accepted converts⁷¹. For instance, the Hebrew Bible (Ex. 12:38) makes special note of the *'erev rav*, the "mixed multitude" of non-Israelite peoples that followed the Israelites out of Egypt to join them on their sojourn in the desert, and which thereafter became part of them forever. Would an isolated descendant of that particular population be considered Jewish, given that multitude's initial lack of biological cohesion with the Israelites? And what of the many Talmudic rabbis, among whom are some of the most venerated Jewish sages ever, who were the sons of Greek and Roman converts to Judaism? What about the descendants of the Rambam, one of Judaism's most revered scholars, who, as legend has it, converted to Islam at some point?⁷² In all of these cases, culture would trump genetic testing in the designation of Judaism by a wide margin.

Finally, it is worth emphasizing again that any individuals or communities eligible for absorption in Israel have to be religious Jews in the normative fashion before being considered for immigration. This means that those who adhere to preexilic customs, practice syncretism, or who believe that one can be wholly Jewish by heritage but not necessarily by religion would be excluded from the get-go, even if a genetic test turned out positive. All the same, several anonymous high-profile figures with whom the author spoke did not seem concerned about this potential complication. One rabbi who has experience working with Chinese reverts to Judaism responded that those lost from the fold would not need much encouragement to join the "wonderful club" of normative Judaism. He also surmised that, in any event, the generation returning to Israel would be like the "generation in the desert"

⁶⁹For instance, a white paper published by a team of AncestryDNA's researchers illustrates this point incisively. In an exposition of their testing methods, the authors acknowledge that their capacity to provide "an estimate of the ancient historical origins of [customers'] DNA" rests upon "the quality of [the] reference panel." Further, they note that "AncestryDNA has invested a significant amount of effort in creating the best possible reference set of samples." Catherine A. Ball et al., "Ethnicity Estimate White Paper," AncestryDNA, October 30, 2013, accessed December 18, 2017, <https://www.ancestry.com/dna/resource/whitePaper/AncestryDNA-Ethnicity-White-Paper.pdf>, 8.

⁷⁰Yosef Carmel, "Parashat Hashavua: An Exciting Genetic Jewish Marker," *Hemdat Yamim*, accessed May 4, 2018, <https://eretzhemdah.org/newsletterArticle.asp?lang=en&pageid=48&cat=7&newsletter=2544&article=649>.

⁷¹On this point, see Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 1999), esp. 140–199.

⁷²The topic of the Rambam's conversion, of special interest to nineteenth-century scholars of Jewish history, has been somewhat neglected in recent research. See, for example, Abraham Geiger, *Moses ben Maimon* (Breslau: Rosenberg, 1850), esp. 9–10; and Solomon Munk, "Notice sur Joseph Ben-Iehouda," *Journal asiatique* 11 (1842): 5–72. Also see the excellent article of Daniel Boušek (to whom I owe the mention of those sources) on that subject, "Polemics in the Age of Religious Persecutions: Maimonides' Attitude towards Islam," *Asian and African Studies* 85, no. 20 (2011): 46–85, esp. 54–67.

mentioned throughout the Book of Exodus, in that it would be their children who would become fully normative, ultimately benefitting from the shift more than their parents (unless, he stipulated, the Messiah arrives in the meantime). Another person, a former parliamentarian, noted that “amulet-kissing” (a scornful nod to the “superstitions” of mainly Sephardic populations) and a host of other non-normative traditions are alive and well among certain communities in Israel. Hence, expecting total rabbinic conformity would be counterproductive, not to mention duplicitous in his view.

With regard to the populations of emerging Jewish communities mentioned in this article among whom a readily discernable Jewish “culture” is absent, one can assume that any eventual genetic testing would be done via a principal components analysis on all aspects of the genome, rather than focusing on mitochondrial or Y-chromosome DNA. In certain cases, the reference populations might be traced back to a common Middle Eastern origin, in order to be considered “proven.” Or, for fringe groups that came later in the Jewish chronological continuum, it would likely be possible to establish, for instance, if an African Judaizer had both Iberian and Middle Eastern origins, as in the case of certain African populations claiming descent from Jews who fled the Inquisition to the Gulf of Guinea. A better reference sample of Iberian Jewry, currently lacking, might make this easier, because Iberian Jews, like the Ashkenazi, split their ancestry between (varying parts of) Europe and the Middle East.

Ultimately one is left with the question of what will become of all of this? This shift in Israeli policy, which is still in the beginning stages and has no existing legal framework, represents a dramatic departure from the past seventy years of the Jewish state’s history. During those seven decades only some loosely-perceived historical or discursive association with an established Jewish community was usually necessary to warrant the conferral of Israeli citizenship. Moreover, the bar was even lower in the case of refugees in existential peril. For Israel and the Jewish world, the significance of this topic therefore lies not only in the analysis of viewpoints held by high-level Israeli policymakers and clergy regarding immigration laws, but also in its exploration of the cases of genetic testing done on some hidden “proof communities” whose stories are bound to become part of certain political agendas, at least if current trends are any indication of similar interest in the future. With respect to broader ethical issues, the ways in which such marginalized groups may be subject—or not—to genetic testing will provide a salient litmus test and an instructive case study as to the double-standards applied to disadvantaged groups of color from the Global South vis-à-vis their more privileged counterparts in developed countries.

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