

Jewish Belonging: Studying Contemporary Jewish Identity from its Margins

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Hilary Term 2024

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Word Count: 81.204

Dissertation Submitted in Fulfilment of the Requirements for the Degree of Doctor of Philosophy in
Asian and Middle Eastern Studies

Acknowledgements

I would like to express my gratitude to several individuals and organizations whose support and advice have been invaluable throughout the course of this research.

First and foremost, I extend my heartfelt appreciation to Professor Yaacov Yadgar for his exceptional guidance and support as my supervisor. His guidance has been instrumental in shaping the direction of this research project and my experience at the university.

I am also deeply thankful to Professor Judith Olszowy-Schlanger and the Clarendon Institute for their support and contributions, which have enriched my understanding and perspectives in Jewish Studies. Thank you also to Wolfson College, especially the staff, which I will miss dearly.

Furthermore, I have to express my gratitude to Taube Philanthropies and the German Scholarship Foundation for the scholarships that enabled me to dedicate myself fully to my research.

I am indebted to the interviewees for their willingness to share their knowledge and personal experiences, which created the ground on which this research stands and the stories which shape its message. I therefore express my gratitude to the individuals and communities who generously opened their doors and welcomed me into their midst. Their hospitality and openness provided me with new perspectives on the world we live in.

Lastly, I want to acknowledge the many friends and colleagues who have supported me along this journey. Thank you to Zeev, Tatiana, Mariana, Liz, Lea, Katharina, Jonas, Jessica, James, Esther, Esteban, Greg, Francisco, Douglas, Celeste, Andrés, and Ali for your encouragement and help when the snowball seemed to melt away.

To all who have contributed in infinite ways, thank you for your invaluable support. Your generosity, spontaneity and empathy have made this journey possible.

Abstract

This research project investigates the complexities of Jewish identity within distinct socio-cultural contexts, employing three case studies to explore the interplay between dominant in-group dynamics and liminality in shaping identity boundaries. By examining the approach of Colombia's traditional Jewish communities to Jewish identity, Israel's reaction to converts within the migration framework, and Spain's citizenship law based on Jewish ancestry, the dissertation elucidates the intricate processes of identity formation, boundary maintenance, and external perceptions.

The findings challenge traditional notions of clear-cut in-group and out-group identities, highlighting the significance of liminal spaces in understanding identity dynamics. Each chapter offers valuable insights into the negotiation of Jewish identity within specific socio-political landscapes, rejecting simplistic categorisations and emphasising the fluidity of identity construction.

In Israel, demographic ethnonationalism and control over conversion processes underscore the tension between religious and secular conceptions of Jewish identity, reflecting ongoing debates over who belongs to the Jewish collective and who are the significant gatekeepers policing potential belonging. Similarly, Spain's 2015 Citizenship Law demonstrates the interplay between nation branding strategies and Jewish identity construction, revealing unintended consequences and complexities in response to state-driven initiatives. The examination of Colombia's Jewish communities reveals the role of social dynamics, class, and race in shaping communal boundaries, highlighting exclusionary practices toward emerging Jewish groups. These insights contribute to Jewish Studies and offer broader implications for sociology, anthropology, and international relations. Drawing on theoretical frameworks such as Barth's notions of ethnic boundaries, Bourdieu's concepts of capital and agency, and Tajfel and Merton's ideas of belonging, the dissertation underscores the subjective nature of identity formation and the autonomy of communities in delineating their collective boundaries. The inclusion of third-party perspectives, particularly evident in the Spanish case study, emphasises the necessity of considering external influences in analysing group identities and belonging.

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Abbreviations

CBS: Central Bureau of Statistics

EAJ-PNV: Euzko Alderdi Jeltzalea- Partido Nacionalista Vasco

EU: European Union

FSU: Former Soviet Union

GDR: German Democratic Republic

MENA: Middle East and North Africa

PP: Partido Popular

PSOE: Partido Socialista Obrero Español

Radbaz: Rabbi David Ibn Zimra

SHAS: Shomrei Sfarad (guardians of Sepharad)

UPyD: Union, Progress and Democracy Party

US/USA: United States of America

WWII: Second World War

Introduction

“The wine of enduring generations
Strengthened me on my wanderer’s way.
The evil sword of pain and lamentations
Nothing that I hold dear could slay-
My people, my faith, and my head unbowed.
It could not stop me from being free and true.
Under the sword I cried aloud:
I am a Jew!”

- Itsik Fefer, 1941 (I am a Jew)

“Ikh bin a Yid!” exclaimed Itsik Fefer fourteen times in his renowned eponymous poem from 1941. In a trance-like journey through time, Fefer’s poem wanders through various moments and places of Jewish history: Pharaoh’s Egypt, Spain at the time of the Inquisition, Spinoza’s Amsterdam and Stalin’s “Soviet Land”. He writes of pain but also of the generations and Jewish figures that strengthened him on his path: Samson, Rabbi Akiva, Solomon, Heine and Marx. Fefer does not feel alone; his exclamation does not reflect singularity and loneliness but rather a connection to a collective identity rooted in a continuous assertion of belonging.

In his essay *Offence. The Jewish case*, Brian Klug writes: “Suppose Moses was to descend from the clouds today, holding yet another copy of the Ten Commandments aloft: ‘Welcome back, Moses,’ we say, ‘O founder of the *religion of Judaism*.’ He would not have the foggiest idea what we were on about. Judging by his track record at Sinai, he would likely take offence and dash the tablets of stone to the ground, declaring despairingly, ‘They just don’t get it’” (Klug, 2009, p.1). Much time has passed since the first written formulation of the Bible. What kind of Jews would Moses meet if he descended from Mount Sinai today? Where would he encounter them? In Buenos Aires, London, or Moscow - the scenes of Fefer’s poem? Whom would he recognise as part of his new - or old in-group? And who

would even bother to ask for his recognition? Would he subscribe to Fefer's timeline? Would he recognise himself in Spinoza, Heine, and Marx?

Through the centuries, there have been many attempts to answer the question of what constitutes Jewish identity. These answers have taken different forms: some have emphasised religion, some ethnicity, and others cultural or political factors. However, the question about Jewishness was not, and is not, free-floating - it is always posed in a historical, political, and relational context. Jewish compared to what and whom? Jewish when? According to Clayton Chin, identities are not frozen concepts or entities but the summary of the mechanisms through which belonging is constructed. Belonging means "to feel natural and unthreatened in a group" (Chin, 2019, p.717). According to Chin, the emphasis is on a feeling of sharing and connection, which he links to communities and groups (Chin, 2019). Identity and belonging are intrinsically linked by the fact that belonging "spans the critical normative concerns around social cohesion" (Chin, 2019, p.716). Building on this, it becomes apparent that we cannot understand Jewish identity without considering the importance of social cohesion (Chin, 2019; Hynes, 2011).

Given the various new developments in the contemporary Jewish landscape, this research project intends to answer two principal questions: 1. How is the Jewish in-group¹ identity being challenged by cases of individuals and groups in the liminal space of Jewish belonging? 2. What does the reaction to this contestation tell us about Jewish boundary maintenance and in-group cohesion?

These two overarching questions of this dissertation branch out into further questions following three case studies. These case studies focus on different forms of participation in the discourse on Jewish identity and the reaction to and use of liminality for boundary maintenance. The dissertation is divided into three chapters, which, as will be explained in further detail in the section on methodology, were conceptualised and analysed according to a case-by-case approach. The chapters are: 1. The case of Colombia's traditional Jewish communities. 2. The State of Israel and its reception of emerging Jewish communities and contested Jews. 3. The Spanish Citizenship Law of 2015 and the reshaping of Sephardic-Jewish identity

¹ It should be noted that this dissertation bases its idea of commonly accepted Jewish-in groups in relation to the idea of traditional Jewish communities and therefore not only a strong identification of a group as Jewish but also its mutual recognition by other communities, groups and individuals. The idea of what constitutes a traditional community will be explained later in the text.

The first chapter presents the case of the Colombian traditional Jewish communities and their reaction to the phenomenon of emerging Jewish communities and the growing disproportional interest in Judaism in Colombia.² The guiding questions for this chapter are: 1. How does the emergence of convert communities in Colombia impact and influence the country's traditional Jewish communities, and how does it reflect on the Jewish in-group identity of their members? 2. Through which social mechanisms does the community maintain its boundaries, and when and how is permeability into the community possible? I argue that in Colombia, liminality - characterised by the vagueness of belonging - is used as a practical tool to promote certain narratives the community desires. However, inclusion does not necessarily align with this ideal, highlighting discrepancies between perception and reality.

The second chapter presents the perspective of the State of Israel. It aims to answer three central questions: 1. Who are the significant gatekeepers in the case of the State of Israel involved in including and rejecting liminal Jewish groups and individuals? 2. What are the positions taken by those gatekeepers towards liminal Jews, and here specifically emerging Jewish communities? 3. What can the reaction to liminal Jews say about the elements that constitute Jewish identity to the state? The overarching argument in this chapter is that in Israel, liminality is both spatial and structural, with tangible administrative implications. The placement of individuals in liminal spaces carries significant consequences, shaping their access to resources and rights. Some groups and individuals transitioned from being classified as "other" to occupying a liminal status, eventually gaining recognition within certain spheres of the in-group.³ These examples illustrate how uncertainty serves as the state's demographic and discursive tool.

The third chapter analyses the role of Spain and its 2015 citizenship law based on Jewish ancestry. While the first two chapters present the reaction and interactions of a Jewish

² The term traditional Jewish community will be used throughout the text to describe Jewish communities composed mostly of born Jews recognised as Jews by other Jewish communities. The term will be described in further detail further on in the text. Emerging Jewish communities, sometimes also called new Jewish communities, are composed entirely (or in its majority) of converts, whose status as Jewish communities is often contested by traditional Jewish communities and organisations. In most cases, these emerging communities have their own synagogues, although sometimes they use ordinary living spaces for communal services such as meetings and prayers (Comunidad et al., 2020; Paster Harf, 2021). The term emergente will be used throughout this work to describe members or former members of Hispanic emerging Jewish communities.

³ It should be kept in mind that there are cases in which communities, which are commonly classified by scholars as emerging communities such as the Black Hebrew Israelites, do not subscribe to the idea of liminality but consider themselves as the actual Jewish in-group.

in-group with liminal Jews, the third chapter opens the discussion to another actor, the non-liminal outsider and its involvement with Jewish identity. This follows a previously established theoretical concept: both outsiders and insiders determine belonging. The guiding questions for the third chapter are, therefore, slightly different, although their purpose, too, is to enhance the understanding of the discourse surrounding Jewish identity: 1. Which factors guide the involvement of the Spanish State in the discourse surrounding Jewish identity? 2. How is Jewish identity imagined in the law and by the Spanish lawmakers? 3. How does the imagination and shaping of Jewish identity reflect back on Spanish identity? I argue that in the Spanish case, too, liminality- characterised by the vagueness of belonging - is used as a practical tool to promote certain narratives the state desires.

By reflecting on both in and out-group perspectives on Jewish identity and bringing them into a dialogue, I hope to improve our understanding of Jewish identity in the 21st Century and question power imbalances concerning Jewish belonging and desirability. This work aims not to present one authoritative figure in the 21st Century and their opinion on who is Jewish and who is not. Instead, it intends to provide an analysis of different players who take part in the construction of Jewish identity and to show how, while being difficult to define, there seem to be, at least in theory, more desired traits and qualities which facilitate or inhibit Jewish recognition. The overarching argument is that Jewish identity is inherently shaped by the social and specifically national contexts into which Jewish communities are embedded and that today, this varies significantly between countries. I argue that how the cases of contested Jews are discussed and addressed by Jewish actors in different places reflects a possible snapshot of the current discourse on Jewish identity.⁴

Furthermore, I aim to provide a starting point for discussions about the state of contemporary Jewish identity, including its internal challenges, as well as its contested boundaries and external pressures. Jewish communities try to shape new Jews by action and inaction according to their specific needs. These attempts are political in nature but rely on a narrative of an objective Jewish identity. This narrative shift is also true for non-Jewish actors whose positions towards Judaism and Jews, at least on the surface, have become benevolent

⁴ The term contested Jew refers to individuals and groups whose Jewish identity is not accepted by dominant Jewish authorities and collectives. In the context of this dissertation, members of emerging Jewish *communities* are viewed as being contested Jews because their self-identification as Jews is often not accepted by the Jewish main currents. I use both terms, emerging and contested, as their meanings overlap at points but are not interchangeable. The former describes members of organised convert communities, while the latter is a general term describing both people who are- or are not affiliated with an emerging community. As will be shown in Chapter 3, some applicants for Spanish citizenship are contested Jews but do not have any biographical link to emerging Jewish communities.

and who participate in defining Jewish identity today. Overall, this dissertation emphasises that these various instances do not define Jewish identity per se. Instead, they demonstrate how ambiguity can be leveraged to construct narratives that bolster communal cohesion. Liminality functions as a dynamic space where boundaries are negotiated, identities are asserted, and collective narratives are solidified.

A Review of the Relevant Literature and Concepts

Focusing on the socially constructed characteristic of ethnicity, Fredrik Barth writes that an “ethnic group is a group in which its members maintain their existence through familiar bonds and shared cultural values. [...] membership to the group is not only self-ascribed but also based on the identification by others” (Barth, 1969, pp.10-11). Barth points out two of the essential features that guide the research questions and the structure of this dissertation. Membership and belonging depend not only on an individual’s self-ascription but also the recognition by “others”- which evidences that belonging is both a status and a practice. There are two types of “others”. First, there are the others who constitute the “us” of the group that share a common sense of understanding. Second, there are those others who constitute the “them” but nonetheless participate in the categorisation of the individual, which, taking into account power dynamics, can have a significant practical effect on the lived experiences of people (Berlin, 2002; Chin, 2019; Ignatieff, 2013). It is essential to endeavour to understand what influences our understanding of the Jewish in-group (the “us”), as well as the out-group (the non-Jewish “them”), and how these perceptions interconnect. In order to do this, it is necessary to analyse the liminal space separating in from out-groups.⁵

The meaning of “in-group” in this dissertation rests on the combination of Henri Tajfel’s and Robert Merton’s definitions of the term. According to their definitions, a person needs to identify with a group cognitively by having a sense of awareness of their membership, connect that awareness to specific values, be emotionally invested in the group, and, finally, have that sense of belonging recognised by others as such (Chin, 2019; Merton, 1972; Tajfel, 1982). Groups situated in a liminal space, such as converts and individuals

⁵ According to Victor Turner, “Liminal entities are neither here nor there; they are betwixt and between the positions assigned and arrayed by law, custom, convention, and ceremonial. As such, their ambiguous and indeterminate attributes are expressed by a rich variety of symbols in the many societies that ritualise social and cultural transitions” (Turner, 2017, p. 95), while Lauro Zavala describes liminality as “the paradoxical and potentially productive condition of being situated between two locations” (Zavala, L. (1997). *Towards a Dialogical Theory of Cultural Liminality. Contemporary Writing and Cultural Identity in Mexico*. Arizona Journal of Hispanic Cultural Studies, 1(1), p.9).

applying for citizenship based on Jewish ancestry, can shed light on how Jewish boundary maintenance is practised today and offer valuable information on the characteristics of the Jewish in-group they wish to belong to. Their situation can offer us unique perspectives precisely because these liminal individuals and groups themselves occupy contested space: they are neither “in” nor “out”.⁶

Traditionally, the idea of belonging has been conceptualised in two dimensions: vertical and horizontal. The vertical dimension pertains to the relationship between the individual and the state, predominantly mediated through citizenship.⁷ On the other hand, the horizontal dimension concerns the interpersonal relationships characterised by identification and recognition within the state, typically confined to citizens. This dissertation employs Chin’s framework, which reconceptualises belonging in both its vertical and horizontal manifestations. However, given the focus on belonging to the Jewish collective, this study transcends the confines of a specific territory or state. Instead, it aims to incorporate diverse cases, stories and places at a given moment into one dialogue. This approach is rooted in the assertion that Jewishness is not confined to a singular spatial or hierarchical context but is, rather, experienced and contested across borders. Through embracing a multidimensional perspective of belonging, this dissertation seeks to explore the nuanced ways in which individuals negotiate their Jewish identity within different social, cultural, and geographical landscapes. This approach acknowledges the complex interplay between personal affiliations, communal ties, and broader societal structures in shaping individuals’ sense of belonging to the Jewish collective. Moreover, including diverse cases allows for a richer understanding of the complexities inherent in contemporary expressions of Jewish identity.

From diasporic communities navigating questions of cultural preservation and an increased interest in membership to states grappling with the intersections of religion, ethnicity, and nationality in the past and present, exploring varied contexts provides valuable insights into the multifaceted nature of Jewish belonging.

⁶ This dissertation explores the concept of liminality as both a transitional space and a place for discussions surrounding identity. Liminality is, therefore, not a fixed space or moment but rather a product of different dynamic situations and changing contexts.

⁷ I build on Yuval Davis’s argument that citizenship cannot be limited to specific political contexts but must be thought in connection with the politics of recognition and emotions and that it has to be viewed as an embodied category that, for example, has to take class and ethnicity into account (see Yuval-Davis, N. (2007). Intersectionality, Citizenship and Contemporary Politics of Belonging. *Critical Review of International Social and Political Philosophy*, 10(4), pp. 561–574.)

Intermarriage and Immigration

Most research focusing on the reactions of established ethnic in-group members and organisations towards *newcomers* focuses on cases of intermarriage.⁸ It analyses states' restrictions to impede ethnic mixing and how these attempts shape citizenship laws today (Hart, 2015). Because according to Halakha (Jewish law), the Jewish identity and membership to the Jewish collective of a person is passed on by the mother and not the father, the literature on the impact of intermarriage for Jewish communities is especially extensive (Charmé, 2022; Mintz & Stern, 2015; McGinity, 2014).⁹ Research by Delia Furtado on the connection between human capital and intermarriage has shown that most people tend to have a preference for marrying others with a similar level of education and income level (Furtado, 2012; Haandrikman, 2012; Maenpaa, 2015). This observation is confirmed in the case of gentile-Jewish inter-marriages in places like the US and Argentina (Tank-Storper, 2005; The Jewish Education Committee, 1969; Kaplan & Herbst-Debby, 2017; Sarna, 2015). Other research has focused on the Israeli context in which intermarriage between Jews and non-Jews is not only seen as a threat to the ethno-religious identity and community cohesion of Jews but as a political threat to the state, especially in the case of Jewish-Palestinian intermarriage (Fogiel-Bijaoui, 2017; Karkabi-Sabbah, 2017).

Especially relevant for this work is the qualitative research that has been conducted concerning the reception of new Jewish immigrants, such as Olim from Ethiopia and the Former Soviet Union (from here on FSU).¹⁰ In the case of Ethiopian immigrants, intra-marriages (meaning marriages between Jewish Israelis of Ethiopian- and Israelis of non-Ethiopian descent) have been frequently opposed by non-Ethiopian Jewish Israelis for a multiplicity of reasons. Racism, classism, and historical disconnection have all played a role, although these objections are rarely made explicit when questioning the Jewish identity of

⁸ Bauer and Thompson's work on societal reactions towards mixed couples with one partner being of Jamaican origin provides an in-depth analysis of three places: Canada, the US, and Britain (see Bauer, E., & Thompson, P. R. (2006). *Jamaican hands across the Atlantic*. Kingston, Jamaica: Randle).

⁹ *Halakha* is the more commonly used term for "Jewish law". The term takes its meaning from the Hebrew noun *halakha*, as in "to go". It, therefore, denotes how Jewish people "are to go" according to the biblical text and subsequent rulings. It regulates all aspects of a person's and community's private and public life (see Berlin & Grossman. (2011). *Halakha*. In *The Oxford Dictionary of the Jewish Religion* (2nd ed.). Oxford University Press.

¹⁰ The word *Olim* (m. plur. of Ole/Ola) derives from the term *Aliyah*, which in Hebrew literally means "going up." While it is traditionally used for going up to read the Torah in the Synagogue, it is also used to describe the act of a Jew immigrating to Israel. In *Israeli 'mixed families' with members of Ethiopian origin: encounters in the public space*, the Israeli anthropologist Gadi Ben Ezer critically examines the often biased reactions of the Israeli public to mixed couples where one partner is of Ethiopian origin (see Benezer, G. (2013). *Israeli 'Mixed Families' with Members of Ethiopian Origin: Encounters in the Public Space*. *Israel Studies Review*, 28(2).

Ethiopian Jews. Most Ethiopian Jews and Jews from the FSU began migrating to Israel in the 1990s. Nevertheless, in the case of migrants from the FSU, almost 40 per cent of those immigrants chose Germany or the US instead of Israel when given the opportunity. Today, Jewish immigrants from the FSU and their descendants comprise the bulk of German Jewry and are thus in a majority position within German Jewish communities and institutions. They increasingly shape the self-understanding of the community and the way it portrays itself to German society as a whole. On the other hand, they are in an intra-Jewish ethnic minority position in the US. There, they are simultaneously faced with various expressions of Jewish identity, irrespective of traditional interpretations of Halakha (Ben-Eliezer, 2008; Benezer, 2013).

Colombia

In Colombia, the growing interest in Judaism has led to the formation of Jewish communities, which are mainly convert communities. In some cases, said communities are composed entirely of converts (Comunidad Judía de Antioquia, 2020; Paster Harf, 2021). However, while most of these communities and unaffiliated individuals are reaching out to the State of Israel for recognition (which has not positioned itself officially on the matter), the relationship with the traditional Jewish communities in Colombia seems tense and protracted. Within a few years, the emerging Jewish communities have, outnumbered the approximately 2,000-4,500 traditional Jews in Colombia, and when one searches for “Jewish communities in Colombia” online, most search engines will list the emerging before the traditional communities.¹¹

The traditional Jewish communities in Colombia are typical among their contemporaries in Latin America insofar as they have invested in preserving their cultural distinctions after migrating from Europe, the Middle East and North Africa in the late

¹¹ Today, it is estimated that there are already over 20 well-established emerging communities all over the country, counting approximately 8,000 members[9], doubling the traditional Jewish communities in the country, which are estimated to count between 2,000 and 4,500 members (World Jewish Congress 2020; Szymkowitz, 2020). The Congreso Judio Latinoamericano speaks of 3,500, while Markus Peckel speaks of about 6,000 Jews Iton Gadol. (See 2020, November 4). ENTREVISTA A MARCOS PECKEL SOBRE LA COMUNIDAD JUDÍA DE COLOMBIA. *Iton Gadol*. Retrieved from <https://itongadol.com/latinoamerica/entrevista-a-marcos-peckel-sobre-la-comunidad-judia-de-colombia>). At the time of the research it was the case that, if one were to search for “Comunidad Judia” on Google, the results would show the emerging communities in Cali and Medellín before the traditional communities. This was not the case in Bogotá.

nineteenth and early twentieth centuries. In Colombia, most of the members of these communities today are considered to be part of the upper-middle and upper class of the country (Dizgun, 2001). Like in many Latin American countries, Colombian society is highly divided along socioeconomic and racialised lines. Larger cities such as Bogotá, Cali, and Barranquilla are marked by the presence of gated communities, country clubs, and private schools in which the upper class, and increasingly the middle class too, conduct their social life (Laverde Cabrera, 2013; Uribe Mallarino & Ramirez Moreno, 2019). Affluent minority groups such as the Arab and Jewish communities have opened their separate country clubs, such as the Club Campestre del Caribe in Barranquilla and the Carmel Club in Bogotá. The academic work on the history and life of traditional Colombian Jewry has been proliferating in the last couple of years.

There are two types of academic publications dealing with Colombian Jewry. One type focuses on the time of the rule of the Spanish crown over the region and the cases of converts to Christianity accused of keeping Jewish customs (Navarrete, 2002; Escobar Quevedo, 2011; Mesa Bernal, 1996). While offering an insight into Colombian society, especially before gaining its independence, and on early Jewish experiences on the American continent, these texts do not offer direct information about the groups and individuals that constitute the traditional Jewish communities in Colombia today. The second type of academic (and fictional, e.g., *Los informantes* by Juan Gabriel Vásquez) writings are concerned with the early settlements of Jews in Colombia hailing from the crumbling Ottoman Empire and Europe in the late 19th and early 20th Century (Fawcett & Posada-Carbo, 1997; Leal Villamizar, 2015).¹² Furthermore, a small number of authors have started to turn to the cases of Inter-American migration and the cases of Jews from, e.g. Curacao, settling in the north of Colombia as early as the beginning of the 19th Century (Del Rosario García & Cadavid, 2012), covering the gap between the presumed disappearance of

¹² Although several Sephardic Jews originating from the Dutch Caribbean established communities in the 18th and 19th centuries, the current traditional Jewish communities were mainly founded at the beginning of the 20th Century by Jews arriving from the MENA region (Middle East and North Africa), Eastern Europe and Germany. At first, the Jewish immigrants established three separate communities: an Ashkenazi community, a German community, and a Sephardic community. Although their immigration initially faced difficulties due to anti-immigrant and anti-Jewish sentiments in the government during the 1930s and 1940s, over the following decades, the Jewish community prospered and managed to establish itself in the upper class of Colombian society (Fawcett, 1997). Over the years, the importance of the specific national backgrounds of these immigrants started to become less important due to increasing inter-Jewish marriages. However, some of these divisions persist until today. Nowadays, most traditional Jewish communities adhere to an Orthodox form of Judaism, while the descendants of the German immigrants are primarily conservative. The main centres of the traditional Jewish communities are in Bogotá, Cali, Medellín, and Barranquilla (World Jewish Congress 2018).

the *Anusim* and *Crypto-Jews* and the arrival of Jewish immigrants in the late 19th Century.¹³ Colombian Jewry has been mentioned in general writings on Latin American Jewry (Elkin, 1998; Bejarano et al., 2017; Avni et al., 2011) or articles centred around specific aspects of Colombian Jewry, such as music, architecture or the remembrance of the Shoah (Cardona, 2015; Bolaños & Gnecco Lizcano, 2017). Nevertheless, a detailed description of Colombian Jewry since the 1950s is sorely needed.

One of the most important texts written about Colombian Jewry in the mid-and late 20th Century is John Dizgun's article *Rights of Passage: The Struggle over Jewish Inter-marriage and Conversion in Colombia*. In his article, Dizgun describes the development of the various Jewish communities at the onset of the 20th Century and how, over time, the Sephardic and Ashkenazi communities drew closer together. He delves into the breaking of a taboo within the community: the prohibition of intermarriage with non-Jewish women. Dizgun provides detailed accounts of how the Sephardic community particularly opposed intermarriages and the resulting tensions within the Jewish community. Ultimately, the Sephardic leadership accepted these marriages after the women's conversion, pressured by younger community members. Dizgun's work further underscores the significance of social class, noting that while the brides may not have shared the same ethno-religious background, they belonged to the same socioeconomic class (Dizgun, 2001). The report concludes with the resolution of the dispute in the 1980s. Although it does not extensively discuss contemporary conversions beyond the marital context, it paints a vivid picture of Jewish life in Colombia just before conversions to Judaism became the popular phenomenon at the centre of this study.

¹³ The term *Anusim* means, literally, "the forced ones" in Hebrew and is used to describe Jews who were forced to convert to another religion. It is usually associated with the Jews who were forced to convert to Christianity on the Iberian Peninsula. *Conversos*, *New Christian*, and *Marranos* are other terms used to describe this group. While the latter is perhaps the most known and frequently used expression, it has a clear negative connotation in its meaning. Scholars of Sephardic history, such as Jeffrey Gorsky, point out the problem of using such a term in scholarly work and refrain from its use (see Gorsky, J. (2015). *Exiles in Sepharad: the Jewish millennium in Spain*. University of Nebraska Press. p.290). *Crypto-Jews* is the other term used to describe individuals or communities of Jews who outwardly converted to another religion (in most cases, Christianity). Unlike terms such as *Anusim*, *Conversos*, *New Christians*, and *Marranos*, the term *Crypto Jew* clearly implies that the individual or group that converted to Christianity is, in fact, still Jewish by secretly maintaining Jewish customs, beliefs, and teachings.

Israel

The State of Israel is an essential gatekeeper posed with the task of discerning whether these new communities and searching individuals interested in Judaism in Latin America might be part of the Jewish collective (Ministry of Diaspora Affairs, 2017). In Israel itself, the state seems to shape a significant part of the immigrant's Jewish identity (Gitelman et al., 2016). Various state institutions increasingly push for the legal conversion of FSU immigrants who are not considered halakhically Jewish. However, many of those immigrants are only hesitant to comply with the pressure to convert, if they do so at all (Krael-Tovi, 2014, 2015, 2017). To some extent, the gentle approach towards converting these immigrants can be explained by arguing that for the State of Israel, the racialised demographic preservation of Israel's *European* (here meaning *White*) character vis à vis the Palestinians is more important than a more traditional approach to Jewish identity (Yonah, 2004). Another approach that is gaining popularity is the idea of "sociological conversions". Supporters of this theory maintain that because Israel is a Jewish majority state, immigrants adopt the social patterns of the Jewish majority, therefore becoming socially Jewish, making religious conversions possibly obsolete (Cohen & Susser, 2000; Gitelman et al., 2016). The bulk of the criticism of this approach comes from the Israeli Rabbinate (Fisher, 2020). However, it is absent from discourses in other countries, such as the US, where the dominance of the Reform and Conservative movements creates the possibility for different types of conversions, and the majority population is not Jewish (Mintz & Stern, 2015). The Israeli case is, therefore, unique in its form and potential ramifications.

The self-perception of the State of Israel is, although connected to a physical territory, also linked to the concept of a nation whose majority neither holds Israeli citizenship nor lives in the territory of the state. The State of Israel has, therefore, yet to come up with a definition of Jewish identity, which, according to various declarations and laws, is an essential component of the state's *raison d'être*. The fact that specific individuals and communities have been integrated into a vague concept might, therefore, be no surprise. Suppose the State of Israel has not defined what is Jewish while accepting various definitions of who is a Jew within its borders and what exactly defines the concept of Diaspora. Why should the *Comunidad Judía de Antioquia* doubt their belonging to the Jewish people?¹⁴ Although

¹⁴ The *Comunidad Judía de Antioquia* is a community established by Christian converts to Judaism in the outskirts of Medellín, Colombia. It was established in the early 2000s by two former Evangelical pastors (see Mochkofsky, G. (2016, April 28). *The Faithful*. René and Juan Carlos set out to convert their Colombian

Israel calls itself the Jewish State, , but scholars such as Yaacov Yadgar, Brian Klug, and Akiva Orr all point out that the State of Israel and, with it, the Zionist movement have failed to define its Jewish character (Yadgar, 2020; Klug, 2009; Orr, 1983).¹⁵

Traditional Israeli historians have argued that the Zionist movement had “sought [...] to transform the religious basis of Judaism into a modern, secular, national cult” (Peri et al., 2012, p.3), decrying the increasing visibility of religious forces as *Hadata* (“religionisation”) and presenting it as a result of a fight between the Orthodox minority and the secular majority. While this perspective is not supported with equal strength today, some Historians argue that the emphasis on religion we can observe in politics today is a consequence of the War of 1967 and the acquisition of West Bank territories that are biblical sites. However, an increasing number of scholars have begun to re-evaluate those historians' “secular” narrative, arguing that religion had been an integral part of the Zionist movement since its inception (Orr, 1983; Yadgar, 2020, 2017).

The Israeli hesitation in specifying the meaning of Jewish identity has demographic consequences that come to light in the discrepancies of its immigration policies. Through the Law of Return, thousands of people have obtained Israeli citizenship, not based on their own “Jewish identity” but a generational link that Halakha does not support. Both the conversion process and the official acceptance of an individual’s Jewish identity are still controlled by the Israeli Rabbinate (Mintz & Stern, 2015). While some might see this as an example of the struggle between the secular state and the religious rabbinate, authors such as Yadgar point out the quasi-division of labour that is done by giving the power to determine the Jewishness of a person to the Rabbinate. He argues that the state is not forced to do so but that it is in its interest to evade direct responsibility (Yadgar, 2020). Furthermore, authors such as Edrei argue that the Israeli conversion system is used to re-label people as Jewish regardless of their religious convictions and practices (Edrei, 2015). Thus, the Rabbinate functions as a form of stamp for the groups and individuals the State of Israel wishes to integrate into its Jewish population demographically.

megachurch to Orthodox Judaism. This is what happened. *The California Sunday Magazine*. Retrieved from <https://story.californiasunday.com/colombian-church-orthodox-judaism>).

¹⁵ While I agree with Yossi Shain’s premise that over seventy years of Israeli statehood have significantly impacted the way Jewish identity is formulated in and outside of Israel (Shain, 2019), I also agree with Adam Ferziger’s criticism of the idea that this is an all-encompassing feature of contemporary Jewish identity and that Jewishness could be reduced solely to the political sphere (Ferziger, 2020).

Furthermore, an increasing amount of research has been devoted to the growing phenomenon of conversions to Judaism worldwide and the cases of groups claiming to be part of the Jewish people (Parfitt & Fisher, 2016; Ben-Dor Benite, 2009). Some of these communities have been mostly accepted into the Jewish in-group in the last fifty years, as seen in the case of Ethiopian Jews (Kaplan, 1992). However, since then, there has been a rise in communities claiming a link to the Jewish traditions and the Jewish people. These are communities like the Kaifeng in China, the Igbo in Nigeria, and the emerging communities in Colombia (Parfitt & Fisher, 2016; Yezerksy, 2019). Latin America as a whole is seeing a fast rise in individuals and communities interested in Judaism and Jewishness, which has started to receive increasing scholarly attention (Estrin & Goodman, 2017; Livneh, 2002; Mochkofsky, 2016). In parallel, several academics, especially from within Jewish Studies, have begun to look into the phenomenon of conversions to Judaism in Latin America (Carpenedo, 2018; Yezerksy, 2019; Carroll, 2002), and specific Jewish organisations such as Kulanu and Shavei Israel have begun to aid these communities and individuals in their quest.¹⁶

Spain

Moreover, in 2015, the Spanish government enacted a law allowing the descendants of Jews expelled from Spain in the 15th Century to seek Spanish citizenship based on their Sephardic heritage and descent (Law 12/2015; Minder, 2015). This law permitted individuals who could demonstrate Sephardic ancestry and a “special connection” to Spain to apply for citizenship until 2019. The initiative attracted significant attention worldwide, prompting many Jewish and non-Jewish individuals to pursue Spanish citizenship. According to the Times of Israel, out of 150,000 total applications received, 43,000 non-Jews have been granted Spanish citizenship through this process (Lipshiz, 2020). Surprisingly, the countries with the most applications are not those with large Sephardic-Jewish populations, such as Israel, the US, or Turkey, but Latin American states such as Mexico, Colombia, and Venezuela.

¹⁶ *Kulanu*, which translates into “all of us” in Hebrew, is a Jewish, US-based organisation to support emerging Jewish communities and groups around the world, especially in South America and Africa. It should not be confused with the Israeli political party *Kulanu*, which was active between 2015 and 2019. Similar to Kulanu, Shavei Israel (Hebrew for “the tribes of Israel”) is an organisation with the goal of supporting and finding lost tribes and other communities that are believed to be re-emerging forms of previous communities. They were famously involved in the recognition and Aliyah of the Bnei Menashe and are also involved in various emerging communities in Latin America. I was able to visit various such communities in Colombia which are currently supported by Shavei Israel or have been supported in the past. Unlike Kulanu, Shavei Israel is based in Israel and has close ties to the Israeli government. In fact, at some point, various interviewees had worked for Shavei Israel.

The case of Colombia is particularly intriguing. Colombia's traditional Jewish communities consist of only 2,000 to 4,500 individuals, primarily of Ashkenazi descent. However, a staggering 20,000 Colombians applied for Spanish citizenship under the 2015 law (Ministerio de la Presidencia, Justicia, Y relaciones con las Cortes, 2023). This significant disparity in numbers raises questions about the motivations behind the surge in applications. The majority of the additional applicants are likely not Jewish and may not even be affiliated with an emerging Jewish community. It is plausible that the allure of obtaining a coveted European passport served as a compelling incentive for individuals to search for potential Jewish ancestors. The Spanish government's initiative inadvertently spurred a widespread quest for Sephardic ancestry among Colombians, leading to a surge in citizenship applications. This phenomenon underscores the complex interplay between historical narratives, legal frameworks, and individual aspirations. The enactment of the Spanish citizenship law not only provided an avenue for individuals to reclaim a historical connection but also triggered broader societal implications, shaping perceptions of identity and belonging. The Spanish citizenship law targeting descendants of Sephardic Jews has sparked widespread interest and participation. While the initiative has been applauded for addressing historical injustices, its unintended consequences have catalysed a broader exploration of identity and heritage among diverse populations.

Critics of the Spanish Law 12/2015 have drawn parallels to the policies enacted by Germany concerning Jewish immigrants from the Former Soviet Union. They argue that both countries utilised such laws primarily to project an image of openness and diversity while concurrently tightening naturalisation laws for larger immigrant communities, such as Turks in Germany and North Africans in Spain (Laurence, 1999; Ojeda-Mata, 2018). The comparison with German policies towards Jewish immigrants underscores the complexities of immigration and integration in Europe. While both countries grapple with issues of diversity and inclusion, their approaches vary significantly, reflecting distinct historical legacies and cultural contexts. By examining these parallels and distinctions, scholars and policymakers can gain insights into the broader dynamics shaping immigration policies and national identities across Europe.

However, a unique aspect present only in the Spanish case is the role of *Hispanidad*, characterised by nostalgia for a Spanish past and efforts to commemorate and revive it.¹⁷ In the 1990s, on the occasion of the 500th anniversary of the expulsion, the Sephardim were awarded the Asturias Prize as a recognition of their place within the “great Spanish family” and their status as “far from home” in an “itinerant Spain” (in Ojeda-Mata, 2018, p. 221).

Critics of these gestures argue that they might be superficial, primarily serving as a tool to enhance Spain’s international image while sidestepping more pressing issues related to immigration and integration. Moreover, the emphasis on *Hispanidad* raises questions about the selective nature of memory and commemoration in Spain. While the country celebrates its Sephardic heritage, it often overlooks other marginalised communities, such as the descendants of Muslims expelled during and after the “Reconquista”.¹⁸ Furthermore, *Hispanidad* is limited to positive interpretations of the Spanish presence on other continents instead of offering a more nuanced narrative. This selective approach to commemoration reflects broader societal attitudes and priorities, highlighting the complex interplay between history, identity, and national consciousness.

¹⁷ *Hispanidad* describes the link between the various countries linked by Spain’s colonial past. The National Day of Spain, celebrated every year on October 12, is also known as “día de la Hispanidad” (day of Hispanic civilisation). It has been celebrated since 1892 and is enshrined through the law 18/1987, in which the preamble sets out to define the motivation for this law as: “The chosen date, October 12, symbolises the historic anniversary in which Spain initiates a period of linguistic and cultural projection beyond the boundaries of Europe by constructing the state based on our cultural and political diversity, and the integration of the kingdoms of Spain into the same monarchy (Ley 18/1987).

Furthermore, the colonial link is made visible through the Real Decreto 3217/1981: “The singular importance of October 12, Fiesta de la Hispanidad, which commemorates the discovery of America and the origin of a cultural tradition common to Spanish-speaking peoples, advises giving its celebration the maximum solemnity and permanence throughout the national level” (Real Decreto 3217/1981). The term is, therefore, not just descriptive but emotionally and politically loaded. It is an active term, shaping and constructing a desired reality, perhaps more than depicting actual connections and importance. On a similar note, Ilan Stavans describes it as “an ideological stance, maybe even an argumentative approach, that is, the use of the specific elements of Hispanic civilisation for a political purpose” (Stavans, I., & Jakšić, I. (2021). *What is la hispanidad?: A conversation*. University of Texas Press. p.3). The Dictionary of the Royal Spanish Academy, the *Diccionario de la Real Academia Española*, defines *Hispanidad* as: “1. Generic character of all peoples with Hispanic language and culture. 2. f. Group and community of Hispanic peoples. 3. f. ant. Hispanism (Real Academia Española 2001).”

¹⁸ The word “Reconquista” is commonly used to describe the Christian war effort to conquer what is today known as Spain from the hands of Muslim rulers between their arrival in 711 and the fall of Granada in 1492. But as authors such as Alejandro García Sanjuán have pointed out, the term is a product of 19th Century Spanish nationalism, which was and has been used to position a “true” Christian Spain vis à vis Islam (see García-Sanjuán, A. (2020). Weaponizing historical knowledge: The notion of Reconquista in Spanish nationalism. *Imago Temporis*, 14(14), 133–162.). Talking about a Christian reconquest implies that it was an act of freeing a land or a people from a joke and that Islam did and does not belong to Spain, while Christianity is at the core of Spanish identity. It so obscures the Spanish non-Christian past, as well as the extent to which Spanish culture is a product of the hundreds of years of Muslim presence in the Iberian Peninsula.

In the broader European context, the Spanish law 12/2015 has reignited debates about citizenship, identity, and belonging. Critics argue that such laws perpetuate exclusionary practices, privileging certain groups while marginalising others. The focus on Sephardic ancestry overlooks the diverse array of identities present within Spain's contemporary multicultural society, reinforcing a narrow and idealised vision of national identity.

While most publications on the 2015 citizenship law focus on Spanish aspirations and the personal interest of Latin Americans to gain EU citizenship, they neglect to address how this new law redefines Jewishness. It might not define Jews in the traditional sense, according to Halakha or other cultural norms adhered to by most Jews today, but rather in a new sense. It sets the focus on an abstract genealogy that induces cultural and national feelings of those offering Spanish citizenship. While Spanish lawmakers were careful not to define all descendants of Sephardim as Jews categorically, they inadvertently prompted thousands of individuals who do not define themselves or have not defined themselves as Jews to embark on a quest for Jewish ancestry. This tension, too, was present in the case of the Jewish immigrants from the FSU who started arriving in Germany in the 1990s. Many of the immigrants did not self-identify as Jews but were defined as such by their society and states. However, they were, for example, registered as Jews under "the fifth point" (the section of the passport containing the nationality of a citizen). This point categorised people as Jews if, e.g., their father or grandparent had been Jewish. This process, not in accordance with Halakha, incentivised people in the FSU to search for, and in some cases even forge, documentation proving Jewish ancestry (Laurence, 1999; Gorelik, 2006).

Methodology and Positionality

This dissertation adheres to the principles of Grounded Theory, employing a methodology that involves the production and affirmation of concepts through three key steps: 1. Differentiated observation, 2. Typification, and 3. Causal inference (Strübing, 2013). I draw on text- and oral-based resources as well as fieldwork observations. Text-based sources encompass legal texts, drafts, published interviews, statements, and transcripts of parliamentary discussions. Oral sources include face-to-face interviews, interviews via Zoom, the analysis of video-recorded parliamentary discussions, public interviews, public

appearances, and phone calls.¹⁹ While there was occasional overlap between oral and written sources, this was particularly evident in the case of fieldwork observations. Some of them included my active participation through the attendance of events, classes, seminars, tours, and ceremonies. In contrast, others were more passive in nature, such as observing neighbourhoods, buildings, traffic, supermarket products or naming national and regional holidays. In the case of the text and oral resources, I relied heavily on the GT-based line-by-line analysis (Corbin, 1990), while the observations mainly were used to contextualise information.

I conducted fieldwork in each of the three countries at the centre of this research. The first fieldwork trip took place in Israel in 2021 and was the most extensive, taking over six months, as the COVID-19 pandemic forced and enabled me to extend my stay. The second fieldwork trip was in the fall of 2022 in Colombia and lasted three months, similar to the third fieldwork trip in the fall of 2023 in Spain, which also took three months. As this project builds on previous research in the context of my undergraduate and postgraduate studies, I could build on specific networks established on previous occasions. However, in most instances, I found myself applying the snowball approach to obtain access to relevant informants and interlocutors.²⁰ Particularly in the case of the second and third chapters, which focus on the perspectives of the Spanish and Israeli governments, the selection of interlocutors follows an adapted version of Melissa Nobles' conceptual framework used in her book *The Politics of Official Apologies* (Nobles, 2008). Nobles identifies key actors as state officials and public intellectuals, particularly historians, a group which is expanded here by adding, e.g. religious and communal authorities and clerks in the Israeli case and members of the Jewish community in Spain in the Spanish case. However, in the Colombian case, the research is mainly based on interviews with members of the local traditional Jewish communities, as they are the main stakeholders and official, state-recognised representatives. In some cases, members and former members of emerging communities and converts were

¹⁹ Most of the interviews were semi-structured to guarantee a minimal level of comparative conformity. In some instances, however, when the interlocutors were not part of a previously classified group for which an interview guide had been designed, the interviews were unstructured.

²⁰ Only in rare cases was I successful in establishing contact with interlocutors through official emails without prior contact with an intermediary. The reasons for this are manifold, from high workloads in institutions and case prioritisation to the lack of trust in an informal email. Trust can and was, on the other hand, created through recommendations and the passing on of private email addresses and phone numbers. Although I did attempt to contact politicians and community representatives through their official emails and parties, because of the biases created in samples collected via the snowball approach, the latter proved to be the only effective approach.

additionally incorporated into the group of chosen interlocutors as they had experienced both exclusion from- and inclusion into the traditional Jewish communities.

Considering the subject of this dissertation, it is unsurprising that the majority of my interlocutors self-identify as Jewish, particularly evident in the chapters focusing on Israel and Colombia. In the chapter on Spain, most interviewees identified themselves as either affiliated with one of the local Jewish communities or organisations or in terms of affinity and support for the Jewish community. This division applies to political representatives as well as experts such as historians. Furthermore, most interviewees were male, which most probably results from the numerical overrepresentation of Orthodox rabbis, who were often the gatekeepers of communities. This gender imbalance was exacerbated by the disparity between men and women in political roles and academia across all three countries. The few exceptions were usually women holding administrative positions.

Email and WhatsApp were the primary methods of contacting and maintaining contact with the interlocutors. In the case of Israel, I had various points of entry and contact as I conducted fieldwork in the country in 2020 on the topic of Colombian converts who had moved and now lived in Israel. I had also already interviewed some individuals connected to the Rabbinate and other civic entities dealing with the topic of conversion, such as lawyers and researchers as well as political activists and was able to build on these connections. As this was my most extended fieldwork trip, I was able to follow up with several interviewees who had initially been more reluctant to talk to me and implement the snowball sampling method for an extended time. This Israeli sample may also be the most diverse, considering the religious, social, ethnic, and political backgrounds of the interlocutors.

In the case of Colombia, my primary contact was the rabbi of one of the largest Jewish communities in the country, whom I interviewed for my undergraduate research in 2019. Given his widespread recognition and high esteem within the Jewish community, he provided me with the contact details of additional rabbis in other Colombian cities, who subsequently supplied me with the names and phone numbers of some of their members. This meant that many of these interviewees were strongly affiliated with the community and, in most cases, were middle-aged or older. I was then able to get in touch with further individuals thanks to personal contacts established through friends and colleagues. Conversely, these contacts tended to be in their twenties and thirties, resulting in a more diverse age demographic.

However, there was also a more significant number of individuals who were only loosely affiliated with the local Jewish communities and were not in administrative or leadership positions.

The research in Spain was perhaps the most difficult one for applying the snowball sampling effect, as I had no previous contacts in the field. I, therefore, started by writing formal emails to the various institutions I had come across during my first literature review. I additionally attended various state-sponsored seminars in Toledo, which were all focused on Jewish history in Spain and was able to talk with the organisers, attending historians and students. Ultimately, the snowball sampling method proved effective in the Spanish context, too, enabling me to interview key stakeholders, experts, and Jewish community members.

In most cases, interview partners consented to the interviews being recorded. This was not the case in a few cases, and I was allowed to take notes instead. In only one case was I asked not to audio-record or take notes, nor was the consent form signed. I did, therefore, not directly use the information provided in the interview but had it indirectly inform the context I was trying to understand. Furthermore, it should be noted that most of my interviewees were given pseudonyms. Although most of my participants consented to their names being used for publications, I decided not to use their actual names. I took this decision because of the sensitive subject and possibly not anticipated consequences of names being revealed, the small size of the Jewish community in Colombia and Spain and the possible future discomfort of certain participants. Due to the anonymisation of many interlocutors, the value of the information and insights provided on specific subjects may not be readily apparent in the thesis. However, I believe that protecting the integrity of my participants is more important in this instance, as the interviews were based on their trust in me and the academic institutions. Following the Grounded Theory approach, the data collection, data analysis and generation of theories happened simultaneously. This approach facilitated the immediate analysis of each case study rather than waiting until all the data was collected. The final conclusion and observation aim to interconnect the cases and offer coherent concepts to ponder contemporary Jewish identity.

This research, along with its guiding queries, as highlighted in Brian Klug's initial quote on identity, mirrors broader societal inquiries. Moreover, it delves into my own role as the sole researcher, reflecting on my positionality concerning the subject matter and my

personal concerns regarding identity and belonging. Esra Özyürek's insights on empathy, likening it to a form of intersubjective experience akin to swapping shoes, are particularly suitable here: "To put herself in another person's shoes, the empathiser does not take off just any pair of shoes; she takes off one specific pair. They may be her favourite pair, comfortable and well-worn. Or they may be too tight and painful to wear. So, it is in the process of pairing that empathy is enabled, a process that is not, in fact, abstract or universal but concrete and specific. It pairs particular shoes worn at a particular time and place under particular circumstances by individuals of a particular social standing who operate under particular cultural influences" (Özyürek, 2023, p. 110).

Considering that this research heavily employs qualitative research methods such as interviews but also the interpretation of texts and analysis of social spaces and situations, it seems appropriate to offer a short insight into my background and motivation to conduct this research- or to put it in different words, to reveal something about my own "pair of shoes". Reflecting on my positionality in this dissertation is essential not only to acknowledge my subjectivity as a qualitative researcher but also because it constitutes one of the central tenets of Grounded Theory. This theory maintains that creativity, meaning the interpretative, knowledge-informed, yet subjective analysis of the researcher, is an essential part of the empirical analysis of the data (Corbin, 1990). According to Juliet Corbin, the researcher is the main actor who, by weighing information based on their knowledge and experiences, determines the relevance of a research question, perspective and objects of study.

Why, then, did I choose this research project? One seemingly objective reason is that, after dedicating my undergraduate and postgraduate theses to the research of emerging Jewish communities, I wanted to understand how the established Jewish world perceived them, so many of these converts openly desired acceptance. However, another layer to that decision is undoubtedly more personal. As I have Jewish family members but am myself not Jewish, and have family ties to Germany, Colombia, Spain and Israel, the research questions do not leave me untouched. My interest in emerging communities derives from their intersection with countries, religions, and histories that deeply matter to me. While my investigation into the links between religion, ethnicity, and citizenship was grounded in existing literature, my own identity and ambiguity served as valuable tools, prompting introspection and reflection on the questions I was exploring.

My own identity was crucial to gaining access to certain interlocutors, gatekeepers, and research sites. During initial interviews, particularly with Jewish interlocutors (though not exclusively), I often faced questions about my family background, place of birth, upbringing, and social networks. At times, engaging with interlocutors challenged my own sense of belonging. While some perceived me as an insider, assuming I was Jewish due to my Israeli-Jewish family, “Jewish-sounding” surname, and familiarity with prayers and customs, others viewed me as an outsider, influenced by factors such as my accent, appearance, or lower socioeconomic background.²¹ Reflecting on these experiences, I felt like I, too, was inhabiting a liminal space, not only as a potential in and outsider because of the very in-outsider nature of conducting fieldwork but because of my physical appearance, gender, education, and family ties to the subject area.

Just as I am aware of how my own positionality enriches and, at times, constrains the significance of this dissertation, I have to point out that sociological concepts such as belonging, identity, religion and ethnicity are not unmalleable concepts. While these concepts provide frameworks for describing human interactions, we must avoid treating them as rigid, essentialist constructs defined by predetermined symbolic or physical boundaries. Such portrayals often reinforce the notion of culturally homogenous groups, disregarding the intricate networks of exchange and communication that shape collective and individual identities. Studying a collective such as Jews, who disrupt notions of a clear differentiation between concepts such as ethnicity, nation, culture and religion, serves as a springboard to dismantling the imagined rigidness of other groups, collectives, and even nation-states.

²¹ Most of my interlocutors could be described as elite interviewees because of their socioeconomic and political status, either in their countries' overall society or their specific communities. Thus, I was doing what is frequently described as “researching up” in social sciences. Researching up meant, in practice, that the groups I was investigating were more difficult to penetrate than others due to their high awareness and capabilities to protect themselves from being investigated (Smith, 2006). In the case of my research, this meant that most interlocutors also had academic degrees, in many cases from European, US American, or the best local universities. They, therefore, had a much greater understanding of research procedures and knew people who had conducted similar research or had studied at the same universities I had. The position of power became apparent, especially when compared to previous interviews I had conducted with members of emerging Jewish communities, whose members are usually from a middle- or lower-class background. Most interview partners for this dissertation were well-connected and seemed to have different possibilities to tell their stories and thoughts and make those publicly known.

Chapter 1: A Local Response to the Question of Belonging and Jewish Identity: The Case of Colombia's Traditional Jewish Communities

“From London comes the response to me,
From Buenos Aires and New York
Come songs from Jews who fight and work.
And even from the burning hell
Comes a shuddering I know well.
In them all one word runs through:
I am a Jew!”

- Itsik Fefer, 1941 (I am a Jew)

Introduction

In Juan Gabriel Vásquez's novel *Los Informantes*, the character of Sara Guterman, a Holocaust survivor who finds herself living in Colombia, serves as a poignant bridge between personal stories, history, and the broader societal landscape. Within the intricate tapestry of Colombian society, Sara's narrative intersects with the protagonist, Gabriel Santoro's quest for truth, intertwining individual stories with societal reflections on a grand scale. Through Sara's character, Vásquez navigates the realms of memory, identity, and collective consciousness, offering readers a nuanced exploration of the multifaceted nature of Colombian history and culture. Beyond her struggles, Sara's presence in Colombia transcends the confines of individual experience, resonating deeply with the concept of collective memory and overlapping identities of Colombians, Jews, and Germans. At its core, *Los Informantes* delves into the complex interplay between personal narratives and national histories, illuminating how individual lives intersect with broader societal currents. Intricately woven into the fabric of Colombian society, Sara's story becomes a microcosm of the nation's rich tapestry of diversity and resilience, providing readers with a glimpse into the struggles and triumphs of immigrants seeking to carve out a place for themselves in a new land.

However, while Vásquez portrays Sara's integration into Colombian society, there remains a glaring omission – the exploration of Jewish communities within Colombia and their internal dynamics. While Sara's experiences shed light on broader themes of identity and belonging, they offer only a fleeting glimpse into the complexities of Jewish life in Colombia. The novel, in its focus on Sara's journey, leaves unanswered questions about the intricacies of Jewish identity and the challenges faced by Colombian Jews in navigating their complex heritage. Indeed, the question left lingering in the narrative's wake is not merely how an immigrant Jew adapts to Colombian society but rather how Colombians perceive and engage with Judaism as an integral part of their cultural landscape. To fully grasp the complexities of Jewish life in Colombia, one must delve beyond the surface-level portrayal offered in *Los Informantes* and explore the rich tapestry of Jewish communities that have flourished and shrunk within the country's borders.

In shedding light on the underrepresented narratives of Colombian Jews, scholars and writers have begun to deepen our understanding of the country's rich cultural heritage and the

diverse tapestry of identities that shape its social fabric. By amplifying the voices of Colombian Jews and delving into the intricacies of their experiences, we can enrich our collective understanding of Colombian society. To comprehensively understand the complexities of Jewish identity in Colombia, it is imperative to move beyond individual narratives and explore the narratives of this overlooked community.

However, the lacuna in the portrayal of Colombian Jewish histories and narratives is not limited to the realm of literature. Academic literature on the history of Colombia's traditional Jewish communities is also scarce, with a predominant focus on their establishment in the early 20th Century (Bibliowicz, 2001; Dizgun, 2001; Martinez Ruiz, 2018). Notably, there is a dearth of publications addressing the development of Jewish identity within these communities (Bibliowicz, 2001; Dizgun, 2001). Similarly, emerging Jewish communities receive minimal attention, with even fewer authors addressing the often strained relationship between traditional and emerging Jewish communities (Yezeresky, 2019). This gap in scholarly exploration starkly contrasts with the significant real-world impact on both born Jews and converts. The statistical exclusion of these emerging communities from demographic charts and diagrams on world Jewry (Congress, 2020; DellaPergola, 2011), visits by delegations from the Israeli Ministry of Diaspora Affairs to Colombia to assess the phenomenon, and television interviews featuring rabbis from emerging communities as spokespersons for Colombian Jewry, all underscore the ambiguous position of emerging communities within the broader Jewish collective. This chapter delves into the intricate dynamics of how traditional Jewish communities in Colombia navigate and define their in-group identity amidst increasing pressures on their boundaries. These pressures arise from the growing interest of local individuals and groups seeking affiliation with the Jewish collective. While the chapter focuses on Colombia, the questions it poses have broader implications at regional and global scales. What are the fundamental characteristics and mechanisms underpinning the maintenance and establishment of Jewish identity in contemporary Colombia? Why do traditional Jewish communities tend to reject or ignore so-called emergentes?² Moreover, what avenues exist for gaining entry into and potentially garnering acceptance from these traditional communities? The overarching objective is not only to unravel how traditional Jews self-identify but also to uncover the often implicit mechanisms by which Colombian Jews delineate those who “belong” from those who do not.

²The term emergentes was chosen to describe members of emerging Jewish communities and individual converts who are not members of traditional communities in Colombia or are generally unaffiliated.

This exploration serves to illuminate the complex interplay between tradition, belonging, and exclusion within Colombian Jewry and offers insights into broader socio-cultural phenomena shaping Jewish identity worldwide.³ This exploration aims to explain the intricate interplay between tradition, belonging, and exclusion within Colombian Jewry, providing insights into broader socio-cultural phenomena shaping Jewish identity worldwide.

The methodology employed for this study is grounded in qualitative research, incorporating face-to-face interviews conducted between August and December 2022 across several Colombian cities, including Bogota, Cali, Medellin, and Cartagena. Additionally, two interviews were conducted in Israel to include the international perspective of some who have left. The analysis draws insights from a total of 36 semi-structured interviews, meticulously selected to capture diverse perspectives within Colombian Jewish communities.⁴ Within the traditional Jewish communities, the interviews encompassed a broad spectrum, including nine rabbis, one cantor, four members of community boards and departments, and 17 individuals affiliated with at least one of the traditional Jewish communities, as documented on the website of the “Confederacion de Comunidades Judías de Colombia”. There are a total of nine official traditional Jewish communities in Colombia.⁵

Furthermore, interviews were conducted with four members of emerging communities, predominantly occupying leadership roles and one external non-Jewish expert. Among the interviewees, 24 are Colombian nationals, while the remainder, primarily the rabbis, hold citizenship from Argentina, Mexico, the United States, Canada, and Israel. In addition to interviews, fieldwork observations were conducted in community settings such as holiday celebrations and online classes. These observations provided contextual depth and enriched the understanding of community dynamics beyond verbal discourse alone. By employing a multi-method approach encompassing interviews, fieldwork observations, and online interactions, this study aims to offer a comprehensive exploration of the nuances of Jewish identity formation and community dynamics in contemporary Colombian society.

³ In the Colombian case, the lines between communities as institutions and their members as individuals are blurred because many communities are small and centralised, and emotional involvement in the community structure is high even if members are not active participants.

⁴ 24 of them were men, and 12 were women. This might seem like a strong disparity, but half of the interviewed men were rabbis (10) or hazanim (1), meaning that the members—both the “common” ones and the ones in leadership positions—were evenly divided between men and women.

⁵ This is the information provided on the website of the Confederation of Jewish Communities in Colombia, the official administrative body representing all the recognised Jewish communities of the country (see Confederación de Comunidades Judías de Colombia (n.d.) Quienes Somos. Retrieved October 10, 2020, from <https://ccjcolombia.org/Somos>).

Colombia's traditional Jewish communities are relatively small compared to other Jewish communities worldwide.⁶ With the most significant Jewish populations residing in the United States and Israel, followed by France, Canada, and the UK, Colombia's Jewish community is notably modest in size. Despite boasting one of Latin America's largest populations, with approximately 50 million inhabitants, Colombia is home to only 2,000-4,500 Jews.⁷ Consequently, it falls behind not only larger countries like Argentina, Brazil, and Mexico but also smaller countries such as Uruguay, Panama, and Costa Rica in terms of Jewish population size.

However, despite its relatively small size, Colombia's Jewish community is institutionally well-organised and exhibits rapid socioeconomic development, mirroring the historical trajectories of other Jewish communities in the region. Moreover, Colombia stands out as a hub for numerous and well-developed emerging Jewish communities. This unique characteristic positions Colombia as an ideal case study for extrapolating broader patterns and trends that shape the discourse surrounding Jewish identity in the 21st Century.

By examining Colombia's Jewish community dynamics, valuable insights can be gained into the evolving nature of Jewish identity and communal life in an increasingly interconnected world. These insights illuminate the specific challenges and opportunities facing Colombian Jewry and contribute to a deeper understanding of global Jewish Diaspora dynamics. Through rigorous analysis and comparison, overarching themes and trends that influence the contemporary discourse on Jewish identity and community formation, both within Colombia and beyond, can be discerned. A crucial first step in enabling such an analysis is setting and understanding the context in which this discourse occurs.

Understanding the Context

⁶ This text follows the self-description of the *Confederacion de Comunidades Judias de Colombia*, according to which there are Jewish communities in four cities of the country (Bogota, Cali, Medellin, Barranquilla). Another way could have been to write about one traditional Jewish community because the various communities are institutionally, personally, and socially connected to a level where distinctions can create the perception of distance in cases where there are none. Nevertheless, I chose to adhere to the plural because, as will be seen, there are a few cases in which communities have shown different reactions to the phenomenon of emergentes.

⁷ See the Jewish Virtual Library. (n.d.). Jewish Population of the World. Retrieved October 10, 2020, from <https://www.jewishvirtuallibrary.org/jewish-population-of-the-world> and the World Jewish Congress. (n.d.). Colombia. Retrieved October 10, 2020, from <https://www.worldjewishcongress.org/en/about/communities/CO>. The range of 2,000- 4,500 Colombian traditional Jews is partly a result of the difference between oral information given during interviews and the data available online. Seeing as the number is therefore comparably small, documenting striking communities might reduce the visibility, representations and political weight in Colombia.

In order to delve into the distinctions between emerging and traditional Jewish communities, it is imperative to define these terms within the context of this research project. Emerging Jewish communities refer to those communities established in recent decades, often by converts or individuals returning to Judaism. While in certain instances, like the Abayudaya community in Uganda, “recently” may denote a timeframe of approximately 100 years, in the Colombian context, these communities have primarily emerged within the last 20 to 30 years. These emerging communities represent a shift in the traditional landscape of Jewish identity, embodying diverse cultural and religious expressions that challenge conventional norms and practices within the broader Jewish collective. Understanding the nuances between these emerging communities and their more established counterparts is essential for comprehending the evolving dynamics of Jewish identity and communal life in contemporary society.

In employing the term *traditional*, this chapter blends its general connotation with specific characteristics. According to the Cambridge Dictionary, *traditional* refers to “following or belonging to the customs or ways of behaving that have continued in a group of people or society for a long time without changing” (Cambridge Dictionary, 2023). However, I acknowledge that using this word may be perceived as flawed since it implies a historical continuity that may not always hold true. Nonetheless, it describes an implicit acknowledgement across Jewish communities of the complex interplay between religious streams, ethnicities, and political affiliations. Unlike terms like *veteran* or *local*, which carry more rigid connotations, *traditional* possesses a certain degree of flexibility (Maimon, 2022).

⁸ This flexibility enables the incorporation of various characteristics that define contemporary Jewish communities. It recognises the multifaceted nature of Jewish identity, encompassing diverse practices, beliefs, and cultural expressions that have evolved over time. By embracing this fluidity, the term “traditional” allows for a nuanced understanding of the dynamic nature of Jewish communal life, highlighting both continuity and change within the context of historical and cultural legacies in Colombia. Therefore, while acknowledging its limitations, the term *traditional* serves as a valuable frame for exploring the complex dynamics shaping Jewish communities in the present day.

⁸ In *Jews of the Amazon*, Ariel Segal’s book about the emerging Jewish communities in Peru, his reference points are Ashkenazi and Sephardi Jewish communities in Lima, which he just calls “Jews of Lima”. For more see Segal Freilich, A. (1999). *Jews of the Amazon: self-exile in earthly paradise* (First ed.). Jewish Publication Society.

According to DellaPergola (2021), one typical feature that characterises most Jewish communities, especially in Latin America, is their high degree of centralisation. Jewish education is identified as the primary mechanism through which Jewish particularism is transmitted and maintained. When comparing Latin and North America, DellaPergola writes, "Contemporary Jewish communities are the product of earlier or later international migration streams that started from similar countries of origin and split along the way" (DellaPergola, 2021, p.776). This situation implies a mutual narrative of shared "old countries". Advancing the idea of a shared place even further, Stanley Brandes writes that Jewish group belonging depends on the shared idea among Jews of a mythical ancestral homeland (Brandes, 2011), which suggests a continuously shared connection between Jews today.

Furthermore, DellaPergola identifies two concrete commonalities among Jewish communities on the American continent. They perceive anti-Semitism as "a phenomenon strictly correlated with the Shoah" and are "more cognate with the Israeli mode of Jewish identification than with other aspects related to religious and local community life" (DellaPergola, 2021, p. 776). DellaPergola points out that in many countries around the world, Jewish peoplehood and Israel occupy a focal point of Jewish identity, and especially in Latin America, "the ethnonational component of Jewish identity has long prevailed upon the religious one" (DellaPergola, 2021 p. 777).

Therefore, I define traditional Jewish communities as interconnected groups sharing temporal spaces, a sense of Jewish peoplehood, and emotional ties to Israel, Jewish history, and the Holocaust. This interconnectedness forms a cohesive bond based on mutual recognition, fostering a collective identity rooted in shared history, cultural heritage, and a commitment to preserving and perpetuating Jewish traditions and values.

The Traditional Jewish Communities in Latin America

In order to provide a comprehensive understanding of the research on the identity of Colombian traditional Jewish communities, it is essential to contextualise the current demographic landscape and historical trajectories of Jewish communities in the region. According to demographic studies conducted by DellaPergola, Latin America has witnessed significant emigration trends in recent decades, with up to 250,000 Latin American Jews migrating within the region or relocating to countries such as the US, Israel, Canada, and Spain. This migration phenomenon has led to a notable decline in the Jewish population

across Latin America, shrinking from 514,000 in the 1970s to approximately 227,500 people by recent estimates (Bejarano, 2017). Despite this decline, Jewish communities continue to exist as small minorities in various Latin American countries, predominantly concentrated in urban areas.⁹ However, it is essential to recognise that the composition of Jewish communities varies significantly across different countries in the region. For instance, Mexico boasts prominent Sephardic Orthodox Jewish communities, characterised by their rich cultural heritage and cohesion.

In contrast, the majority of Jews in Argentina predominantly adhere to Ashkenazi customs. While Argentina also has large Orthodox communities, it is also a Latin American country with institutionally and historically well-established Reform and Conservative movements, as well as various active political and cultural movements (DellaPergola, 2011). These demographic trends underscore the dynamic nature of Jewish identity and community formation in Latin America, including Colombia. Against this backdrop, understanding the unique historical and socio-cultural factors shaping Colombian Jewish communities is crucial for analysing their distinct identities and communal dynamics.

Latin American Jewish Studies primarily concentrate on countries like Argentina, Brazil, and Mexico, which are home to the largest Jewish populations, and therefore reflect the dominant focus on these regions within scholarly discourse (Elkin, 2010). Despite significant cultural and economic disparities across the continent, scholarly works often portray Jewish communities in a favourable light, emphasising their notable economic contributions to their adopted countries despite facing instances of anti-Semitism (Yalonetzky, 2017).¹⁰ These portrayals frequently frame contemporary Jewish communities within the context of European immigration, overlooking the diverse origins of many individuals and communities, including those from the Middle East. This trend may be attributed to the substantial body of literature exploring the impact of the Holocaust on Jewish migration to Latin America. Moreover, there is a notable absence of comparative studies examining broader cultural, religious, and social expressions across different Jewish communities in the region (Caro, 2008; Elkin, 2010; Igrio Gamero, 2008; Navarro, 2017; Romina Yalonetzky, 2017). With few exceptions, such as the work of Elkin, scholarly attention tends to focus

¹⁰ Interestingly, this is not just the case for literature on contemporary Jewish communities but also for texts on *Conversos/ New Christians*. See Yalonetzky, R. (2017). Una minoría entre las minorías: Estudios Judíos en el Perú. *Cuadernos Judaicos*, 34, 130-149. <https://doi.org/10.5354/0718-8749.2017.48007>.

solely on individual national contexts, neglecting potential insights gained from comparative analyses.

Most traditional Jewish communities in Latin America, except for those in Caribbean countries¹¹, were established in the late 19th Century and the beginning of the 20th Century (Elkin, 2010). Many of those who would establish the known communities in countries such as Argentina, Brazil, Mexico, Chile, and Colombia started as peddlers and small business owners. However, Martinez Ruiz suggests that in some cases, people arrived with significant financial capital (Martinez Ruiz, 2018). Peddling was practised by Jewish immigrants and Muslim and Christian immigrants who had turned their backs on the Ottoman Empire (Devis, 2014; Igirio Gamero, 2008). Many European immigrants quickly improved their economic status in their new home countries and ascended the social ladders. Upward mobility was significantly eased from the 1960s onward when local governments supported modernising initiatives (Beltran Cely, 2013; Elkin, 2010). Analysing the current status of Jews in Latin America, Elkin makes the distinction between countries with populations of predominantly European descent (Argentina, Chile, Uruguay) and countries with large *mestizo* (ethnically mixed) populations (Mexico, Colombia, Brazil). In the former case, Jews are primarily present in middle-class occupations such as trade, administration, and the cultural sphere, while in the latter, Jews are among the white elite (Elkin, 2010; Sorj, 2008). The economic and social success of many Jews and Jewish communities in Latin America has been accompanied by increasing rates of intermarriages in cases such as Brazil and Argentina, similar to the United States. All three countries have Jewish out-marriage rates at around 50%, while Mexico has kept a low rate of approximately 10% (Liwerant, 2008; Sarna, 2008).

The communities that were established in the late 19th and early 20th centuries followed the patterns of countries (and sometimes cities like in the case of the Jews originating from Aleppo) of origin, mainly establishing Ashkenazi and Sephardic communities. However, in the first decades, there was a growing trend towards secularisation and liberalisation of the communities—probably most visible in the growth of the Conservative and Reform movements—but this trend has begun reversing in recent years. The Orthodox movement is gaining strength in many Latin American Jewish communities,

¹¹ The Jewish communities of Suriname and Curacao were already established in the mid-17th Century.

whether in the form of popular Chabad centres, kollels, or yeshivot (Bokser Liwerant, 2016).

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The Traditional Jewish Communities in Colombia

The literature on Jews in Colombia can be divided into three separate groups: 1. Those centred on the history of converts to Christianity who arrived within the first three centuries of the colonisation of the American continent. 2. Literature on immigration to the Colombian Caribbean in the 19th Century from other countries in the Caribbean. 3. Literature on the Jewish immigration of the late 19th and early 20th centuries from Europe and the Ottoman Empire, which led to the establishment of today's traditional Jewish communities.

Many publications have been on the history of *Conversos* and possible *Crypto-Jews* in the early colonial period (Croitoru Rotbaum, 1967; Escobar Quevedo, 2008; Navarrete, 2002, 2017; Splendiani et al., 1997). The most known, although controversial, book is Daniel Mesa Bernal's *De Los Judíos en la Historia de Colombia* (Of the Jews in the History of Colombia), in which he makes assumptions about possible Jewish origins of conquistadores and the whole population of Antioquia, a mountainous region in Colombia (Mesa Bernal, 1996).¹³ Although more contemporary historians such as Martinez have distanced themselves from Bernal's claims, others have reinforced the claims of Jewish ancestry among Colombians. Both Luis Carvajal and Chacón-Duque claim to have genetic proof for such a link (Carvajal-Carmona et al., 2000; Chacón-Duque et al., 2018). Carvajal's study claims that 14% of Antioquians could have Jewish ancestry (Carvajal-Carmona et al., 2000; Chacón-Duque et al., 2018).

Unfortunately, this study is based on a tiny sample of only 80 medicine students of the Universidad de Antioquia Medical School and the San Vicente de Paul University Hospital (Carvajal-Carmona et al., 2000). The results can, therefore, not provide any significant information about the 6.5 million population of Antioquia or the 50 million Colombians. Duque's study also claims to have found proof for the Sephardic ancestry of Latin Americans, stating that Colombia (~10%) has the most representative sample. But Duque's study is more cautious, writing that these findings could also be explained by later immigration waves (Chacón-Duque et al., 2018). However, even if these studies should reveal a widespread Sephardic ancestry among Colombians, the question remains: What do researchers expect to achieve with these findings? So far, none of these studies have linked their data to emerging Jewish communities or individuals claiming to be *Bnei Anusim*.¹⁴ However, those studies have been used by emergentes to refute their claims of being descendants of *Crypto-Jews*.

¹² Often, also called "Chabad houses", are spaces to promote Jewish learning and religious observance among local Jews and travellers. See Chabad Lubavitch. (2023). *What is a ChabadCentre?* https://www.chabad.org.uk/templates/articleccco_cdo/aid/861243/jewish/What-is-a-Chabad-Centre.htm. A kollel is usually an Orthodox institution where married men study the Talmud and rabbinic literature full-time and receive stipends for their studies. See Schreiber, M. (2007). *The Shengold Jewish Encyclopedia* (Fiftieth-anniversary ed.). Schreiber Publishing. p.400. A yeshiva (plur. yeshivot) is usually an orthodox institution where young men study the Talmud, with the possibility of receiving rabbinic ordination (ibid). p.400.

¹³ Antioquia is a region in the northwest of Colombia. Its capital is Medellin.

¹⁴ While *Anusim* refers to those who were forced to convert, the term *Bnei Anusim* refers to their descendants.

Furthermore, it speaks to the growing interest in ancestry research in Latin America and the increasingly positive connotation of Jewish links for researchers and historians.

The articles and books about *Conversos* and *Crypto-Jews* in Colombia do not expand into the 19th or 20th Century, although many texts dealing with later Jewish immigration like to reference these older and clandestine migrations. There are few publications on the topic of open Jewish communities and immigrants in 19th-century Colombia. Sourdis Najera, Fawcett, and Posada-Carbó write about the settling of Sephardic Jews in the northern region of Colombia. While later Sephardim came from the Middle East, these immigrants had often been living on the American continent for generations, mainly in Caribbean countries such as Curaçao or Surinam (Fawcett & Posada Carbó, 1997; Sourdis Nájera, 1998).

Many of the more recent publications on Colombian Jewry are concerned with the arrival of new immigrants in the early 20th Century, focusing on European migrants (Hernández García, 2007; Leal Villamizar, 2015). However, other publications are concerned with the development of the communities more broadly, such as Enrique Martínez's book *The Jews and the Creation of Urban Space in Bogotá*, in which he describes how the socioeconomic mobility of the community allowed for its members and community centres to relocate to more affluent neighbourhoods. However, perhaps the most relevant publication is Dizgun's *Rites of Passage*, in which he reflects on the question of intermarriage within traditional Jewish communities. The main observations he makes, which are helpful to keep in mind when looking at the interaction between traditional and emerging Jewish communities today, are: 1. Marriages between Ashkenazim and Sephardim are relatively common due to the small size of the communities. 2. Intermarriages are a comparably new phenomenon (ca. 40/50 years) and have usually happened with non-Jewish women of a similar socioeconomic status. And 3, The Ashkenazi community has been more accepting of intermarriage than the Sephardic community, whose rabbis tried to exert more significant pressure on their members to prevent intermarriages (Dizgun, 2001).¹⁵

Conversos, New Jews and Emerging Communities in Latin America

One of the perhaps most important books published on the phenomenon of emerging Jewish communities is Parfitt and Fisher's *Becoming Jewish*. Their comprehensive research delves

¹⁵ To read more about the prohibition of intermarriages in certain Halabi communities, see Mintz, A., & Stern, M. D. (Eds.). (2015). *Conversion, intermarriage, and Jewish identity*. Urim Publications.

into the stories of emerging Jewish communities across continents, shedding light on the diverse paths individuals and groups have taken to discover Judaism in recent decades (Parfitt & Fisher, 2016). While their book extensively covers communities in Africa, Asia, Europe, and North America, there is a notable absence of chapters dedicated to emerging Jewish communities in Central or South America (Parfitt & Fisher, 2016). The scarcity of literature exploring the causes and intricacies of conversions to Judaism in Latin America can be attributed to various factors. Limited scholarly attention, cultural complexities, and the relatively recent emergence of these communities all contribute to this gap in research.

Additionally, Latin America's historical and sociopolitical contexts present unique challenges and opportunities for the study of Jewish identity and religious conversion in the region. So far, only a few authors have explored the causes and facets of conversion to Judaism in Latin America. The reasons for this absence are manifold.

Firstly, the State of Israel plays a pivotal role in bestowing authenticity upon specific Jewish communities while withholding recognition from others. This dynamic reflects Israel's influence on global perceptions of Jewish identity and its significance in shaping the acceptance of various communities into the broader Jewish in-group. Communities such as the Beta Israel (also known as *Ethiopian Jews*), Falashmura (Ethiopian Christians descended from the Beta Israel), Kaifeng (a community in China), and Bnei Menashe (an emerging Jewish community in India) have undergone varying degrees of recognition as Jews by Israeli State authorities (as detailed in chapter 2.2).

However, the recognition process differs for Latin American converts, who have primarily immigrated to Israel as individuals - and only to a lesser extent through the path of being recognised as communities.¹⁶ This disparity in recognition may stem from various factors, including cultural, historical, and political considerations. Latin American migrants to Israel are often perceived primarily as work migrants rather than religious migrants, which may influence the level and type of recognition they receive from Israeli authorities (Kalir, 2010; Paz, 2018).

Furthermore, the modest number of Israeli scholars researching Latin American converts¹⁷ could be attributed to several factors. One factor could be the prioritisation of

¹⁶ An exception: The "Inca- Jews" from Peru in Landy, D. (2003). 90 Inca Israeli-Jews: Recruiting for Israel's Demographic *LONDON: SAGE Publications*, 44(4), 1-18.

¹⁷ One of the few is Renen Yezerski, who published a text on hardening Israeli immigration policies regarding Latin American converts (see, R. (2019). Israeli Immigration Policy at Odds: Emerging Jewish Communities and the "Return" of the Converts from Latin America. *Nationalism and Ethnic Politics*, 292-310.

research on more established Jewish communities or those with higher levels of recognition within Israel. Additionally, cultural and linguistic barriers between Latin America and Israel may pose challenges for Israeli scholars seeking to engage effectively with this subject matter. Furthermore, the absence of Israeli authors exploring Latin American conversions could also be due to limited awareness or interest in the unique dynamics of Jewish communities in Latin America. Israeli academia may be more focused on issues within Israel or other regions with larger Jewish populations, such as the United States, Britain, or France, leading to a relative lack of research on Latin American converts.

Secondly, there is a noticeable lack of interest in Latin American academia regarding the exploration and investigation of emerging ethno-religious identities. Historically, Latin American Studies have predominantly focused on Christianity, often scrutinising minority groups through a Christian-centric lens (Higuera Flórez, 2017; Yalonetzky, 2017). As a result, extensive literature has explored the relationship between the Inquisition and crypto-Jewish communities during past centuries. Additionally, studies on emerging religious communities in Latin America frequently emphasise syncretic forms of belief, such as Messianism, or ponder potential Christian influences on groups like the self-identified *Bnei Anusim*.

Moreover, the examination of Jewish identity within Latin America is often approached from a secular perspective, portraying it primarily as an ethnonational movement rather than a religious group. This secular lens is evident in numerous publications comparing the integration of Jewish communities into Latin American societies with that of other ethnic minorities (Gamero, 2008; Sorj, 2008; Yalonetzky, 2017). Consequently, the religious aspect of Jewish identity remains largely understudied within Latin American academia, highlighting a significant gap in scholarly inquiry into the religious dimensions of Jewish communities in the region. This lack of attention to religious diversity undermines a comprehensive understanding of the complex dynamics shaping the contemporary relationship between Jewish communities and other religious and cultural communities in Latin America.

A third explanation for the limited exploration of emerging forms of Jewish identity in Latin America could stem from the self-referential nature of many publications within the field of Latin American Jewish Studies. A significant portion of authors in this field originate from the very Jewish communities they study and describe. Within these communities, discussions about topics like *Bnei Anusim* or emerging communities have historically been of marginal importance. Consequently, scholarly texts investigating contemporary, traditional Jewish communities in Latin America often commence with narratives concerning *conversos*,

believed to have been present in Spanish colonies, without delving into the lineage of their descendants (Fawcett & Posada Carbó, 1997; Krause & Katz de Gugenheim, 1987; Martinez Ruiz, 2018; Mesa Bernal, 1996). Scholars like Julian Higuera Florez suggest that this approach may serve as a means for traditional Jewish communities, which arrived relatively late in Latin America, to validate and legitimise their historical significance and place within Colombian society (Higuera Flórez, 2017).

This self-referential tendency within Latin American Jewish Studies may contribute to the limited exploration of newer forms of Jewish identity and expressions that are emerging within the region. Authors may prioritise narratives and perspectives that align with the experiences and historical narratives of traditional Jewish communities, neglecting the diversity and complexity of contemporary Jewish identities in Latin America. Consequently, scholarly inquiry may overlook or downplay the significance of emerging ethno-religious communities and their different expressions of Jewish identity. Furthermore, the reliance on self-referential narratives may perpetuate traditional understandings of Jewish identity, reinforcing existing boundaries and excluding alternative expressions of Jewishness. This approach could hinder the understanding of evolving dynamics within Latin American Jewish communities today and impede efforts to comprehensively analyse the full spectrum of Jewish identity in the region.

When examining academic publications on conversions in Latin America, one can categorise them into four distinct types, each focusing on different aspects of the phenomenon. Firstly, a significant portion of publications explores the question of Jewish descent among contemporary non-Jews (Carvajal-Carmona et al., 2000; Chacón-Duque et al., 2018; Feitler & Graizbord, 2011; Gojman De Backal, 2008; Hordes, 2005; Mesa Bernal, 1996; Neulander, 1994; Novinsky, 2001, 2006; Novinsky, 1972, 2000; Wachtel, 2013). These studies delve into the historical and genealogical aspects of individuals claiming Jewish ancestry. Secondly, there are publications dedicated to exploring Messianic Jewish/Christian communities (Carpenedo, 2021; Higuera Flórez, 2017). These publications examine religious movements that incorporate elements of Judaism into Christianity or create other ethno-religious amalgams, often focusing on the theological, socio-cultural, and ethnic dynamics within these communities. Thirdly, some publications concentrate on self-identifying Orthodox convert communities (Torres, 2017; Vergara Murillo, 2019; Wachtel, 2013; Yezersky, 2019). These studies analyse groups of individuals who have undergone formal conversion processes and identify as mostly Orthodox Jews, exploring their practices, beliefs,

and the establishment of emerging Jewish communities. Lastly, there is a notable absence of publications on non-Orthodox convert communities, which could be considered a distinct category if it were represented in academic discourse. This gap suggests a potential area for further research and exploration, as non-Orthodox convert communities may offer unique insights into the diverse expressions of Jewish identity and socio-political expression in Latin America.

While most of these authors concentrate on case studies shaped by a national frame, e.g., Carpenedo writes about “judaizing” Evangelicals in Brazil, Hordes on similar communities in Mexico, and Florez on the Colombian counterparts, only Torres and Yezersky have attempted to provide a general image of conversions to Judaism in Latin America more broadly. By focusing their research on the broader category of emerging Latin American Jews, both authors look beyond the national scope. Torres estimates the number of New Jews in Latin America to be around 8,600 individuals, with around 38 emerging communities all over the continent.¹⁸ In contrast, Yezersky, based on information provided by the NGO Kulanu, estimates that there are 52 such communities in Latin America, which might be hosting “up to tens of thousands of members” (Yezersky, 2019, p. 300). According to Torres, conversions and emerging communities are most pronounced in six countries: Peru, Mexico, Brazil, Colombia, Venezuela, and Cuba (Torres, 2017). Both Yezersky and Torres provide insight into the social dynamics between convert and traditional communities. While Torres only states that many traditional communities do not allow conversions, Yezersky and Landy point out that the main reason for this exclusion might be racism (Landy, 2003; Yezersky, 2019).¹⁹

Torres does not distinguish between the histories of traditional and emerging communities. At times, historical descriptions of Jewish settlements in previous centuries overlap with the historiography of traditional and emerging communities. Furthermore, Torres argues that the narrative of traditional Jewish communities, which contents that Jews have been part of Colombia’s history for centuries, has been adopted by many emergentes and

¹⁸ It is difficult to tell whether all of them would be considered Jewish by halakhic- or even just general standards of veteran Jewish communities and, e.g. Israeli state authorities. Some of the communities, such as the Comunidad Judia Mesianica Guayaquil in Ecuador, are clearly messianic. Others such as Maim Chaim (During an interview with one of the founders in 2019, I learned that the community had ceased to exist years ago, as most members moved to Israel).

¹⁹ She quotes one of her interviewees saying that it is a “racial issue between whites and Indians, not Ashkenazim against Sephardim. The Jewish community does not care how many conversions they will pass—they will always remain Indians. They do not wish to see or to recognise them, and first and foremost, they do not wish to fund them”, or “they do not wish that their house cleaners will be members of their synagogue, and people defiantly refer to them as ‘Indians’” (Yezersky 2019, p.301, 302).

fueled their idea of being *Bnei Anusim* (Torres, 2017).²⁰ Yezersky also writes about the prevalent narrative of converts claiming to be descendants of *Bnei Anusim*. According to her research, this narrative is being promoted by Jewish organisations such as Shavei Israel, whose goal is to “persuade the religious establishment and the settlement movement [in Israel] to accept their conversion” (Yezersky, 2019, p. 304). This observation complements other literature on the topic (Feitler, 2011; Higuera Flórez, 2017; Vergara, 2019), suggesting that these narratives are primarily sought and constructed to fit into ethnoreligious ideas of Jewish identity more broadly rather than simply mimicking the traditional local Jewish discourse.

The Emerging Communities in Colombia

There has been little to no research on possible Jewish descent in Colombia today. Most publications are not academic (Mochkofsky, 2016; Paster Harf, 2021), and the two known academic publications related to Colombia so far have been written and published in Israel (Torres, 2017; Yezersky, 2019). One of the most significant academic contributions on the subject of conversions to Judaism in Colombia does not explicitly identify itself as such. In his thesis *Quienes no nacieron con la Torah debajo del brazo: Una perspectiva histórica y antropológica del Judaísmo Mesiánico en Colombia*, Florez describes and analyses the motivations of hundreds of Colombians to identify with the Christian-Jewish-hybrid of Messianic Judaism.²¹ Messianic Judaism, commonly understood as a movement originating in the United States, primarily caters to “born Jews”. Although many congregations in the US today have both Jewish-born²² and non-Jewish-born members, the self-perception of many of these communities is still that of ethnic Jews who embraced the idea of Christ as the Messiah (Kaell, 2015). In Colombia, however, these communities consist almost solely of non-ethnic Jews or born Christians. According to Florez, in Bogotá alone, there are at least ten such Messianic synagogues and another ten in the rest of the country, with membership numbers ranging between fifty and five hundred members.

The following section will provide a brief analysis of the Jewish elements adopted by Messianic converts and how they developed a quasi-ethnic Jewish identity. According to Florez, most Messianic Jews attend various Evangelical churches before joining Messianic

²⁰ They also try to back these claims by conducting research on the internet and using family genealogies.

²¹ Author’s translation: Those who were not born with the Torah under their arm: A historical and anthropological perspective of Messianic Judaism in Colombia.

Jewish congregations. Many Messianic rabbis further acknowledge that it is not unusual for members to use Messianic Judaism as "a trampoline" to normative Judaism (Higuera Florez, 2017). The main factor that most converts to Messianic Judaism, and after that traditional Judaism, cite as the push factor is the religious doubt in Christianity's claim for truth. The pull factor towards Messianic Judaism and the line towards traditional Judaism seems to be very thin. This in-betweenness is highlighted by the emphasis of Messianic churches on the Jewish, instead of Christian, identity of Jesus. Florez identifies various ways in which Jewish culture is appropriated. Messianic Jews adopt Hebrew by changing Christian terms with Jewish ones, e.g., *Vaikrá* instead of Leviticus, *kehila* instead of community, and *rabbi* instead of teacher. Some of these communities also organise Hebrew classes for their members, and many of them mix Hebrew words into their everyday language.²² It is also widespread for them to adopt Hebrew names. Messianic Jews will adopt Jewish dietary rules and change their dress styles. Men often wear *kippot* and *tallitot* as part of their regular clothing.²³ Women additionally start to observe *nida*, waiting seven days after menstruation before having sexual relations, and some men choose to be circumcised. Another way of including Jewish elements is expressed through the observance of Shabbat in these congregations. While it is a gradual process that varies between members and congregations, in general, Messianic Jews try to observe Shabbat by, for example, refraining from working on Saturdays (Higuera Flórez, 2017).

One of the most fascinating observations is the process of ethno-religious self-identification as Jews by members and rabbis of Messianic congregations. Florez writes that, although the rabbis of these communities shy away from calling themselves Jews to the outside world, behind closed doors, this is the way they perceive and talk about themselves, saying things such as "We, the Jews, have the custom of..." or "When our people fled from Egypt..." (Higuera Florez, 2017, p.71). His interviewees base their claim for Jewish identity on the belief that Jesus opened up new ways of joining the Jewish people, the idea that many Colombians have Jewish ancestors, as well as Philo- and antisemitic tropes connecting

²² Building on the idea of the fluidity of ethnic groups, Sarah Benor writes about ethnolinguistic repertoires as a way of understanding closeness to and distancing from a group. Relevant to the case of Colombian converts, who employ Hebrew words in their speech, Benor's reflection is on non-group members' use of elements of the in-group collective. While her examples focus on this employment happening as a reference or nod from an outsider to the insider, the case of the converts goes a step further than that of hip-hoppers employing African-American ethnolect. In the case of the Colombian converts, language becomes a tool to succeed or at least attempt "to pass" as Jewish (Benor, 2010).

²³ A *kippah* is a traditional headcover for Jewish men. A *tallit* is a Jewish prayer shawl, commonly worn by men, and a *tallit* is a Jewish prayer shawl, commonly worn by men.

individuals to possible Jewish ancestors.²⁴ These tropes often revolve around economic success. Florez recalls how interviewees would explain their belief in their Jewish ancestry by saying things such as, “My grandfather was a terribly good merchant; this was one of the many ways in which one could notice his Jewishness” or “I think I got into banking because my heritage was calling me” (Higuera Flórez, 2017, p.84).

Besides Florez's work on Messianic communities in Colombia, Torres published his thesis on the emerging communities themselves. Torres divides his findings and observations according to geographical regions, which he titles *the tribes of the north* and *the tribes of the south*. The Colombian emerging communities are discussed in the sub-chapter *la gran Colombia* (“Greater Colombia”) of *the tribes of the north*, possibly referencing the theme of lost tribes. While Torres' work has some points that can be criticised, such as the unclear borders between traditional and emerging communities, there are a few noteworthy observations. He demonstrates how two characteristics of the Messianic movement, the influence of Evangelicalism and narratives of being of *Bnei Anusim* descent, prevail in emerging communities.

Furthermore, in the case of Colombia, many emerging communities work closely with international Jewish organisations outside of Colombia (Ezra l’Anusim, Shivtei Mevaseret, Diáspora Yeshiva, Shuva, Fundación Abarbanel). Additionally, the internet is used as a tool to connect the members of the community and to facilitate connections to other communities and organisations. The members of emerging communities often have diverse ethnic and social backgrounds but are mainly from the middle class. While Orthodox Judaism appears to be the most popular form of Judaism in those communities, converts to the Reform movement are more successful in immigrating to Israel (Torres, 2017).

²⁴ One of the tools that are being used to prove these claims is the collection of surnames. It is, for example, believed that former Jewish names, including *Ben*, were changed by *Crypto-Jews* into -ez or -es. Ben Rodrigo would, therefore, turn into Rodriguez. There are apparently around 500 names that are believed to be linked to a Crypto-Jewish ancestry. Some are listed in Mesa Bernal’s book (Mesa Bernal, 1996). Most of these surnames are very common in Colombia and Spanish-speaking countries in general. While the arguments around surnames are connected to genetic arguments more broadly that mix with stories about the conquistadores, up to Columbus himself, being of Jewish descent, there is also a cultural argument. According to that line of thinking, Colombian culture is full of traditions that are based on Jewish traditions. The examples range from the typical dish called *calentado*, which consists of reheated leftovers such as rice, beans, eggs, potatoes, and meat, to typical local dresses such as the poncho (Mesa Bernal, 1996).

Picking the Players: The Making and Maintaining of Jewish Identity and Its Boundaries in the Colombian Case

“Yet they are members of my own group; they understand me, as I understand them; and this understanding creates within me the sense of being somebody in the world” (Isaiah Berlin, 2002, p. 203).

The traditional Jewish communities in Colombia serve as multifaceted entities encompassing religious, cultural, and ethnic dimensions. Understanding why these communities have remained mainly closed to most emergentes requires an analysis of the implications arising from these overlapping characteristics. In his seminal work *Ethnic Groups and Boundaries*, Fredrik Barth provides insightful perspectives on how and why ethnic groups maintain their boundaries. He posits that it is the perception of “the ethnic boundary that defines the group, not the cultural stuff that it encloses” (Barth, 1969, p. 10). Examining the fluidity or rigidity of ethnic boundaries offers valuable insights into the conscious or subconscious identity preservation efforts within the community. Importantly, these boundaries are not solely defined by cultural components, as highlighted by Barth (1969). Thus, exploring the dynamics of boundary maintenance provides a deeper understanding of the mechanisms at play in traditional Jewish communities in Colombia, shedding light on the intricate processes of identity formation and preservation within these groups. In this case, such an analysis also enables an understanding of the identity the community is consciously or subconsciously trying to shield. As we will see, this does not exclusively have to be “cultural stuff” (Barth, 1969).

Barth provides a foundational framework for understanding ethnic groups, defining them as “a group in which its members maintain their existence through familiar bonds and shared cultural values. They communicate and interact in their own spaces and ways, and the membership to the group is not only self-ascribed but also based on the identification by others” (Barth, 1969, pp. 10-11). Barth emphasises the subjective nature of ethnic identity, noting that each group has the autonomy to determine the elements relevant to the group’s identity: “Each ethnic group can choose which differences are essential for their group’s identity” (Barth, 1969, p. 14). By pointing out the subjectivity and fluidity of such choices, it also becomes apparent that it is a process that can evolve over time.

Building upon Barth's insights, this analysis delves into the perception of ethno-religious boundaries within the traditional Jewish communities, focusing on how the established Jewish in-group perceives different types of converts. By applying Barth's concept of ethnic groups to this context, I aim to explore the subjective markers that traditional Jewish communities consider significant in delineating their identity. One crucial aspect to consider is the role of cultural and religious practices in defining the boundaries of the traditional Jewish communities. Converts may be evaluated based on their adherence to these practices and their ability to embody the cultural values inherent within the community. Additionally, social interactions and communal spaces serve as arenas where membership in the group is negotiated and affirmed.

Furthermore, perceptions of converts may vary based on specific characteristics deemed significant by the traditional Jewish communities. Factors such as ancestry, religious observance, and cultural affinity can influence the degree to which converts are accepted and integrated into the community. The dynamics of conversion and integration within traditional Jewish communities are multifaceted and influenced by various factors. Historical experiences, cultural traditions, and theological interpretations all play a role in shaping attitudes toward converts. Additionally, the degree of openness to new members varies between the different traditional Jewish communities, reflecting unique communal norms and priorities. It is essential to recognise that the process of integrating converts into traditional Jewish communities is not static but somewhat fluid and subject to change over time. As societal norms evolve and communal dynamics shift, perceptions of identity and belonging within the traditional Jewish communities also undergo a transformation, making these research findings a snapshot of the current priorities and dynamics.

Hence, the following section will analyse the perception of the ethno-religious boundary of the traditional Jewish communities in Colombia through the way the traditional Jewish in-group perceives different types of converts. Following Barth's definition of ethnic groups, the analysis will concentrate on the "differences [...] which the actors", in our case, the members of the traditional Jewish communities, "themselves regard as significant" (Barth, 1969, p. 14).

The Importance of Primary Jewish In-Group Socialization

The traditional Jewish communities in Colombia are, in most cases, formally Orthodox. They follow Orthodox structures (e.g., men and women sit separately; they follow Orthodox prayer books) and adhere to Orthodox customs (e.g., kosher food in the synagogue and weddings; the performance of rites and rituals), and, perhaps most importantly, have Orthodox rabbis. Most interviewees ascribed their sense of Jewish identity to familial and communal links. While most Jewish families in Colombia follow the major Jewish life cycle events, more frequent practices such as kashruth (eating kosher) or being shomer Shabbat (Shabbat observant) are not kept.²⁵ However, despite varying levels of observance, many families choose to maintain their inner social circles within the Jewish community. They reinforce their children's Jewish identity by enrolling them in Jewish schools, Jewish scouts, and Jewish country clubs. By ensuring that their children are raised in a Jewish setting, many families follow the recommendations of researchers such as Steven Cohen and Judith Veinstein, who found that providing children with a Jewish educational environment, including schools, summer camps, scouts, and youth clubs, positively influences the preservation and expression of Jewish identity in adulthood, including religious observance and synagogue affiliation (Cohen & Veinstein, 2011, p. 203).

Interviewees spanning three generations described spending most of their social lives within the Jewish community during their formative years, only getting to know non-Jews personally after completing high school. For instance, Aron Rosenfeld recounted in his interview how his entire childhood unfolded within the Jewish family and circle. He attended the Jewish School in Bogota, and his friends and close acquaintances were predominantly Jewish. It was only upon entering university after high school that he began forming personal relationships with non-Jews. Maya Hirsch shared a similar narrative. She attended the Jewish School in Bogota two decades later, spending her leisure time at the Zionist youth club Kineret, the Carmel Country Club, and participating in the annual regional sports event for Jewish youth, the *Macabiada*.²⁶ After completing university and pursuing a career in the arts, she interacted with many non-Jewish Colombians, engaging in activities in low-income urban and rural areas alongside non-Jewish artists.

²⁵ All interviewees observed the customs of major life cycle events such as circumcision, Bar Mitzva, Jewish weddings, and burials. Almost all mentioned spending Friday evenings with their families for Shabbat meals and going to synagogue for major holidays such as Rosh Hashanah and Yom Kippur.

²⁶ Events such as the macabiadas were not only sporting events but spaces in which young Jews from all over Latin America would meet and find potential wives and husbands. For countries such as Colombia, with only a few thousand Jews, such spaces were essential in order to tackle intermarriage. For more, see Macabi. (n.d.). Historia del movimiento macabeo en Colombia. <http://www.macabicolombia.com/historia-del-movimiento-macabeo-en-colombia.html>).

On the contrary, individuals like Dana Klein maintained most of their social ties within the Jewish community. She attended the Jewish school in Bogota and even the kindergarten of Chabad Lubavitch. Like Maya, she participated in activities at Kineret, played sports at the Carmel Club, and joined the *Macabiadas*. During her undergraduate studies at a local university, most of her friends were Jews from traditional communities, even if from different disciplines. She subsequently worked for Jewish organisations in the US and Colombia before eventually relocating to Israel.

Berger and Luckmann highlighted the significance of socialisation during childhood and adolescence: "The individual [...] is not born a member of society. He [...] becomes a member of society. In the life of every individual [...] there is a temporal sequence, in the course of which he is inducted into participation in the social dialectic" (Berger & Luckmann, 1984, p. 149), and that "by 'successful socialisation,' we mean the establishment of a high degree of symmetry between objective and subjective reality" (Berger & Luckmann, 1984, p. 163).

During what Berger and Luckmann define as "primary socialisation" (Berger & Luckmann, 1984), Colombian Jews underwent a formative socialisation process within their Jewish community. While this socialisation may have sometimes had minimal religious emphasis, its communal orientation was robust. Interviewees often reminisced about their upbringing, noting that the majority of individuals in their immediate circles - family, friends, teachers, and classmates - were Jewish. Interaction with non-Jewish individuals was limited, typically confined to household staff and a handful of non-Jewish classmates in a Jewish-majority school. Remarkably, many childhood friendships endured into adulthood, further reinforcing the tight-knit nature of the Jewish community. This communal cohesion mirrors patterns observed in other ethnic groups, such as the Lebanese community in Colombia (Devis, 2014).

However, within the Jewish community, this sense of interconnectedness is often heightened due to the limited number of individuals with whom these social spaces overlap. As a result, the bonds forged within the Jewish community tend to be particularly strong and enduring. This profound connection and sense of belonging are evident in the significant percentage of individuals formally affiliated with at least one Jewish community. In some cases, individuals maintain affiliation with multiple communities, such as both Sephardic and Ashkenazi synagogues and sports centres, underscoring the multifaceted nature of Jewish identity and community membership. The prevalence of formal affiliation underscores the

importance of communal ties and collective identity within the Colombian Jewish communities. Formal membership not only signifies an individual's commitment to their religious and cultural heritage but also serves as a tangible expression of solidarity with the broader Jewish community. This formalised affiliation provides a sense of belonging and security, fostering a supportive network of like-minded individuals who share common values and experiences.

Moreover, formal affiliation with Jewish communities offers access to a wide range of communal resources and support networks. These include religious services, educational programs, cultural and sports events, and social gatherings, all of which play vital roles in fostering a sense of belonging and continuity within the community. Additionally, formal membership facilitates intergenerational transmission of values and emotional investment, ensuring the preservation of cultural heritage for future generations.

In essence, the high prevalence of formal affiliation within the Colombian Jewish communities reflects an apparent commitment to communal life and identity. It signifies not only an individual's personal connection to their Jewish heritage but also their sense of responsibility, considering the fact that these communities are faced with a stark emigration rate, especially among the younger generation.

Creating the Boundaries of Colombian Jewish Identity

Drawing on Barth's theory, this research contends that although the emergentes may adhere to the same religion as traditional Jews - where religious conversion is halakhically recognised as a pathway to Jewish identity in both religious and ethnic aspects - they are still perceived as outsiders by the traditional Jewish in-group. This exclusion is evidenced by their noticeable absence from the physical spaces of traditional communities.²⁷ Despite religious alignment, the emergentes lack integration into the social and communal fabric of traditional Jewish life, highlighting the persistence of boundaries that extend beyond religious affiliation, encompassing cultural and social dimensions.

The perhaps most significant idea presented in Barth's *Ethnic Groups and Boundaries* is that of the subjective nature of community boundaries, emphasising that they

²⁷ Several interviewees, for example, said that even if someone has converted at a recognised Beit Din in, e.g., the US, chances are that person will nevertheless not be accepted into the community- the latter not having to give any explanation for their decision to decline an application.

are shaped by perceived rather than objective differences. Evaluating the self-perception of traditional Jewish communities in Colombia solely through official publications proves challenging and, to a certain degree, needs to be more accurate. While the website of the Confederation of Jewish Communities of Colombia provides a brief history of the community, crucial details regarding acceptance criteria remain elusive, particularly in the frequently asked questions section. This omission is noteworthy, especially considering that many inquiries likely originate from emergentes seeking to join the traditional communities. The absence of explicit criteria raises questions about the factors influencing inclusion or exclusion within these communities, shedding light on the complexities of identity formation and boundary maintenance in Colombian Jewish society.

A multifaceted analysis is warranted to comprehend the characteristics and mechanisms underpinning the maintenance and establishment of Jewish identity in contemporary Colombia and thereby elucidate the rejection of emergentes by traditional Jewish communities. Drawing upon the insights of sociologists like Barth, Bourdieu, and Coleman, we gain valuable perspectives into the intricate interplay of individual actions and societal structures.

Coleman's theory illuminates the complex relationship between collective attitudes at the macro level and individual behaviours at the micro level. This framework suggests that individual actions are not isolated but are influenced by broader social contexts. Moreover, these individual actions can aggregate to shape collective expressions within society. In essence, Coleman's theory bridges the gap between individual agency and societal dynamics. At the micro level, individual actions are influenced by personal characteristics and experiences, including familial and social influences. These individual preconditions, shaped by one's upbringing and social interactions, play a crucial role in moulding attitudes and behaviours.

Meanwhile, the macro level encompasses broader social structures and cultural norms that, in turn, frame the context within which individuals operate. Situational mechanisms come into play between the macro and micro levels, offering insights into how macro-level situations are translated into individual actions (Coleman, 1994). These mechanisms serve as bridges, linking the larger societal context to individual behaviours. By understanding these situational mechanisms, we can unravel the complex dynamics at play in maintaining and establishing Jewish identity in Colombia.

In the context of Colombian Jewish communities, these theoretical frameworks offer valuable insights into the dynamics of inclusion and exclusion. The traditional Jewish communities, influenced by collective attitudes and cultural norms, attempt to maintain boundaries and preserve distinct identities. Meanwhile, emergentes, despite sharing religious affiliations, may face challenges integrating into these communities due to perceived differences in cultural practices or social backgrounds.

Applying Coleman's model to the case study of the traditional Jewish communities, I argue that several characteristics of Colombian society strongly influence the attitudes and actions of individual members of the traditional communities. One such characteristic is the importance of maintaining social-class hierarchies within Colombian society. This collective characteristic, the pressure to maintain social divisions, translates into the contextual hypothesis, which argues that communities in Colombia usually divide according to socioeconomic and ethnic faultlines. An individual living in Colombia will be pressured to adhere to these expectations and decide whom to accept and whom to exclude based on rational choice (an incentive being personal and community gains, a deterrent - the fear of aggravating one's social place). I further argue that another critical macro factor that translates into individual attitudes is the idea of Jewish social networks. Charles Kadushin writes in *Social Networks and Jews* that "to the extent that there is no single, isolated Jew, Jews are a network" (Kadushin, 2011, p.60). I argue that traditional Colombian Jews view themselves as part of a *Jewish network* and determine other people's Jewishness according to mechanisms which aim to recognise who is part of that network (Kadushin, 2011).

The following section will, therefore, present the main characteristics gathered during the research with the traditional communities in Colombia. These characteristics are 1. class, 2. race, 3. social networks, and 4. selective traditionalist views towards religious observance. Class and race are inseparably linked in Colombian society but will be presented separately for analytical purposes. Furthermore, the last two characteristics are crucial to understanding this case study as both local and global reflections of characteristics of other Jewish and ethnoreligious communities.

Class

“There are a few families that raise their children according to a traditional European education. But these people do not return to Bogotá to use their knowledge for the good of the country, they enclose themselves in an atmosphere of conscious superiority over their less fortunate compatriots...understanding that politics is not a very clean business in Colombia, they don’t make any effort to ensure a betterment of the state of things- they just stay isolated” (Palacios, 1986).

While this paragraph reads almost like an extract from Becerra’s *Un tal Bernabe Bernal*, the 1960s novel about a clerk who spends his whole life being a righteous person working in corrupt governmental institutions, the text quoted above about Colombia’s elite is neither the oldest nor newest criticism of the class system that dominates Colombian society. Other historians have pointed out that Colombia’s elite continues to be composed of a small clique, which has only very slowly opened up to a few newcomers. A small number of individuals and families control most of the country’s capital, own the vast majority of land, and use their power to maintain favourable conditions (Devis, 2014; Castillo Gallardo, 2012).

In many of the interviews, both with community leaders and members of the traditional and emerging Jewish communities, class turned out to be one of the most emphasised differences. As mentioned before, Colombia is a highly stratified country. Most interviewees were aware that, in many cases, members of traditional Jewish communities are well-situated economically and socially. Concerning education, all the interviewees from the traditional communities had finished high school, and 16 out of the 19 Colombian interviewees had a university degree, often from a European or US American university. Most live in the most prestigious neighbourhoods, which usually goes hand in hand with living in houses or apartments with security guards. Housing locations do not always correlate with living close to the synagogues. One community leader said that synagogue attendance in his community was going down, in part because many members had moved to other, even better, neighbourhoods or out of the city and would find it challenging to attend synagogue on Shabbat due to Bogota’s heavy traffic.²⁸

Following Bourdieu’s distinction between economic, cultural, social, and symbolic capital, it can be deduced that most members of the traditional Jewish communities do not only possess high levels of economic capital but also score high in other types of capital, be it social, cultural, or symbolic, and are furthermore able to, at least in theory, transfer one type of capital into another (Bourdieu, 1977, 2021). Most of the community’s institutions are

²⁸ Interview David Landau.

themselves an expression of the high economic, social, and symbolic capital the communities have achieved. All three synagogues, the German-Conservative, Ashkenazi-Orthodox, and Sephardic-Orthodox, are located in the most prestigious neighbourhoods of their cities. With the expansion of urban areas, the synagogues have changed locations on several occasions, moving northward in Bogota alongside the rest of the upper class (Enrique Martinez, 2018). Moreover, several cities have extensive Jewish country clubs and Jewish schools that are not only sought out by the members of the Jewish communities but also by non-Jewish Colombians who value the high educational standards of the Jewish schools.²⁹

Many of the interviewees had very similar biographies, especially in Bogota, which continues to have the greatest array of institutions. In order to exemplify the central elements shared by many Colombian Jews, the following section will present Dana Klein's biography. Dana, whom I met during my visit to Bogota, is in her late twenties and speaks fluent Spanish and English. She lives close to *el Parque de la 93* ("park on 93 Street"), one of the affluent areas of the city, suggesting a certain level of access to economic capital. She completed her undergraduate studies at one of Colombia's top universities and pursued her postgraduate studies at an Ivy-league University in the US. At the time of the interview, she was working for the local American School after previously working as a journalist for one of the country's major newspapers. All these points reflect her belonging to Colombia's upper class and her ability to convert cultural capital into social capital. The fact that she is of a high social class is a common denominator with other members of the traditional Jewish communities in Colombia, as well as Jews from other Latin American countries. At the same time, it is a distinguishing factor from emergentes, contributing to the delineation of the boundary around her local Jewish in-group. The synagogues of the emerging communities are located in different neighbourhoods from the traditional communities, usually in middle-class (estrato 3 and 4) and sometimes lower-class areas (estrato 1 and 2), and the emergentes—limited by their economic and social resources—send their children to different schools than most traditional Jews.³⁰ In the case of Bogota, traditional Jews usually send their children to either the *Colombo-Hebreo*, the Jewish School, or the American School. Dana has, therefore, not

²⁹ Interview Rabbi Bernstein (Bogota), interview with Rabbi Rothman (Medellin).

³⁰ When speaking about class, most Colombians adhere to a division between 1 and 6, the latter being the highest class and the former the lowest. The *emergentes* tend to be more middle class. Their community buildings and synagogues are usually in the middle—or lower-class areas of cities. Few are in rural areas. Two of the five communities I visited in 2019 and 2022 were upper-class, and three were middle-class. I did hear of emerging Jewish communities in lower-class neighbourhoods, too, but due to security concerns, I was not able to visit them.

met any emergentes but has only heard and read about them. In fact, besides the rabbis and community leaders, only a few interviewees reported having personal ties to emergentes.³¹

Additionally, several interviewees expressed their fear, or the fear of others in the community, that the phenomenon of emerging communities and people seeking to join the traditional communities might be mainly motivated by a desire for upward mobility. In most cases encountered during the research on emerging communities, social mobility was just one of many factors accompanying a religious search. Nevertheless, it is worth understanding the contexts in which the fear of people trying to take advantage was articulated.

1. First and second-hand experiences with fraudulent or dubious *emergentes*.

Dr Correa is one of the few converts accepted into a traditional community in Bogota. He is a founder of one of the first emerging communities in Colombia—the so-called *104*, named after their 104 members. While he also has positive memories of that time, he mentioned that when many of the 104 received the opportunity to immigrate to Israel, the majority made aliyah. However, once in Israel, according to Dr Correa, many stopped being observant and “started making problems,” although he would not explain what type of “problems” those were.³² Dr Correa is quite aware of the influence of social class on the acceptance and rejection of converts by traditional communities and the possible ulterior incentives created by social differences for emergentes. Dr Correa and several traditional community leaders mentioned cases in which traditional communities had accepted people from lower social backgrounds into their communities, after which the newcomers had begun asking members for monetary support or would approach the community as a market for their products.

Interestingly, the latter seems to be practised by traditional Jews as well. However, it is usually not interpreted as a form of misconduct precisely because most members are not newcomers but insiders with similar social backgrounds. Therefore, it should not be surprising that the few emergentes I met in the traditional communities were all from the upper class. Dr Correa is aware that his high social status (he said he would be considered to belong to estrato 6) was one of the reasons why the community eventually accepted his application.

³¹ Mr Hirschfeld had such ties because his hotel would host their conversions and marriages after he got curious.

³² Interview with Dr Correa.

2. The fear of dragging down the community.

Across Colombia, the traditional communities grapple with the challenge of maintaining vital services amid dwindling memberships. During the research trip to Colombia in the fall of 2022, it became evident that only Medellin, Barranquilla, and Bogota continued to operate Jewish schools, while the Jewish school in Cali had been forced to close its doors a few years before. Despite boasting grand synagogues and community buildings erected during periods of demographic prosperity, Colombia's traditional Jewish communities have faced a steady decline in memberships since the 1970s. Push and pull factors, ranging from economic opportunities abroad to concerns over security and stability at home, have spurred many Colombian Jews to emigrate, exacerbating the demographic decline.³³

In some instances, such as the Conservative community in Cali, an influx of emergentes has been welcomed as a means to bolster dwindling numbers and sustain the community. However, in most cases, community members harbour apprehensions about the potential strains posed by integrating emergentes into their communities. This apprehension underscores a broader concern about the sustainability and viability of the traditional Jewish communities. The decision to exclude emergentes from these communities can be understood as one motivated by quasi-rational choice, shaped by a calculus of perceived benefits and risks. While the acceptance of emergentes may offer a pragmatic solution to dwindling memberships, community leaders and members weigh the potential ramifications carefully. The financial implications of integrating emergentes, including the costs associated with providing communal services and personal aid, loom large in their deliberations. These observations align with previous hypotheses positing that exclusionary practices within traditional Jewish communities are driven by pragmatic considerations alongside more subjective suspicions. Whether accepting emergentes would prove beneficial or burdensome remains a subject of debate within these communities. Nonetheless, the decision-making process reflects a deliberate assessment of the community's needs, resources, and fears.

In essence, the fear of dragging down the community underscores the precarious position of traditional Jewish communities in Colombia. As they grapple with demographic

³³ Since the 1970s, narcoterrorism and growing insecurity, according to various interviewees, several community members were kidnapped or threatened over the past decades. On the other hand, Israel has become increasingly popular. To many interviewees, it seems safer than Colombia. It is a popular immigration country for some of the self-expressed Zionist members. However, many more members of the traditional communities have chosen to move to the US or Panama for better economic opportunities and safety.

decline and financial constraints, community leaders navigate a delicate balance between preservation and adaptation.

The Role of Ethnicity and Race in the Case of In-Group Cohesion and Out-Group Delineation

According to Melo, Colombia is one of the countries in the world with the highest levels of inequality concerning land ownership, income, and racial disparities. He argues that “social class and race were conceptually conflated before the enactment of multicultural policies and [...] became intertwined with the concept of ethnicity” (Melo, 2015, p.1019). In Bogota, for example, the elites are constituted by a "minority of the population who have enjoyed the prerogatives commanded by wealth and political power in a poor country and relatively poor city" (Amato, 1970, p. 97).³⁴ Here, just like in the rest of Colombia, belonging to the elite is often associated with *Whiteness*. Many upper-class Colombians are the descendants of European migrants, and belonging to the elite is associated with *Whiteness*, while belonging to the lower class is associated with being non-*White* (Alcantara, 2005; Amato, 1970; Chua, 2003; Devis, 2014; Melo, 2015). In many Latin American countries, the way immigrants are perceived depended and continues to depend on their country of origin and whether they fit into the *White* vs. *non-White* dichotomy. According to Alfaro-Velcamp, “desired” immigrants such as Europeans and North Americans are not pressured to acculturate. Their status as foreigners was and is a form of symbolic capital which eases access into elite society (Alfaro-Velcamp, 2013).

Similar to the Lebanese community, the Jewish community in Colombia initially encountered resistance and lacked acceptance as a preferred immigrant group when they established their early communities (Alfaro Velcamp, 2013; Devis, 2014). Despite hailing from regions like Eastern Europe and Germany, typically viewed as desirable sources of immigrants, many Jewish immigrants confronted discrimination in the form of anti-Semitic quotas. Their Jewish identity became a barrier to acceptance in certain social circles and for improved work positions (Villamizar, 2015). It might, therefore, not be surprising that, as various interviewees pointed out, only few Jews found their way into Colombian politics.

³⁴ According to Amato, the term *elites* describes “a group of persons who hold positions of eminence in a society, particularly in a political, economic, or social sense” (Amato, 1970, p.104).

Alfaro-Velcamp (2013) proposes a generational model that categorises the first generation of immigrants as partially undesired, facing more significant pressure to assimilate compared to “desired” immigrants. Conversely, the status of the second and subsequent generations depended on the success of the first (Devis, 2014). In this context, the Jewish community achieved successful assimilation in the first generation without relinquishing their ethno-religious distinctiveness, whereas many Lebanese immigrants intermarried (Devis, 2014). Diego Ramirez, one of the interviewees, highlighted that the phenotype of many Ashkenazi Jews, along with their European names and proficiency in European languages, facilitated their integration into the Colombian elite. However, this integration, or “passing”, was often a deliberate choice, with many Jews consciously toning down their *otherness* to enhance their societal acceptance. The strategy of toning down their cultural and religious distinctiveness reflects a pragmatic approach adopted by many Jewish immigrants to navigate the socio-political landscape of Colombia. By assimilating to some extent while preserving critical aspects of their Jewish identity, they sought to improve their social standing and opportunities for success. This strategic adaptation allowed them to mitigate discrimination and gain acceptance in Colombian society, particularly among the elite.

Furthermore, the success of Jewish immigrants in integrating into Colombian society underscores the complexity of ethnic and cultural dynamics within the country. Despite facing initial challenges and discrimination, Jewish immigrants leveraged their resources, including their cultural capital and linguistic skills, to carve out a place for themselves in Colombian society. This process of adaptation and integration sheds light on the multifaceted nature of immigrant experiences and the strategies employed to navigate identity and belonging in a new cultural context.

In contemporary Colombia, the Jewish community is predominantly viewed as belonging to the upper echelons of society- and therefore of a larger group which does not only identify itself as White in the before-mentioned terms but also whose points of entrance are in part determined in racial terms. Exploring the historical interplay between racism, antisemitism, and the integration of Jews into Colombian society reveals nuanced insights about their integration then and current status. However, delving into the intricate relationship between race and class unveils additional layers of understanding regarding the criteria employed by traditional Jewish communities in Colombia when determining membership eligibility. This intersectional analysis sheds light on the complex dynamics of inclusion and

exclusion within these communities, illuminating how racial and socioeconomic factors intersect to shape perceptions of belonging and identity.

In her work *Theoretical Approach to Discrimination*, Ruth Wodak analyses how racial discrimination through discourse can, even if unintended, establish and maintain racialised power structures (Delanty et al., 2011). Identifying systematic racism in the process of exclusion of traditional Jewish communities was very difficult. Only a few interviewees, such as Deborah Goldzweig, openly spoke about race and class in the traditional communities. She described the reaction of community members when emergentes started to join one of the traditional communities in Cali as racially motivated. She recounts that it was partly due to their different physical appearance, e.g., their darker skin and indigenous features, that people felt increasingly estranged from what they felt were their communal spaces. This reaction happened both when a growing number of emergentes were accepted into the synagogue space of the German community in Cali and when new people started joining the local Jewish country club. One consequence of this tension, described to me by both members and community leaders in Cali, was that a significant number of members of the German community started leaving for the Sephardic and Ashkenazi communities, which have more closed attitudes towards emergentes.

As mentioned before, overt forms of racism explaining the exclusion of emergentes were rare. This meant that discriminatory attitudes were often wrapped in subtleties and had to be deduced from context. One such context became tangible during the second night of Rosh Hashana, the Jewish New Year, in Cali. Various situations demonstrated the difference between emergentes and intermarried partners in the community. In an interview with a rabbi of one of the Orthodox communities of the city, I was told that, since emerging communities appeared in the country, the Orthodox communities had a silent zero acceptance policy. However, during a short phase in which there had been no rabbi, several emergentes had been accepted into the community. At the time, the president of the community had endorsed the idea of accepting emergentes to increase the number of observant community members. The families had thus been accepted without the approval of the rest of the community. While the newcomers amounted to less than a dozen individuals, and therefore a small number compared to the hundreds of members of the overall community, they were evident because of their overrepresentation in the minyanim (communal prayers) and Shabbattot. While attending the Rosh Hashana dinner, I recognised at least two people I had met in one of the emerging communities a few years earlier, sitting at

what seemed to be a table with people who looked less White-European. However, I did not find the right moment to ask whether they were all converts. According to the interviewed rabbi, since the acceptance of that group of emergentes, no others had been accepted in the years since - an attitude that he did not believe would change soon.

On the other side, there also seems to be an accepted way of joining the community - through intermarriage. The frequent use of intermarriage is in no way an exclusively Colombian approach to becoming part of the traditional Jewish in-group. The connection between conversion and intermarriage has been especially strong since the inception of modern nation-states and the possibility of civil marriages, which put Jewish communities under pressure to accept non-Jewish spouses to prevent the alienation of the Jewish spouse from the community. Over the last couple of hundred years, many communities, especially in Europe and North America, have practised a silent acceptance of these kinds of converts. However, rabbinic literature continues to maintain that a convert shall be rejected if he or she wishes to convert for ulterior motives (Mintz & Stern, 2015). In Colombia, intermarriage seems to be a relatively recent phenomenon. Until the 80s, even marriages among Ashkenazim and Sephardim were still rare (Dizgun, 2001), and according to some interviewees, they were increasingly accepted due to the shrinking size of both communities. Several of the people I spoke with were the product of an Ashkenazi-Sephardi marriage and grew up using both community spaces. Unlike in other American cases, Colombia's Jewish communities have not joined the public call for a Herem on intermarriage (Hidary, 2015). The reason for this might lie in the low number of such cases. According to the World Jewish Congress website, intermarriage rates in Colombia are as low as 5% (World Jewish Congress, 2020). While this seems to reflect the older generations and also those younger generations leaving the community, the case of Cali points towards the possibility of integrating "marital converts".

While the following description is only a small example, it nevertheless illustrates the different ways conversions take place in Colombia and their possible consequences. At the "youth table" to which I was introduced in Cali, I sat with eight young men and women.³⁵ After telling them about my research, people slowly started to open up about their personal stories. There were two intermarried couples. In one case, the non-Jewish partner had already converted to Judaism; in the other, the partner was still in the study process in the community. However, intermarriage was also an important element a generation back. Two women at the

³⁵ All the people sitting at the table were in their twenties and early thirties.

table were the daughters of intermarried couples - in one, the mother had converted to Judaism; in the other, the mother hadn't, which deems the young woman halakhically not Jewish. While it is difficult to deduce much from a case study of eight people, it nevertheless drew my attention that both converts were white - not just in their appearance (both were blond, which is quite rare to find in Colombia) but in their upper-class demeanour. Just like in the cases of intermarriage described by Dizgun (2001), they had met in class-related circles.

Nevertheless, it is difficult to disregard the apparent fact that it is not only class but also race, both connected and separately influential, which plays a role. While the majority of upper-class Colombians are white, this is not always the case. However, the 1980s literature suggests that intermarriage seemed to usually happen with the Colombian upper classes, meaning with people who invest energy into defining themselves as white/non-brown. It should also be considered that, just like many upper-class Colombians, most members of the Jewish community hold conservative views (as told by Davidson and Bernstein and confirmed by other interviewees), which can be interpreted through the lens of wanting to preserve communal and racial distinctions. It could, of course, also mean that the chances for someone from the upper class to get to know a non-white person in an intimate or familiar context such as school, work, or leisure activity are very rare, and that, therefore, the statistical chance for such a coupling is immensely reduced.

Jewish Geography- Linking Space and Time

Before I travelled to Colombia in August 2022, I met with my Israeli stepmother's mother in Jerusalem. I told her about my planned trip and mentioned that the rabbi of one of the traditional communities I was hoping to meet was Argentinian, like her. She asked me for his name. "Bernstein," I said. "From Buenos Aires?" she asked. "Yes!" I exclaimed. Could it be the brother of the young man who used to sing so beautifully at the synagogue she had attended as a young girl? "You must send him my greetings when you see him. After all these years, I do not know if he will remember me." A few weeks later, I met Rabbi Bernstein in Bogota and asked him whether he remembered someone called Helene Nussbaum. He did. What a small world, I thought.

Two mechanisms through which members of the traditional Jewish communities in Colombia establish, maintain, and monitor in-group cohesion are through the emphasis on

temporal and spatial Jewish community links. During my research, I observed three different types of this mechanism or “mapping of social networks”. For reasons which will become apparent in the following section, the categorisation is 1a Emphasising links to modern-day Jewish communities in Colombia; 1b Emphasising the links to modern-day Jewish communities and individuals outside of Colombia; 2a Emphasising personal links to the founders of the local communities, and 2b Emphasising personal links to past known Jewish communities outside of Latin America.

There are various ways in which social network theory has been applied to Jewish Studies. The idea of being connected through fields of interest to a larger collective, such as work or education, is replaced by the idea of belonging to a larger collective, which is the Jewish people. A Jew who is part of the "Jewish collective" will probably not be directly connected to all other members of that collective but indirectly through other people and places. According to Shrage, there are only two or three degrees of separation between Jews in most North American Jewish communities (Shrage, 2016). Considering the considerably smaller size of the traditional communities in Colombia and the high number of private and collective events, the degrees of separation in the Colombian case can be expected to be even lower. Iannaccone argues that such a level of cohesion, and therefore the continuation of groups with ancient traditions, is only possible through the drawing of clear identity boundaries for the individual regarding his/her belonging to the community. Being too inclusive, according to Iannaccone, can weaken the whole group's inner cohesion and, therefore, make it more prone to disintegrate (Iannaccone, 1994).

If one follows Kadushin's thought, social circles “create the conditions for trust” (Kadushin, 2011, p.61). Moreover, trust is indeed an important factor in the way Colombian Jews view their relationships, practically and theoretically, with other Jews, regardless of physical distance. Several researchers in Jewish Studies have tried to apply social network theory to understanding which types of connections lead to the strengthening of Jewish identity and association/active participation in the Jewish community, stressing the importance of social circles and peer groups (Geffen, 2002). A focus of many surveys lies on the effect of friendships and education (Kotler-Berkowitz, 2016) and the connections between them (Kadushin, 2011).

Although those networks are often not phrased as two-dimensional, I would suggest that it is helpful to frame relationships in certain networks, such as the Jewish collective, by looking both at space and time. In the case of the traditional Jewish communities, for

example, these two dimensions are expressed in the emphasis on the individual's direct and indirect (through an intermediary) spatial connections to other members of traditional Jewish Communities in Colombia, the wider Diaspora, and Israel. This is why I categorised the four types of intra-group relationships according to their temporality (1 and 2) and spatiality (a and b). It is important to stress that almost all interviewees who are members or leaders of one of the traditional communities emphasised all four types of links in the conversations. Sometimes one relationship path would be connected by various dimensions. Nevertheless, it is helpful to view these types of relationships separately as it is useful at the point of juxtaposition to the types of relationships of emergentes.

One example of type 1a (Emphasising links to modern-day Jewish communities in Colombia) was illustrated in the interview with Anna Horowitz, in which she stressed several of her connections within the local Jewish collective. She recounted her biography, telling how she had been born and grown up in Barranquilla, married a Jew from Cali, and moved there. However, she maintained ties to her family and friends while creating new connections in Cali. Furthermore, she has been the head of the HR department of the community in Cali since 1995, which has contributed to the expansion of her private intra-community network by adding professional connections to other communities in Colombia, be it Medellin or Bogota. The relationships with other present-day traditional Jews in Colombia were the most vital and most repeated connection. Interviewees mentioned the high number of Jewish friends and colleagues, especially in the cases of people who attended Jewish Schools and are now working within the community's institutions.

An illustration of 1.b (the links to modern-day Jewish communities beyond Colombia) is exemplified by Clara Sorkin, a member of one of Colombia's traditional Jewish communities. Despite residing in Colombia, her familial ties extend to Israel through her Israeli husband. Similarly, Rabbi Abud, who was born in Central America and also has ties to Israel, is married to a woman from the Jewish community in Venezuela. Moreover, many interviewees have familial connections to the United States, where relatives have emigrated and integrated into local American Jewish communities and networks. These examples underscore the transnational nature of Jewish identity and the interconnectedness between Jewish communities across geographical borders. Through familial ties and personal relationships, individuals maintain connections to diverse Jewish communities worldwide, enriching their sense of belonging and identity beyond their immediate geographical location.

Most of the emergentes, on the other hand, have no or only few personal links to Jews outside of Colombia. Usually, only the rabbis of emerging communities have personal links to Jews in the US and especially Israel, as many of them converted and studied in Israeli yeshivot, which gave them the possibility of building relationships in Israel and becoming part of wider international networks. One of the rabbis of one of the emerging communities, for example, received his semicha (rabbinic ordination) in a very prestigious yeshiva in Israel. Now that he is back in Colombia, he told me that, although he is a convert and rabbi of an emerging community, he, unlike his congregants, can attend the services and activities of the traditional communities.³⁶

2. a (Emphasising personal links to the founders of the local communities). Another aspect that I observed in many of the interviews was the highlighting of the link to past Jewish members of the local communities, especially the founders. Aron Rosenfeld, for example, described how his grandfather had played an influential role in the foundation of the Ashkenazi community. Almost all other interviewees also mentioned their family links to either the first rabbi, cantor, bookkeeper, donor, or active member of one of the communities which were founded in the early 20th Century. I argue that these links are both necessary for creating cohesion between the members and connotating those relationships with an emotional meaning that contributes to the definition of the Jewish identity of the local community. Simultaneously, the emphasis on these kinds of connections also serves as a form of boundary construction or filter - those who cannot claim similar relationships will find it much more difficult to find a sense of belonging in this type of network. But as seen in the cases of in-marriages of non-Colombian Jews, this is not a static boundary. Some of the interviewees had come from other countries, mainly the US and Argentina, and married members of the local communities. They were then able to claim a “relationship through an intermediary” (Kadushin, 2012, p.15) to the contemporary and past local community. But in the case of the emergentes, this too is a type of relationship they lack and usually have no other access to. Considering the previously mentioned difference in social spaces in which emergentes and traditional Jews move in Colombia, cases of marriages between those two groups are unlikely because - as mentioned before - most cases of intermarriage happen within the same social class.

2. b The fourth type of relationship (Emphasising personal links to past known Jewish communities outside of Latin America), which was prevalent in most, if not all, interviews,

³⁶ Unfortunately, I was not able to corroborate that claim.

was the personal link to Jewish communities in the *old home*. Even if people's families had done stops in some other Latin American countries, e.g. the US or Mexico, in the early 20th Century, "the old home" was the countries and regions where some of their Jewish ancestors had lived in the 19th Century. In some cases, such as the one of Samuel Davidson or Klaus Oppenheimer, this was Germany; in others, Poland, Romania, Syria, or Turkey. Many of the Sephardic Jews in Colombia, for example, can trace their family roots back to Aleppo. A quite frequent way of emphasising this type of relationship takes place in books. Two of the Ashkenazi interviewees gave me books about their parents' or grandparents' escape from Europe and settling in Colombia.³⁷ These books can be interpreted in various ways. They are both a physical manifestation of that link, just like a physical family tree, to the "source" communities, which in turn are linked to other contemporary Jewish communities. Emphasising the link to the communities in the "old home" can be, therefore, read as a way of expressing that an individual is part of a broader, global Jewish network today.

Considering that my research was conducted in 2022 and not before the establishment of the various emerging communities, it is not possible to rule out that some of these mechanisms might have been reinforced by the attempt of emergentes to join their collective. However, what is nevertheless important is to highlight how inaccessible many of those narratives are for emergentes and emerging communities. While many emergentes stress the growingly popular narrative of being descendants of *Bnei Anusim* and, therefore, Sephardic Jews (Carpenedo, 2021; Torres, 2017; Vergara, 2019), these "relationship maps" do not overlap with the ones of the traditional communities in their areas of narrative emphasis. While emergentes attempt to gain entrance to the contemporary traditional communities by using a narrative of common ancestry, but which emphasises "nodes" from which they are separated by ca.³⁸ 25 intermediaries (25 generations), the traditional communities focus their identity narrative on the nodes that link themselves up to the last five, maybe seven nodes/generations.

A Selective Traditionalist View Towards Religious Observance

A notable aspect worth considering is the prevailing attitude of many community members towards religious observance within traditional Jewish communities in Colombia. As

³⁷ In another case, an interviewee gave me a book about one of his friends' family members, saying, "If you read this book, you know the stories of how most of our families got here and started their lives here (Martin Appelbaum interview)".

³⁸ According to Kadushin, nodes can be individual people or groups or organisations (see Kadushin, C. (2012). *Understanding Social Networks: Theories, Concepts, And Findings*. Oxford University Press. p.14).

previously mentioned, the majority of these communities are Orthodox, adhering to Orthodox customs, employing Orthodox rabbis and, perhaps most importantly, defining themselves as such. Despite this, a significant portion of the members of these communities do not exhibit a high level of religious observance. This phenomenon is akin to the situation observed among other Diaspora communities and secular Israelis.

According to insights from various community leaders and members, there exists a prevailing sentiment among the community that institutions should adhere to Orthodox principles and customs. For instance, several female interviewees expressed a sense of comfort with the practice of seating men and women separately in synagogues, aligning with the Orthodox tradition. This preference was rooted in their upbringing and familiarity with such customs, irrespective of their views on gender dynamics outside of religious contexts. This sentiment underscores the importance placed on maintaining traditional practices within religious spaces. Particularly during significant occasions like the high holidays, where synagogue attendance peaks, community members express a strong desire for services to adhere to familiar Orthodox customs and rituals. This inclination remains prevalent even among individuals who infrequently attend Shabbat or daily services throughout the year. The adherence to established religious norms during these key events serves to reinforce a sense of continuity and connection to Jewish tradition despite varying levels of religious observance among community members.

Moreover, the preference for Orthodox practices reflects a broader trend within traditional Jewish communities in Colombia, where religious identity and cultural heritage are deeply intertwined. Preserving Orthodox customs is not merely a matter of religious adherence but also serves to maintain cultural continuity and communal cohesion. By upholding traditional practices, community members seek to perpetuate a shared sense of identity and belonging within the context of their religious heritage.

Most of the non-Jewish spouses of community members adapted the cultural and religious habitus of their Jewish partners. They were, therefore, also more flexible in their practices and observance of Jewish law. A case that perhaps exemplifies the acceptance of a particular type of individual who is in an identarian grey zone but nevertheless an insider is Amalia. While her father is Jewish and a known member of the community, her mother is not Jewish, which makes her - at least halakhically - not Jewish. Nevertheless, she seemed to be accepted by the community because she had grown up within the “Jewish clique” of her city, attending the Jewish school, high holidays in the synagogue, and the Jewish country club.

That acceptance did not limit itself to the institutional setting of the community - it went so far as to make her a suitable bride for the Jewish boys of the community. At least one of the mothers of the community had been pressuring her to meet with her son, and she and her friends made plans during the dinner to go see him in the country club. As a case in point, I met her in the synagogue, while the possible suitor did not attend the service because he frequented the country club more than the synagogue. Amalia herself fits the idea of most young community members. While she likes attending the synagogue, she does not keep Shabbat because that would collide with her work schedule - even though Shabbat observance is a prerequisite for conversion. The only people who seemed dissatisfied with that current situation were the rabbis of the community. However, the rabbi I spoke with was not unhappy about Amalia being part of the community - he just saw it as his task to help (and persuade) her to convert. Apparently, her sisters had already done so, and he just saw it as a matter of time until she would too, and the “problem” would be fixed. Unlike in the case of the emergentes, where he told me that he did not feel responsible, he did feel responsible for the traditional communities. As Amalia is the daughter of a member of the community, he also feels responsible for her.

The emergentes, on the other hand, do not just want a symbolically Orthodox community. They adhere to Orthodox Jewish practices, to Orthodox (haredi) dress codes and styles, which stand in stark contrast with the traditional communities in which most men do not wear kippot in public, women dress according to Western fashion, and married women do not cover their hair. This different interpretation of religion and observance not only creates a visible clash when an emergente is allowed into a community space, but it also threatens the carefully balanced status quo of the traditional communities. Because most members are traditionalists in the previously described form, their boards of members contract rabbis who are ready to lead and accept a community that wants to keep the status quo. Cases in which a rabbi started to push his community too much towards Orthodoxy (e.g. demanding women to wear long sleeves or adhere to other forms of modest dressing and behaviour) ended either in clashes within the community or with the rabbi being fired. The understandable fear of many traditional Jews is, therefore, that - if they accept many emergentes, the boards of members and, therefore, the religious outlook will change and tilt towards a more observant community, which would alienate most current members.

All these observations do not only seem to confirm the hypothesis that sharing a specifically *mixed* attitude towards religious observance is typical of the traditional Jewish

communities in Colombia but correspond with a similar observation about contemporary American Jewry. According to Cohen and Veinstein, members of Jewish communities in the USA tend to share similar expressions of “Jewish engagement”, such as “Jewish social networks - in-group friends and in-marriage; [as well as] ritual observance” (Cohen & Veinstein, 2011, p.206).

Facing the Particularity of Local Identity Dynamics: The Example of an Israeli Immigrant

Given the small size of the traditional Jewish communities in Colombia and their limited immigration rates in recent decades, these communities have evolved into close-knit groups comparable to cliques. The tight-knit nature of these communities presents challenges for individuals seeking to become part of them. Apparently, not only converts struggle to integrate and find a sense of belonging in the traditional Jewish communities in Colombia but also Israelis, who often face difficulties assimilating due to differences in cultural upbringing and habits. Unlike their Colombian counterparts, Israelis lack the distinctive habitus shaped by the Latin American context and a non-statist Jewish identity.

Colombian Jews demonstrate a profound commitment to Zionism, sometimes even surpassing that of some Israelis. Their connection to the State of Israel is characterised by active engagement and support for various reasons. However, unlike in Israel, where the state plays a central role in shaping Jewish identity, in Colombia, the primary source of Jewish identity is rooted in the local context. Despite their strong Zionist sentiments, Colombian Jews maintain a sense of autonomy in constructing their community and Jewish identity. While they hold a deep reverence for Israel and actively support its endeavours, their identity remains linked to the socio-political fabric of Colombia. Although Zionism and a growing attentiveness to Israel seem to occupy more space in community life, these sentiments are constructed from within the community and are not imposed on it.

The Israeli interlocutor shared his initial challenges in adapting to the structure of the traditional Jewish communities in Colombia. Upon relocating to Colombia, he primarily associated with fellow Israelis, as the country was not a popular destination for long-term settlement among Israeli expatriates, unlike the United States, Germany, or the United Kingdom. However, as most of his Israeli acquaintances departed after a few years, he

realised the importance of fostering a connection to Jewish identity for his children. Consequently, he decided to enrol them in the local Jewish school despite his initial discomfort with the local "Jewish clique" behaviour.

Notwithstanding his initial reservations, the Israeli participant gradually integrated into the traditional Jewish communities, becoming an active member over time. He began hosting Shabbat dinners and even ventured into opening a kosher catering business. While he may only partially emulate the nuances of local belonging, he gained acceptance and recognition within the community by leveraging his personal attributes. Specifically, he emphasised his Moroccan-Jewish ancestry, establishing a connection to the broader Sephardic world and aligning himself with the community's cultural fabric.

Returning to Bourdieu's theory of capital, the Israeli participant possessed various forms of capital that facilitated his integration into the community. As an Israeli, he possessed symbolic capital, epitomised by his Hebrew fluency and familiarity with Israeli culture and customs. This ability bestowed upon him a certain level of prestige within the community, as others recognised and valued his Israeli background. Additionally, he accumulated social capital by virtue of his ties to Israel, a place that many community members had visited, lived in, or had familial connections to.

The Israeli participant's journey highlights the dynamic interplay between individual agency and social structures in the process of community integration. While initially encountering challenges due to cultural differences, he strategically utilised his personal attributes to establish himself as a respected member of the traditional Jewish communities in Colombia. His experience underscores the importance of cultural capital and symbolic resources in navigating social boundaries and fostering a sense of belonging within a close-knit community context.

Conclusion

Faced with his son's wish to marry a non-Jewish Colombian woman, one of the protagonists of Michonik's novel *La descendencia* said to his son „De acuerdo a la jurisprudencia judia, la

Halajá, un converso a nuestra religion es un judío en todo el sentido de la palabra [...] pero la verdad es que no es la misma cosa” (Michonik, 2013).³⁹

This chapter aims to understand a part of Jewish identity that transcends the written laws of Halakha and official discourses by identifying the characteristics of contemporary, traditional Jewish communities in Colombia and the social mechanisms through which the boundaries of their Jewish identity are constructed and maintained. Focusing on four identity markers - class, race, social networks, and religious observance - can explain what Michonik’s character in the novel alluded to but left unsaid. This research analyses the mechanisms of inclusion and exclusion within the community concerning individuals’ constructions of Jewish identity, elucidating the factors contributing to both intra-Jewish group cohesion and the rejection of emergentes as Jews.

Historically, Colombia's Jewish communities are relatively new and small, established by individual Jewish families who arrived from various countries in Europe and the Middle East. They encountered a society that maintained societal divisions based on class and race despite undergoing social and economic changes. Within a short period, the community succeeded in establishing itself, with most members belonging to Colombia’s upper class and has since maintained that social status. Given the importance of close-knit communities, most members take an active role in maintaining a Jewish identity based on flexibility in individual religious observance and close-knit social networks. Each member reinforces the group's boundaries by nurturing connections within the community and ensuring that children’s socialisation occurs within communal institutions and spaces. The strength and success of these actions depend on the aggregation and high percentage of individuals making these decisions.⁴⁰ This inner looseness, surrounded by strong, albeit subjective, boundaries, suggests that the Jewish identity of Colombian Jews is primarily defined by its social boundaries. The reaction to impede the access of emergentes to the communities reflects both the internalisation of social status and the fear of it being threatened, as well as interference with the boundary structure that holds the community together and anchors the Jewish identity of its members.

³⁹ Author’s translation: “According to Jewish law, the Halakha, a convert to our religion, is a jew in every sense [...], but to tell the truth, it is not the same thing”.

⁴⁰ This might explain why several interviewees were nervous about the growing number of families, who are more affluent than the rest of the communities’ members. Those families have begun to send their children to the American school in Bogota. However, this seems to create a competing space for socialisation, possibly distancing some parts of the community from each other. Some feared possible consequences for loyalties and community support as well as rising intermarriage.

While expressions of markers such as class and race are strongly linked to and mirror the surrounding Colombian society, these attitudes have been internalised so thoroughly that they now dominate the community's attitudes towards outsiders seeking to become part of the Jewish collective. The emergentes challenge the perception of the Jewish community as upper class and, consequently, the opportunities and privileges of its members. Additionally, the emergence of new communities threatens the racial status Colombian Jews have attained, further exacerbating the communities' wariness of them.

Especially interesting is the role of social networks in constructing a specific Colombian Jewish identity that simultaneously includes equal belonging to the broader Jewish collective while making it almost impossible for emergentes to become part of the Jewish in-group. Through the analysis of the two-dimensionality of orally emphasised social networks in the Colombian case, it is possible to see the specific imprint by which Jews negotiate belonging in a given moment. This research suggests that the use of social networks, both factual links and oral emphasis, is a tool not only in the Colombian case but may also be used within and between other Jewish communities.

While this research project is based on local qualitative analysis that helped map out the different characteristics and mechanisms through which belonging is delineated, this approach simultaneously limits the strength of the research findings. A comparative and quantitative research approach would be helpful to assess the statistical impact of the abovementioned characteristics. All four characteristics - class, race, the importance of social networks, and religious observance - could be tested for significance and impact using surveys. However, future quantitative research would need to address issues of gaining full access to, at times, tight-knit communities and encode certain themes (e.g., race and class) accordingly. A valuable second step to this research could involve a comparative approach to various Diaspora communities and possible changes in narratives once people join other communities with different social network narratives.

The mechanisms for boundary delineation described in this chapter could furthermore be applied to the study of other ethnic and perhaps religious groups. Acknowledging that both individual and collective identities change in substance and frames makes it possible to create momentary snapshots of narratives of groups we have attempted to freeze in time.

Chapter 2: Standing before a Gate on the Road: The State of Israel and its Reception of Emerging Jewish Communities

“Solomon’s wisdom guided me
Along my wanderer’s road,
And Heine’s twisted smile I see
As a scourge and a goad.
Yehuda Halevi’s song in my head
Echoes through and through.
I have often faded but never died:
I am a Jew!”

- Itsik Fefer, 1941 (I am a Jew)

Introduction

It is hopefully not too contentious to say that the establishment of the State of Israel has had a significant impact on the lives of millions of Jews, regardless of their personal relationship with the state. Contemporary discourse increasingly positions Israel as a central axis, if not the centre, of Jewish identity globally. Divergent interpretations abound, with some considering it a natural evolution or culmination of Jewish history. In contrast, others perceive it as a transient descriptor of interrelationships between Jewish communities and non-Jewish perceptions (Kalev, 2018). One of the perhaps more polemic authors, Yossi Shain, writes that not the Exodus, the Jewish Kingdoms, nor the Exile from the Iberian Peninsula, has been “the most dramatic period in all of Jewish history”, but “The Israeli Century”. In that Century, argues Shain, Jews “have moved from two millennia of statelessness to a life defined by the sovereignty of the State of Israel. [...]The Jewish centre of gravity- cultural, religious, political, demographic, and even economic- [...] is now to be found in Jerusalem and Tel Aviv [...]” (Shain, 2021, p.1).

Regardless of whether one agrees with the interpretation of this historical development as being positive or not, the past years have exposed the inevitable friction between the nation-state, democracy and Jewish identity within Israel. In 2018, for example, the Israeli Knesset passed the controversial Nation-State Law, sparking outcries and accusations of the country veering towards nationalism and apartheid. The law was seen as clearly favouring one group of citizens over another. In Israel itself, there was little understanding of why Western media outlets suddenly perceived this one law as diverging from the existing norm and legal framework (Ben Yaakov, 2021; Spiro, 2021). Previous governments, laws, and declarations, alongside the very nature of certain state institutions (e.g. the Jewish Agency or the Jewish National Fund), had rendered the question of whether Israel saw itself as a state of all its citizens or a Jewish state somewhat obsolete. The opening line of Israel’s declaration of independence establishes a link between the territory and the Jewish people, stating: “Eretz-Israel [(Hebrew) - the Land of Israel, Palestine] was the birthplace of the Jewish people.” and soon after declares the “right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State”. Their own state. The state of the Jewish people, which the declaration itself specifies, is a “Jewish State in Eretz-Israel”, meaning that its territorial extension is in what is today widely recognised as the Israeli State borders.

Nevertheless, the individuals this state represents do not necessarily reside in that territory. The declaration further stipulates, “The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles”. In a Hobbesian model, the Israeli leviathan does not solely derive its authority from Israeli citizens but also from the Jewish people as a whole. In 1948, the majority of Jews resided outside the newly established state, a reality that persists today, with Israel not yet serving as the physical home of the majority of Jews worldwide (DellaPergola, 2019).

However, demographic concerns were not the only issues inherited during the period of state formation. The State of Israel took over parts of the Millet system of the British mandate, which in turn mirrored the structure of its Ottoman predecessor. Israel thus relies on a preexisting framework on how to administrate the ethno-religious composition of its population. Religious questions and matters of personal status were, and are, officially handled by each religious community separately. There are, therefore, religious heads for the Jewish, Muslim, Druze, and Christian communities who hold effective decision-making power over the members of their communities. From its inception, the State of Israel has defined itself inwardly and outwardly as a Jewish state, constructing itself as a logical, historical and demographic continuation of Jewish history and identity. With the establishment of the state, questions that had previously, during Ottoman rule, concerned a minority group within a larger political framework suddenly became central pivots.

Given that the link between religious conversions and the functioning and identity of the State of Israel is not an obvious one (Yadgar, 2020), this chapter examines the implications of Israeli actions and inactions regarding new communities, such as in the case of Colombia. This chapter examines some of the central questions of the relation between the State of Israel, its own and others’ Jewish identity, as well as the historical development of the conversion system within the state: Who are the significant gatekeepers in the case of the State of Israel involved in the inclusion and rejection of liminal Jewish groups and individuals? What are the positions taken by those gatekeepers towards liminal Jews, and here specifically, emerging Jewish communities? Furthermore, what can the reaction to liminal Jews say about the elements that constitute Jewish identity for the State of Israel? These questions will lead to the presentation of the three essential arguments of this chapter. The first argument is that various religious and secular institutions in Israel are intertwined in both their processes and goals. The second argument posits that the conversion system of the State of Israel does not mirror traditional notions and practices concerning conversions to Judaism

but instead breaks with them. Lastly, the third argument suggests that certain executive institutions of the state play a pivotal role in shaping the perception and recognition of contested communities.

The above arguments will be explored in four different sections. The first will provide an introduction to the Israeli conversion system. The second will analyse the role and involvement of the Chief Rabbinate. This analysis will be reinforced by giving various examples of Jewish groups whose Jewish status is contested and their relation to the state. The third section will review the role of the legislative and (secular) judicial powers: the Law of Return, the Nation-State Law, and the High Court of Justice. It will approach the topic by looking at the way conversions are embedded into the legal framework of the state and by analysing the reaction of the state to the phenomenon of converts within its institutions. The fourth section thereafter will focus on the Ministry of Interior as the main executive actor. It will present its active involvement in shaping not only the narrative around non-citizen converts but also its agency regarding restricting access to the state conversion system for non-citizens. The analysis of how particular laws are legislated, debated, and executed is necessary not only to understand the political and legal system that groups such as the Colombian converts in Israel encounter. For those who endorse the concepts of Zionism or Judaism 3.0 (Kalev, 2018; Shain, 2021), which envisages Israel as a new hub of Jewish life and identity, it is imperative to recognise how the State of Israel's reactions to the increasing global interest in conversion impacts how both traditional and emerging communities navigate questions surrounding Jewish identity.

Standing before the Gate: An Introduction to the Israeli Conversion System

Israeli historians often draw comparisons between the relationship between state and church in other Western nations, such as Germany, where the state acts as a tax collector for the church, and Greece, where the Greek Orthodox Church holds an elevated status (Yakobson, 2009). However, in Israel, the interaction between state and synagogue is multifaceted, with some arguing that, due to the ethno-religious self-perception of the state, this relationship is more pronounced than in the German and Greek examples. As will be discussed further on, when it comes to defining the character of the State of Israel, the duality of the secular and the religious is “being constantly constructed and deconstructed, affirmed and violated, [which] functions to enable the nation-state to act on racial logic, while preserving its self-image as

enlightened, secular, and liberal” (Yadgar, 2020, p. 34). This dynamic is evident in the space of conversions, where what may seem like a conflict of interest groups is, in reality, a convergence of overlapping and sometimes mutually beneficial interests.¹ Naturalisation through religious conversion is a central tool of the state. Yadgar points out that Zionists made every effort to construct a narrative according to which the state, too, strived for a secular identity. Would it not have been for coercion “by a religious (formally non-zionist) minority into passively observing certain religious dictates, including, in the case of the matter at hand, the definition of who is a Jew” (Yadgar, 2020; p.38). Religious conversion to Judaism in Israel, far more than meaning to educate the individuals, is meant to create and maintain a Jewish majority in the state to uphold the notion of a Jewish state. Zionism has not come up with its own definition of Jewishness, which has created the bizarre scenario we see today in which the majority of Israelis self-identify as non-religious. Yet, the process of joining them is shaped and overseen by religious authorities (Yadgar, 2020). It is, therefore, necessary to understand how those gatekeepers define Jewish conversions and on which sources they rely.

According to Halakha, specifically the Baraita, a convert is considered fully Jewish after immersion.² As stated in Yevamot: “Once he has immersed and emerged, he is a Jew in every sense” (Yevamot.47a.1-47b.19). This implies integration into both the Jewish people and religion. The practical steps this requires are simple. The process involves appearing before a Beit Din (religious tribunal) comprising three Jews, where the applicant testifies their commitment to observing Jewish commandments. Subsequently, men are circumcised. Both men and women must immerse in a mikveh. According to Fisher, this basic framework was not changed for hundreds of years due to the low number of converts, which kept the pressure on innovating regulations low (Fisher, 2015; Fisher 2020). Initially, Talmudic rabbis resisted conversions for reasons such as the marriage to a Jewish partner. However, this stance began to change during the modernisation and secularisation processes in Europe in the 18th and 19th centuries, prompting debates on how to address intermarriages and their implications for

¹ In *The Rabbinical Courts in the Evolving Political Culture of Israel*, Martin Edelman argues that the reason for the incorporation of traditional religious elements such as Shabbat and Kashruth into the secular state can be found in “the external threat to Israel [that] has not diminished, there is an extremely high value placed on the need for unity [between secular and religious]” (See Edelman, M. (1980). *The Rabbinical Courts in the Evolving Political Culture of Israel. Middle Eastern Studies*, 16(3), 145-166. p.147.)

² The word Baraita describes a legal tradition from the era of the Tannaim, rabbinic teachers from the Mishnaic period, which has yet to be preserved in the Mishnah but in texts such as the Halakhic Midrashim. (See *The Cambridge Dictionary of Judaism and Jewish Culture*, edited by Judith R. Baskin, Cambridge University Press, 2011. *ProQuest Ebook Central*, <http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=1744019>. Created from Oxford on 2024-03-16 13:26:53.)

familial relations. Many rabbis and communities, including those from the Orthodox streams, often opted to become more lenient, especially in cases where, with the option of civil marriage, already married couples were feared to leave the communities. Facing the decision of whether to ostracise those families or accept the non-Jewish member through conversion, many communities chose openness and integration to preserve their members and communal future (Fisher, 2015).

The situation became even more complex with the establishment of the State of Israel and its striving first to obtain- and later maintain a Jewish majority (Rabinovich, 2008). The Law of Return, which was passed in 1950 under Ben Gurion and amended in 1970 under Golda Meir, enabled the immigration of Jews, their descendants (up to three generations), and spouses, regardless of whether they were Jewish, according to Halakha. It also legally enshrined the rights of converts to Judaism to make Aliyah, although, as this text will describe at a later point, Conservative and Reform converts were not always entitled, and even Orthodox conversions do not necessarily qualify for Aliyah today (Maltz, 2021).³ At the time the Law of Return was amended, the idea had been to facilitate the immigration of Jews whose spouses and children were not Jewish and who would otherwise have refused to immigrate. This initial concession has led to a situation in which many immigrants and born Israelis feel and are seen by many parts of society, such as the military, the media, and even competitive sports (Haaretz, 2021) as Jewish but are not considered as such according to Halakha and the Rabbinate. Conversions have, therefore, become a tool of the state to assimilate those it wishes to integrate into its in-group socially (Cohen, 2009; Yadgar, 2020).

The establishment and continuation of the conversion system have been unstable and under criticism since its inception. In the 1990s, the Israeli High Court of Justice ruled that the Rabbinate, which had been informally understood as the body in charge of authorising conversions and the Jewish identity⁴ of Israeli citizens, does not have this power

³ Interestingly, the Law of Return excluded those who converted from Judaism, even though, according to Halakha, they would always be Jewish. See Law of Return 5710-1950 (05.07.1950). According to the law, every Jew has the right to immigrate to Israel and enter the country with an Oleh (Jewish immigrant) visa (ibid.). Conservative and Reform Judaism are some of the central Jewish religious streams that developed in the 19th century- the other big movement being Orthodox Judaism. They distinguish themselves from each other in member numbers according to geographic locations (e.g. USA vs Israel), but also through the way they position themselves towards larger society and interpret Jewish law. See MyJewishLearning. (2022). *The Jewish Denominations*. My Jewish Learning. Retrieved 09.05.2022 from <https://www.myjewishlearning.com/article/the-jewish-denominations/>.

⁴ Legally, there is no law authorising the Rabbinate to deal with conversion or to appoint conversion courts. The conversion process is regulated by the *pkudat hamhara* (conversion regulation), which was established in British Mandate times, and which states that "heads of community", i.e. the Chief Rabbis of Israel (in the case of converts to Judaism) or those authorised on their behalf, have the exclusive authority to approve conversions in

automatically. The ruling stated that the Rabbinate only had jurisdiction over the religious courts and concerning personal status questions and did not have the authority to decide who was Jewish, e.g., for immigration purposes or determining the composition of conversion courts.⁵ The court believed that the authority lay with the government. After the court decision, the government at the time decided to keep the Rabbinate, a solely Orthodox institution, as the body de facto-controlling conversions in Israel (Fisher, 2015; Yadgar, 2020). While non-Orthodox conversions abroad were accepted in 2002 for the purpose of receiving Israeli citizenship and immigration, until 2021 in Israel itself, only Orthodox conversions entitled a convert for citizenship (Kravel-Tovi, 2019; Fisher, 2020).⁶ In March 2021, the Israeli High Court of Justice decided that non-Orthodox conversions performed in Israel, too, had to be recognised for that purpose, resulting in an increase in applicants for Reform conversions (i24NEWS, 2022; Kingsley, 2021). Interestingly, the registration of non-Orthodox converts as Jewish in the Israeli population registry had been possible since the Miller case in 1986, the Pessaro case in 1995, and its reinforcement by the Naamat case in 2002.⁷

With the fall of the Iron Curtain and the expectation of thousands of intermarried families to make Aliyah, the pressure on Israeli decision-makers grew. In the 1970s, Rav Shlomo Goren established the conversion system. He set standards for the study process of the converts, set rules for the conversion process, and engrained the lengthy study process common in most communities today (Fisher, 2015). However, Rav Shlomo Goren, who had previously been the Chief Rabbi of the Israeli Defense Forces, received a heavy backlash from part of the Haredi leadership. In 1984, various rabbis, such as Rav Kanievsky and Rav

Israel. See Fisher, N. (2015). *The Challenge of Conversion to Judaism in Israel: Policy Analysis and Recommendations*. The Israel Democracy Institute. p.33.

⁵ 1995 661 4 מט"ד הפנים נ"ד שר הפנים (High Court of Justice (1995)).

⁶ Non-Orthodox conversions have been approved by the High Court of Justice for the purpose of registration in the population registry since the Naaman vs. Ministry of Interior case in 2002. See Shetreet, S. H., Walter. (2021). *The Jurisprudence of the Supreme Court on Non-Orthodox Communities*. In *Jewish and Israeli Law - An Introduction*.

⁷ H.C.J 230/86 Miller v. Minister of Interior, 40(4) P.D. 436 (1986): In this case, the petitioner had converted to a reform congregation in the US and, once living in Israel, asked to be registered as Jewish. The clerk at the Ministry of Interior registered him as a "converted Jew." The High Court of Justice decided that the clerk had no authority to determine the status single-handedly and ordered it to be changed to just "Jew." Furthermore, see HCJ 1031/93 Pessaro (Goldstein) v. Minister of the Interior [1995] IsrSC 49(4) 661 for Pessaro case and see HCJ 5070/95 Naamat v. Minister of the Interior [2002] IsrSC 56(2) 721 for Naamat case. In this latter case, the High Court of Israel decided that non-orthodox conversions performed in Israel and abroad are to be recognised for the purpose of the Law of Return and that the clerk in the population registry must register the petitioners as Jews in the population registry once they have shown adequate certificates proving their conversion. Both cases obliged the responsible clerk to register a non-Orthodox convert who converted in Israel as Jewish and underscored that the Chief Rabbi did not hold the monopoly over conversion certificates in the state.

Schach, published a statement against state conversions, pronouncing a strict ban on the acceptance of converts in cases where the sincerity of the convert was in doubt, and especially their willingness to accept the Torah entirely and to keep mitzvot.

Following a wave of immigration in 1995 from the Former Soviet Union (FSU) and following public political pressure, the conversion administration was re-established by Rabbi Yisrael Rosen and Rav Eliahu Bakshi Doron, the Israeli Chief Rabbi at the time. It is telling how often the conversion administration has moved offices since. At first, the conversion system was part of Rav Yisrael Rosen's Zomet Institute and moved to the Ministry of Religious Affairs shortly after.⁸ In 2003, the conversion administration moved again; this time, the Prime Minister at the time, Sharon, decided to transfer it to the Prime Minister's Office.⁹ In 2014, the conversion system was relocated to the Ministry of Religion, just to be relocated to the Prime Minister's office one year later, under which jurisdiction it still is today (Edrei, 2015; Fisher, 2015).

Additionally, since 2001, the state has offered conversions within the military service in parallel to the civilian system.¹⁰ All state-sponsored conversion courses are similar in content and structure. In the courses, the convert learns about Jewish law (Halakha), history, and the Bible, and the convert is hosted on Shabbat and festivals by Jewish families. At the end of the process, the convert has to declare in front of a rabbinical court that he/she accepts the *mitzvot* (*commandments*) and needs to do a ritual immersion in a mikveh (ritual bath), and in the case of males undergo circumcision. Leading up to the Beit Din (religious court) of the Conversion Authority, the elements mentioned above are mostly the same between the state-controlled conversion courses. In the case of Nativ, the studies are organised within the military and are more disconnected from the Rabbinate.¹¹

The process has been conceptualised to take 12 months (in the case of Nativ, the classes are shorter and more intensive), and the converts are expected to undergo 400 hours of study (Fisher, 2015). It should be noted that although the process has been criticised for being

⁸ The Zomet Institute is described on its website as “a non-profit, public research institute dedicated to [...] merging Halakhic Judaism with Modern Life”, discussing questions, e.g., the use of technological devices on Shabbat” (See Zomet Institute. (2022). About Zomet. Retrieved 10.05.2022 from <https://www.zomet.org.il/eng/?CategoryID=483>).

⁹ He appointed Rabbi Chaim Druckman as head of the conversion courts.

¹⁰ The preparation for (military) conversion is done in cooperation between the IDF (education corps) and the Joint Institute for Jewish Studies. The conversion is carried out by the military Rabbinate (see Fisher, N. (2015). The Challenge of Conversion to Judaism in Israel: Policy Analysis and Recommendations. The Israel Democracy Institute. p.38).

¹¹ The Nativ Military Program offers courses on Judaism and Jewish Identity for Israeli soldiers and national service volunteers. It is directed primarily at Olim or individuals who are second-generation immigrants, with a focus on immigrants from the Former Soviet Union.

lengthy in Israel, in other Beit Dins, the regular study time is between 2-3 years (United Synagogue, 2022), taught by private teachers and not in organised classes. However, although the conversion process is lengthy and requires the oral and practical commitment of the converts to observe mitzvot, many converts do not continue to observe religious practices after their conversions, which has led to increased questioning of the goal and definition of what constitutes a successful conversion in Israel. Therefore, the critique from the Haredi sector has not ceased and has strengthened the role of private Orthodox conversion courts in Israel (Edrei, 2015).¹² However, to fully understand the place of the conversion system in Israel, one must first understand the role of the Rabbinate as an official state institution.

Before the Dayanim: The Israeli Chief Rabbinate

Non-Orthodox conversions performed outside of Israel have been recognised by the state for immigration rights since 2005, and those performed in Israel since 2021. In contrast, in the case of Orthodox conversions performed abroad, the chances of being allowed to make Aliyah are much smaller. All applications, regardless of whether Orthodox, Reform, or Conservative, are first directed to the Ministry of Interior, but only in the case of Orthodox conversions must the Chief Rabbinate approve these conversions.¹³ This situation effectively means that, in practice, it is often easier for non-Orthodox converts to make Aliyah than for Orthodox converts (Waxman, 2013, p. 45).¹⁴ However, this is not solely because the Chief Rabbinate re-evaluates Orthodox conversions but because the Reform- and Conservative movements have created international umbrella organisations, such as Masorti Olami, which

¹² Edrei refers to a newspaper article published in June 1984, which decries the rise in the acceptance of converts and points out that a considerable number of them did not contemplate adhering to the Torah and its commandments at the point of conversion. Furthermore, the article cautioned marriage registrars about the halakhic obligation to scrutinise individuals presenting conversion certificates, regardless of origin, ensuring they align with valid halakhic standards mentioned before recording them. See Edrei, A. (2013). *The Ideological and Historical Context of the Contemporary Conversion (giyur)*. In A. Mintz & M. D. Stern (Eds.). *Conversion, intermarriage, and Jewish identity*. Yeshiva University Press.

¹³ The Israeli Rabbinate, for example, published a list of Orthodox rabbinate abroad whose conversions it tends to accept. Nevertheless, even those conversions will usually be sent to employees of the Chief Rabbinate for renewed verification, as one of the Rabbinate's employees said during an interview. Apparently, sometimes a rabbi/Beit din will no longer be considered apt for conversion but still be listed on the form, as updates are not as frequent as the actual changes (See Sharon, J. (2019). Rabbinical courts revoke conversion approved by Beth Din of America. *The Jerusalem Post*. <https://www.jpost.com/israel-news/rabbinical-court-unjews-orthodox-convert-approved-by-beth-din-of-america-587192>).

¹⁴ Following a ruling of the High Court of Justice in 2002, Conservative and Reform converts are eligible for citizenship under the Law of Return. Applications for Aliyah are handled by the Ministry of Interior, which verifies the conversion with the Conservative or Reform movements (Shetreet, 2021, p.349; Ettinger, 2011b). For more see Waxman, C. I. (2013). Multiculturalism, Conversion, and the Future of Israel as a Modern State. *Israel Studies Review*, 28(1), 33-53. p.45).

officially list all their communities. However, in the case of Jewish Orthodoxy, no official umbrella organisation exists that unifies the different Orthodox communities worldwide.

The monopoly of the Orthodox stream over personal status questions has been criticised fiercely by secular Zionists in Israel, but few, perhaps besides Yossi Beilin (Beilin, 2000), have gone so far as to demand a separation of nationality and religion and the possibility of ending religious conversions as an admission requisite altogether.¹⁵ In 2021, the High Court of Justice decided that Conservative and Reform conversions could also be performed in Israel and that they had to be recognised by the state for the implementation of the Law of Return. While the court decision is already over three years old, only a few cases have been accepted by the Ministry of Interior for Aliyah (Maltz, 2021). This reluctance reflects widely held positions among the Israeli public. According to the Israeli Voice Index of May 2019, only 17.3% of Jewish Israelis support the idea of “Private conversion courts in Israel for all the streams – Haredi, Orthodox, Conservative, and Reform”. A much larger number, 32% percent of the respondents, supported the idea that the Orthodox Rabbinate should “have the authority to determine that a person is a Jew for purposes of the State of Israel’s recognition of his Jewishness” (Israeli Democracy Institute, 2019, p. 5). More people, therefore, support the idea of the authority over Jewish identity in the state to be controlled by an Orthodox state body. However, there is no absolute majority supporting it.

As mentioned earlier, the Rabbinate primarily handles matters concerning Jewish citizens of the state. However, there have been instances where the State of Israel, and as part of it, the Israeli Rabbinate, has been involved in debates and activities regarding the recognition of communities of people from other countries seeking recognition as Jews by the state and the right to make Aliyah. The following pages will discuss some of the most significant cases of such community recognitions, including those of Ethiopians, Peruvians, FSU immigrants and work migrants. These cases are argued to have influenced previous stances of Israeli religious and non-religious authorities, serving as a reference for how these institutions handle contemporary requests for conversion and recognition.

The Ethiopian Jews

¹⁵ Beilin argues that a parallel secular conversion path to Jewish identity should exist alongside religious conversions. See Beilin, Y. (2000). *His Brother's keeper: Israel and Diaspora Jewry in the twenty-first Century*. Pantheon Books.

The dominant narrative among Ethiopian Jews (and also among other Ethiopians such as the Ethiopian Royal House/House of Solomon) prior to their recognition by the Israeli Chief Rabbi at the time, Ovadia Yosef, was that they were of Jewish ancestry, descendants of King Solomon and Queen Sheba (Kaplan, 2006).

In a 15th Century *responsa*, the Radbaz addressed various cases involving individuals from Kush, the region today known as Ethiopia, who were thought to be of Jewish descent but whose status remained ambiguous.¹⁶ The Radbaz concluded that the Jews from Kush should be acknowledged as Jews by the wider community, asserting their lineage as descendants of the lost tribe of Dan (Kaplan, 1988).¹⁷ Ovadia Yosef derived his recognition of Ethiopian Jews in part of this *responsa* from the Radbaz, which means that the narrative behind the legal turnaround for aiding the Aliyah of Ethiopian Jews was initially not the dominant narrative of the community itself.¹⁸ Today, the majority of Ethiopian Jews reject the narrative linking them to Queen Sheba and King Solomon, instead aligning with the state's narrative identifying them as descendants of the lost tribe.¹⁹ Kaplan presents a persuasive argument for this narrative shift within the Ethiopian community, attributing it to political motivations. The association with King Solomon and Queen Sheba tied the community to local history, a narrative shared by many Ethiopians, which clashed with Israeli authorities' desire to limit Ethiopian immigration (Kaplan, 2006).²⁰ Allowing the potential immigration of most, if not all, Ethiopians conflicted with Israeli immigration policies then and now (Sharon, 2021b).

¹⁶ David Ben Solomon Ibn Zimra, also known as the Radbaz, was a scholar, Kabbalist and longtime Chief Rabbi of Egypt. Born in Spain in about 1479, he died in Safed (Tzfat) in 1589, in what was part of the Ottoman Empire at the time.

¹⁷ In the 16th Century the then Chief Rabbi of Egypt, Rabbi David ibn Zimra (Radbaz), wrote of the two cases presented to him for adjudication involving Jews from Kush, as Ethiopia was referred to in rabbinic discourse: (citing from Bleich 1977): Radbaz...was presented with a halakhic question [...] of the religious status of the Falashas [...]. A Falasha town or settlement was attached, the males slaughtered, and the women and children taken captive. One woman, whose husband was presumably among the slaughtered, was purchased as a slave by a Jew who subsequently entered into a sexual liaison with her, which resulted in the birth of a son. Later, the son sought to marry a young lady of Jewish parentage, and Radbaz was asked for a ruling concerning the permissibility of the forthcoming marriage" (Bleich, 1977, p.299). In issuing his decisions on both this first and a second case, the Radbaz declared with certainty that the Falashas were "of the seed of Israel, of the tribe of Dan". See Ribner, D. S. S., Ruben (1996). The Crisis of Religious Identity Among Ethiopian Immigrants in Israel. *Journal of Black Studies*, 27(1), 104-117.

¹⁸ *Responsas* are answers to questions pertaining to Jewish law and observance. They are written by halakhic scholars, often referred to as *geonim*. They became especially important after the Muslim conquest of the Mediterranean and the Iberian Peninsula (See Berlin and Grossman. (2011). *RESPONSA*. In *The Oxford Dictionary of the Jewish Religion* (2nd ed.). Oxford University Press.

¹⁹ Ovadia Yosef's decision can be understood, to some extent, as a state position because the Chief Rabbi is an "oved medina" (public servant) and the Rabbinate is an official state institution. At the same time, his opinion was contested by other players within the state—in that case, the Israeli Ministry of Absorption.

²⁰ Until 1975, official policy declared that the State of Israel "is not enthusiastic about the prospect of Falasha immigration" (Ribner et al. (1996). The Crisis of Religious Identity Among Ethiopian Immigrants in Israel. *Journal of Black Studies*, 27(1), 104-117.) For more information, see Kaplan, S. (1988). "Falasha" Religion: Ancient Judaism or Evolving Ethiopian Tradition? *The Jewish Quarterly Review*, 79(1), 49-65. <https://doi.org/10.2307/1454417>.

Consequently, the adoption of the Danite narrative was well-received as it distinguished the Jewish community from Christian Ethiopians, thus mitigating further immigration claims (Kaplan, 2006).

As previously mentioned, the recognition of Ethiopian Jews by the State of Israel and their right to Aliyah faced significant opposition, not from religious authorities, but from the Ministry of Absorption.²¹ According to Ribner, an internal memo of the Ministry stated that “from a national-cultural perspective, the *Falashas* are complete strangers to the people of Israel. They never had any link at all to the Jewish people”, and “it appears that activities whose intention is to strengthen the link between Falashas and Israel [...] not be encouraged. Certainly for the good of the Falashas themselves and for the good of Israel, any plans for their Aliyah to Israel should be ignored completely” (Ribner, 1996, p. 111).

Unfortunately, the memo did not clarify what “the national-cultural perspective” of the State of Israel meant. However, even without the derogatory term *Falashas*, it is evident that the author did not see Ethiopian Jews as integral to the Jewish collective or the State project. While the author of the letter, therefore, chose to focus on the differences between Ethiopian and the dominant Ashkenazi culture in Israel at the time, Chief Rabbi Ovadia Yosef chose to focus on the links between Ethiopian Jews and, especially, Sephardic Jews. At least in the reading of this case, it would, therefore, seem imprudent to condemn the religious establishment of the time as outright exclusionary.

Nevertheless, there were concerns regarding the non-halakhic conversion and divorce²² practices of Ethiopian Jews. Rabbinate officials expressed apprehensions that potentially hundreds of individuals who were not Jewish, according to Halakha, had immigrated to Israel as Jews under the state’s auspices. If considered Jewish *bli safek* (“without a doubt”), they could have the status of *mamzerim* (“illegitimate children”) due to the non-halakhic divorce practices of the community.²³ Faced with the concern of admitting possibly thousands of people whose identity might later be questioned (e.g., in marriage), the Ashkenazi Chief Rabbi at the time, Rav Isaac Halevy Herzog, decided that

²¹ In February 1973, the Sephardic Chief Rabbi Ovadiah Yosef ruled in response to a written inquiry that the “Falasha” Jews of Ethiopia were entitled to recognition as a Jewish community. Citing Jewish religious (Halakhic) precedence dating back more than four hundred years, he declared the Jews of Ethiopia to be descendants of the lost tribe of Dan. In 1975, the Ashkenazi Chief Rabbi Shlomo Goren concurred, and an Interministerial Committee of the Israeli government ruled that Ethiopian Jews were entitled to full immigrant rights under Israel's Law of Return (Kaplan, 1985).

²² There were also those who worried about higher rates of “mamzerut” (illegitimacy/bastardy) due to non-halakhic divorce procedures Kaplan, S. (1988). *The Beta Israel and the Rabbinate: law, ritual and politics*. SAGE Publications, London, 27(3), 357-370. <https://doi.org/10.1177/053901888027003004> p.363.

²³ Ibid.p.363.

Ethiopian immigrants had to undergo a *giyyur mi'safek* (also called *giyyur l'humra*), a conversion ceremony which consisted of *tevila* (“immersion”) in a mikveh, a declaration accepting rabbinic law, and a symbolic *hatafat dam* (“re-circumcision”) in the case of men which was halted after massive protests by the Ethiopian community.²⁴ It should be noted that the late Sephardic Chief Rabbi Ovadia Yosef rejected the idea that the Jewish identity of Ethiopian Jews should be doubted and opposed the requirement for conversion altogether (Seeman, 1991; Waxman, 2013).

Despite the implementation of these procedures, doubts persist regarding the Jewish identity of Ethiopian Jews within broader Israeli society. According to Adriana Kemp and Nelly Elias, the integration of Ethiopian Jews differs from that of other Jewish immigrant groups due to several factors. When combined, these factors amplify the process of Ethiopian *othering*: their questioned Jewish identity, their estrangement from broader Israeli society, their distinctive skin colour, and their relatively large population size (Elias & Kemp, 2010).²⁵ And although within Israel, Ethiopian Jews have clearly faced discrimination in part due to the majority population’s uneasiness with accepting them as Jews, there are also other immigrant groups who have made Israel their home. However, due to their smaller numbers, these groups remain largely unknown.

The Trujillo Jews

Finding an appropriate term for the group of people discussed in the following section presents a challenge. *Inca Jews* is the most commonly associated term, mainly due to the group's physical appearance, which outsiders (and even Jewish insiders) often link with an indigenous "look". However, as noted by Landy, this group is highly heterogeneous, with most individuals being of mixed heritage. To date, researchers have yet to investigate whether the indigenous heritage of these converts is specifically Inca or perhaps from another background altogether. The term Peruvian Jews is less prevalent, as it usually describes the traditional Jewish community, mainly located in Lima, Peru, which settled there in the early

²⁴ *Giyyur mi'safek* translates into English as “conversion out of doubt”. *Humra or chumra*, “severity,” denotes an obligation or prohibition that is not halakhic but adopted by an individual or group. It usually serves the goal of ensuring one does not transgress Halakha. Although initially applied to all Ethiopians, eventually, the requirement was limited to those wishing to marry. Toward the end of 1984, the demand for re-circumcision was also eliminated (Ibid.p.363).

²⁵ Approximately 67.000 Jews from Ethiopia made Aliyah. See Waxman, C. I. (2013). Multiculturalism, Conversion, and the Future of Israel as a Modern State. *Israel Studies Review*, 28(1), 33-53. p.41.

20th Century (Yalonetzky, 2021). Therefore, The alternative terms used in popular media and academic literature range between *Inca Jews*, *Indians*, and *Inca Indians* (Landy, 2003; Primack, 1998; Zuber, 2017). However, these terms are often exoticising. Therefore, in this research, the group will be referred to as *Trujillo Jews* due to their shared geographical connection to the city of Trujillo in northern Peru.

The case of the Trujillo Jews is unlike the case of another, more well-known Peruvian community, which has been given an exotic name, too- Segal refers to them as the “Jews of the Amazon”. As the name suggests, this community emerged in the Amazonian region of Peru, specifically in Iquitos. In the 19th Century, Iquitos attracted many male Sephardic immigrants, in most cases Moroccans, who intermarried with local women. However, despite some individuals bearing Jewish-sounding surnames, they are not halakhically Jewish and have not practised Judaism for several generations. Many lack evidence, such as ketubot (marriage certificates) or other documents proving their Jewish descent, although they maintain a fervent pride and oral accounts of their Jewish heritage.

In contrast, the converts from Trujillo appear to have had no known Jewish ancestry before their conversion. According to the account of Rabbi Myron Zuber, who accompanied the community in the 1980s for many years and published an account of the communities’ story on the Kulanu website, the initiator of the conversions in Trujillo was, similarly to the case of contemporary conversions in e.g. Colombia (Vergara, 2019), a Christian man whose interest in Judaism sparked a larger phenomenon of conversions around him (Zuber, 2017). Segundo Villanueva, a resident of Trujillo, became interested in Judaism and began gathering more Christians around him to teach them about Jewish practices. He reached out to the Lubavitch Rabbi Chadakov in 1985, who sent Rabbi Zuber to assist the group in their conversion process. Eventually, Rabbi Zuber organised for an official Beit Din to be sent from Israel to convert the Trujillo community and facilitate their immigration to Israel. Although it is unclear who exactly approved the immigration of these families and individuals, upon their arrival in Israel, they apparently received all the common Olim rights and benefits. According to Zuber, 380 individuals converted and immigrated to Israel immediately after their conversion process, with another 200 individuals following a few

years later (Schwartz, 2003).²⁶ Like other contested groups, such as the Bnei Menashe, most were settled in West Bank Settlements (Landy, 2003).

The Bnei Menashe

The connection of the Bnei Menashe with Israel predates that of the Trujillo Jews by several decades. The earliest recorded narratives of the Bnei Menashe trace back to the 1950s, originating with a Christian mystic named Mela Chala in Northeast India. His vision suggested that the people from the Northeast of India had a special connection to the land of Israel and, therefore, had to make Aliyah. He attracted many followers who decided to practice Judaism with him (Egorova, 2015). However, akin to the case of Ethiopian Jews, this narrative was discarded during interactions with Israeli state officials and replaced instead by the lost tribe of Menashe narrative. Scholars such as Shalva Weil argue that Christianity's influence in these regions initially drove people toward Judaism (Weil, 2003). While authors and communities must validate, invalidate, and reshape the identity narratives of emerging communities, it should not impede us from understanding how Israeli authorities, and in the case of this chapter, particularly the Rabbinate, have shaped the identities of these communities.

Similarly to the Trujillo Jews, the Bnei Menashe benefited from the support of religious actors with political influence who wished to support the communities' conversion- and settlement process in Israel, unlike official state authorities. In the case of the Bnei Menashe, it was not Rabbi Zuber but Michael Freund, the former deputy director of communications in the Prime Minister's Office between 1996 and 1999, who was the central figure in the community's conversion and Aliyah. By first securing the support of Michael Freund's organisation, Shavei Israel, and then the backing of Sephardic Chief Rabbi Rav Amar, the Bnei Menashe became the second community to be recognised as one of the lost tribes in Israel. However, community members continue to have to undergo a conversion process before making Aliyah. The conversion process is overseen and conducted by Orthodox rabbis who are sent to India for this purpose by the Chief Rabbinate. Since the early 2000s, Shavei Israel has converted and enabled the Aliyah of approximately 4,000 Bnei Menashe to Israel. However, over 7,000 Bnei Menashe remain in India, with uncertain prospects for conversion and Aliyah. Additionally, another group, known as the Bnei

²⁶ Landy writes that 90 individuals were converted in 12 days. See Landy, D. (2003). 90 Inca Israeli-Jews: recruiting for Israel's demographic war. *Race & Class: A Journal for Black and Third World Liberation*, 44(1), 1-18. p.1-2.

Ephraim, has been forming in recent years in India. They, too, claim to be descendants of a lost tribe (Egorova, 2011).

Landy argues that the conversions were overseen by the Chief Rabbinate in Israel, which is part of the State and were therefore not only subject to religious but also demographic interests and disputes. He maintains that the conversion of the Trujillo Jews and comparable groups such as the Bnei Menashe should be categorised as a tactical move to increase the Jewish population, especially in the West Bank, vis-à-vis the Arab population (Landy, 2003). However, according to Egorova, the settlement of such groups in the West Bank is not politically motivated. Rather, it stems from greater acceptance of new groups' immigration by the religious settler movement. It remains uncertain whether the Israeli settler movement has been the most receptive to the immigration of emerging communities, given its political and demographic objectives, especially considering it is not the only religious movement in Israel. From the perspective of demographic gains and internal Jewish hierarchies, converts like the Trujillo Jews or the Bnei Menashe appear to occupy the strategic border areas facing majority Arab populations, replacing groups such as the Mizrahim on the ground (Kallus, 2002).

While there is a discernible pattern in the integration of emerging communities from developing countries into the state, other immigrant groups, such as the many FSU immigrants, have encountered fewer restrictions on their living choices.

The FSU Immigrants

The largest immigrant group in Israel today comprises immigrants from the FSU. With the fall of the Iron Curtain, thousands migrated to Israel. Unlike the previously mentioned groups, these immigrants did not depend as much on NGO assistance for immigration and even less on recognition by the State of Israel. Owing to the Law of Return, thousands of people from the FSU made Israel their home. Even though not all of them were halakhically Jewish, this was not a legal deterrent, as the Law of Return also enables grandchildren of Jews and their spouses to make Aliyah. According to Israel's Central Bureau of Statistics (CBS), between 1989 and 2010, over 1 million people made Aliyah from the FSU (Waxman, 2013).

Unlike Ethiopian Jews, FSU immigrants did not first have to receive the acceptance of the Israeli Chief Rabbinate. Their entry to Israel was secured by the legal backing of the Law

of Return and its amendment, a law passed by a secular body, the Knesset, and enforced mainly by the civil servants of the Ministry of Interior. And while Ethiopian Jews were “from a national-cultural perspective” seen as “complete strangers to the people of Israel”, the opposite was the case with immigrants from the FSU: “Immigrants from the FSU are more likely to succeed in closing these educational gaps than their Ethiopian immigrant counterparts due to the profound difference in cultural capital transported from their countries of origin” (Elias & Kemp, 2010, pp. 86-87). The direct influence of the Rabbinate on this group was, therefore, immediately less articulated than in the case of Ethiopian Jews or Bnei Menashe. They, like millions of American, French, Argentinian, or British Jews, were potential Israelis even before their Aliyah applications, irrespective of the fact that a significant number were not halakhically Jewish.

Nevertheless, “non-Jewish Olim” (Lustick, 1999), or as some scholars call them, “non-Jewish Jews” (Cohen, 2009), are treated differently once living in Israel. Because the Rabbinate still decides on personal status questions of Jewish citizens, and many FSU immigrants are not considered halakhically Jewish, they are not allowed to marry Jews in Israel or be buried in a Jewish cemetery. While they might be socialised as Jewish (in some cases already in their previous countries, e.g. Russia) and be perceived and accepted as Jewish by their surroundings (non-halakhically Jewish Olim must also serve in the army), many find it challenging to accept that they are not considered fully Jewish and are seen as a “problem” for the state. According to Waxman’s estimate, in March 2013, 50% of new immigrants from the FSU were not halakhically Jewish and, therefore, not registered as “Jewish” but as “not classified by religion” (Waxman, 2013, p.42). Numerous campaigns have aimed mainly at FSU immigrants to increase conversion rates. Only a few years ago, debates surged in the Knesset and the media about the possible changes to the conversion system in Israel to boost the overall conversion rates. Following Yadgar’s observation that within the Israeli discourse, FSU immigrants are increasingly counted and portrayed as a threat to the constructed national binary of Arabs and Jews, it becomes clear that the state is attempting to manage a growing plurality of “others” (Yadgar, 2020).

Interestingly, at the onset of the immigration wave following the collapse of the FSU, there were attempts to convert non-Jewish immigrants before they arrived in Israel. Waxman observes that the willingness and even expectation of individuals to undergo conversion is significantly higher prior to immigration to Israel, which might partially explain the motivation for this initiative (Waxman, 2013). The story of the Rabbinate’s involvement in

conversions in Vienna for FSU immigrants is, therefore, no real surprise. It appears that, at the onset of the big Aliyah from what had been the Soviet Union, the Rabbinate was involved in converting FSU immigrants in Vienna before flying them to Israel, where they would be registered as Olim. It did not become apparent from the documents and interviews why these conversions were halted, but considering the large and sudden influx of immigrants, and the fact that not only Israel but other Western countries such as Germany were also welcoming them, this likely created a disincentive for imposing further hurdles (Gorelik, 2006). Whether due to bureaucratic or logistical reasons, the Rabbinate did not manage to maintain itself as a relevant first gatekeeper in the case of non-Jewish FSU immigrants.

However, this does not imply that the state does not want or need it to be a gatekeeper. It seems as if the State of Israel, irrespective of whether right-wing or left-wing governed, wishes the Rabbinate's approval of these immigrants and to provide them with proof of their Jewish belonging. This desire exists not solely to accommodate Orthodox marriage practices, as many Orthodox communities are particularly cautious about intermarriage with non-Jews or *Mamzerim* ("children born out of wedlock"). The Orthodox stream has been regulating and examining conversion certificates and statuses of people converted by the state for decades and demanded that people convert again in private ultra-Orthodox Betei Din, such as the Beit Din of Rav Nissim Karelitz. It is not for the fear of the Orthodox that changing Israeli governments have stayed faithful to Orthodox labels, but because this is a source of legitimacy for both secular and religious politicians and the state more broadly (Yadgar, 2020).

The conversion of "non-Jewish Jewish citizens" is therefore significant to both individuals and the state. For individuals, it means eradicating doubts about their identity and receiving full recognition of their belonging to the Israeli Jewish collective. For the state, it serves broader national objectives. According to Kravel Tovi, the conversion of FSU immigrants is framed as a national mission that necessitates a state-organised conversion effort for FSU immigrants (Kravel-Tovi, 2018). Following Landy's view on the involvement of the Zionist movement with converts from Trujillo, the national mission could be framed as the attempt to maintain a Jewish majority vis à vis the Arab population and to eliminate or at least minimise the group of non-Jews threatening Jewish hegemony in the Jewish state.

This is achieved by converting as many non-Jewish Jews as possible while attempting to adhere to the traditional procedural framework of Halakha during the process.²⁷ In practice, this implies that not only converts and conversion authorities must engage in a delicate performance in which aspects such as religious practices and motivations are set aside, but also clerks, teachers, rabbis, and politicians engage in the process of “winking” at each other.²⁸

The case of FSU immigrants, perhaps more than any other, illustrates the intricate ways in which the Law of Return functions as a political and demographic tool, often relegating religious aspects to the background. Various authors have explored the socio-demographic divide in Israel, as well as Israel’s self-perception as a Western democratic country (Shohat, 2017; Smootha, 2016). Some scholars ardently defend Israel’s status as a democratic state by claiming that Israel is no different than other democracies in, e.g., Eastern Europe, describing its unique territorial rights (Yakobson, 2009). Others do not go as far as to be at peace with Israel’s historical and contemporary theoretical and practical outlook but nevertheless hold on to the idea of it being a democratic, although flawed, state. An increasing number of scholars reject the notion of Israel as a democracy altogether, drawing comparisons with apartheid South Africa and other Western countries (Pape, 2015; Veracini, 2015).

It should come as no surprise that, both institutionally and individually, there is broader acceptance of non-Jews from the FSU compared to, for example, Ethiopia or Colombia, given the historical construction of hierarchies in the State of Israel based on racialised notions and *othering* (Smootha, 2016). Additionally, it is worth considering that, despite Israel’s longstanding efforts to encourage immigration from anglophone countries like the United States and the United Kingdom, US-American Jews have been reluctant in their immigration attempts, resulting in low turnouts in Aliyah rates. The FSU is, therefore, seen as a reservoir for future Jewish Israelis (Halevy, 2022). Thirty years after the fall of the Iron Curtain and the beginning of mass migration to Israel, it would be naive to maintain the argument of the early 1990s that the state is overwhelmed and caught off guard by the influx of non-halakhic Jews arriving at its gates. To this point, Israeli governments and lawmakers have not touched or at least not significantly challenged this part of the Law of Return.²⁹ Considering the passage of time and the significant efforts made by governments to convert

²⁷ Ibid. p. 236-238

²⁸ See Kravel-Tovi, M. (2017b). *When the State Winks: The Performance of Jewish Conversion in Israel*. Columbia University Press. p.37.

²⁹ Some of the current (25th Knesset) coalition members have attempted to address this issue in the law but have yet to gain traction.

these individuals instead of questioning their immigration, there is a clear interest in the continuation of this influx while excluding other national minorities from citizenship.³⁰ The question of religion, religious practice, and observance seem to be secondary. Jews are being “created” primarily for demographic means, to sustain the state’s claim as a Jewish non-Arab nation-state (Kravel-Tovi, 2017b). To put it in the words of Ian Lustick, “The key fact about the immigrants from the FSU that ensured support for their arrival from many Israeli Jews was that they were ‘neither Arab nor Oriental’” (Lustick, 1999, p. 428).

For the Rabbinate, the situation of non-Jews receiving citizenship in connection with a non-halakhic idea of Jewish identity poses a challenge. FSU immigrants derive power and legitimacy in Israel both as individuals, owing to their Israeli citizenship, and as part of collectives and organisations, such as political parties like Israel Beitenu or non-rabbinic organisations addressing their demands like giur k’Halakha and ITIM (Kravel-Tovi, 2018).³¹ Furthermore, certain branches of the state, including the Ministry of Interior, the religious Zionist movement, and many immigrants themselves, have constructed a narrative portraying FSU immigrants, regardless of their halakhic status, as quasi-Jewish. This notion is not only theoretically opposed by Orthodox actors, both private and state-affiliated, but also practically (Lustick, 1999).

In contrast to the Trujillo community, the Bnei Menashe, and Ethiopian Jews, where the Rabbinate acted as the gatekeeper to Aliyah and Jewish belonging, the FSU immigrants have largely bypassed most of these gates without the Rabbinate’s support or approval. While *belonging* is a multi-layered term, the Rabbinate nonetheless holds a level of influence over Jewish communities in Israel and abroad.³² In most cases, it is a validation of the narratives and aspirations of emerging and returning communities. While the former cases,

³⁰ E.g., residents of East Jerusalem who only receive the status of residents, not citizens, while the state extends its territorial claim to the land they live on (See Lustick et al. (2019). The Red Thread of Israel’s “Demographic Problem”. *Middle East Policy*, 26(1), 141-149).

³¹ Yisrael Beitenu (“Israel is our home”) is an Israeli political party which was founded in 1999 by Avigdor Liberman. It caters strongly to Israelis with familial ties to the FSU. Giur K’Halakha (“Conversion according to Halakha”) is an Israeli NGO with the goal of supporting Israeli citizens in their conversion process. ITIM is an Israeli NGO founded in 2002 by Rabbi Seth Farber. Its focus lies on documenting and oftentimes questioning the legal and practical ramifications of Jewish identity within the state, e.g., by advising and researching on the topic of marriage, immigration and conversion. ITIM describes itself as an organisation that is comprised of both an advocacy centre and an assistance centre with the mission of “increasing participation in Jewish life by helping people navigate Israel’s religious bureaucracy. See ITIM. (2019). *Our Story: Guide to Converting to Judaism in Israel*. ITIM. <https://www.itim.org.il/en/history/> ; <https://www.itim.org.il/en/itim-guide-to-converting-to-judaism-in-israel/>”. In recent years, they have become one of the most prominent non-governmental actors concerning conversions in Israel.

³² It can be understood as an official status e.g., through citizenship or ceremonial conversion, or, as Kravel Tovi describes, as a form of securing a type of habitus that corresponds to a particular group with its various cultural elements (See Kravel-Tovi, M. (2017a). As If It Was Ours All Along: Precarious Belonging, Jewish Habitus and the Materialisation of Conversion in Israel. *Ethnos*, 83(5), 949-967).

therefore, portray the Rabbinate in light of power and influence, the case of the FSU immigrants highlights the precarious situation of the same institution. Conversions constitute one of the central functions of the Rabbinate. If the Rabbinate winks back at the converts, it is not primarily because it is trying to secure a Jewish majority but because it is trying to secure its existence. If a religious body such as the Rabbinate was left out of the process of conveying the religious status, it would not only lose the obvious “market” but also significant parts of its authority over the Jewish community as a whole.³³

It would remain tasked with ceremonial and administrative duties such as officiating marriages and burials and conducting kashrut inspections and certifications, although even these functions have faced challenges. As mentioned earlier, the Rabbinate is experiencing growing unpopularity, not only within the secular sector but also among the religious community. It is worth considering that while most high-ranking employees in the Rabbinate are Orthodox males, personal status matters and ceremonies within the Haredi community are often handled by rabbis from private Beit Dins and hechsher agencies, rather than by Rabbinate employees (Stadler, 2012).³⁴ Viewed through the lens of the power imbalance between the Rabbinate and other state institutions, such as the Ministry of Interior and the Government, it becomes evident that the Rabbinate has little influence over the social and demographic composition of Israeli society, indicating a significant decrease in its position and agency. Undertaking demographic projects such as new conversion groups, which are unwanted by the Ministry of Interior, may further weaken its position.

However, while both secular and religious bodies seem to have opted for cooperation by “winking” at each other, many FSU immigrants continue to be uninterested in conversion altogether. Shuki Friedman estimates that the annual number of converts to Judaism in Israel ranges between 1,800- 2,000 (Friedman, 2016). Once in Israel and having attained Israeli citizenship, it seems that most people do not see the necessity of conversion. They are fully integrated into mainstream secular Israeli society, attending Jewish schools, serving in the army, and residing in Jewish-majority cities and neighbourhoods (Cohen, 2009). Yedidia

³³ As we can see with the former Minister of Religious Services Matan Kahane’s highly debated conversion reform, there is no wish to add or substitute conversions with a civil entry policy. However, the minister attempted to ease the Orthodox procedure by allowing and encouraging district rabbis to perform the conversion in other districts as well, which enlarged the number of conversion suppliers in the state conversion market (See Gross et al. (2022). The government advances conversion reform that seeks to curb the Rabbinate’s control. *The Times of Israel*. <https://www.timesofisrael.com/cabinet-advances-conversion-reform-that-seeks-to-curb-rabbinate-control/>). Nevertheless, this admittedly erodes the authority of the Rabbinate over Orthodox conversions in Israel.

³⁴ Those agencies are primarily concerned with inspecting and certifying whether restaurants, stores, factories and farms adhere to the laws of kashruth, meaning whether the food is handled according to religious law.

Stern, the vice president of the Israel Democracy Institute, notes that many non-Jewish Olim are not interested in religious observance and perceive Judaism mostly in ethnonational terms. Stern also points out that many immigrants' reference points are secular, non-observant Israelis, making it difficult for them to understand how they could and why they should become more religious than *hilonim* (Fisher, 2022, p.29).³⁵ Seeing as, according to Halakha, Jewish identity is passed on through the mother and not the father, the conversion rate is higher among female immigrants than their male counterparts³⁶. The reasons could lay both in internal pressure, wanting to secure the complete status of their children in a Jewish-majority state, as well as external societal pressure (Waxman, 2013).³⁷

Migrant Workers

Another group that is seldom referenced in connection with conversion and naturalisation are migrant workers. As of 2016, 84,000 legal and approximately 15,000 illegal work migrants were living in Israel, the vast majority being employed in the nursing, building, and agriculture sectors (Central Bureau of Statistics, 2016). As Nelly Elias writes, migrant workers have become part of Israeli society in spatial and temporal terms. Many of these migrants do not only live within the Israeli host society (female work migrants often even in the houses of their employers (Brown, 2019) but do this for extended periods- becoming de facto permanent, temporary residents. According to Elias, in the Tel Aviv area alone, twenty percent of residents are foreign workers. This percentage includes the children of those migrant workers, who, although having been born in Israel, do not have the right to naturalisation as the State of Israel does not bestow citizenship according to *ius solis* (Kemp, 2007; Shapira, 2019).³⁸ While these migrants are, therefore, kept close and even integrated

³⁵ The word “hiloni” is commonly used to describe non-religious, secular Jews who do not practice Judaism. However, authors such as Yadgar have pointed out the continuous link to religion, even within Jewish secularism (Yadgar, 2011).

³⁶ According to Daphna Hacker of the 24,708 individuals who converted between 2001- 2006, 19,026 (77%) were female (See Hacker, D. (2009). Inter-Religious Marriages in Israel: Gendered Implications for Conversion, Children, and Citizenship. *Israel Studies*, 14(2), 178-197.).

³⁷ Apparently, there is a widespread praxis within religious boarding schools to “fix” female immigrants by pressuring them to convert (see Elias and Kemp (2010). Non-Jewish Olim, Black Jews and Children of Migrant Workers in Israel. *Israel Studies*, Indiana University Press, 15(1), 7394.). Rajman observes how many of her non-Jewish female interviewees felt as if the state was using them to counterbalance the Arab proportion of the population (See Rajman, R. P., Janina. (2011). ‘Non-Jewish and Christian’: perceived discrimination and social distance among FSU migrants in Israel. *Israel Affairs*, 17(1), 125-141. <https://doi.org/10.1080/13537121.2011.522074>).

³⁸ See Elias and Kemp (2010). Non-Jewish Olim, Black Jews and Children of Migrant Workers in Israel. *Israel Studies*, Indiana University Press, 15(1), 7394.

into the home, this stands in stark contrast with the attitudes towards Palestinians who are residentially removed from Israeli Jewish society.

However, as we will see more in-depth in the section on the role of the Ministry of Interior, migrant workers are not permitted to convert in Israel, and their applications are outright rejected³⁹. This regulation was created by secular bodies of the state and takes effect before a work migrant can even reach the Rabbinate. This situation of the migrant workers describes, in many ways, the opposite situation of the *non-Jewish Jews* from the FSU and follows the notion that “Israel’s immigration and citizenship policies and the dominant perception in Israeli society clearly distinguish between *Olim* and other immigrants” (Shapira, 2019, p. 608).

Even if there is great interest of migrant workers to convert, the Rabbinate cannot hear their cases, which undermines its authority to accept, introduce or reject individuals' attempts to join the Jewish people. Interestingly, the Rabbinate has not voiced any concern about this situation. Following Rebeca Raijman and Moshe Semyonov’s work on the reception of migrant workers, the refusal of the state to grant naturalisation through conversion can be explained by its ethnonational character, which is not only expressed in the activity and inactivity of institutions but also the attitudes of both Jewish and Arab Israelis towards migrant workers. They argue that the wish to restrict migrant workers’ access to rights while supporting their cheap labour cannot solely be explained by individual’s fears over sharing economic and social resources or even the perceived “threat to the ‘ethnic-religious’ homogeneity of the (Jewish) nation” (Raijman, 2004, p. 795). While all the above were indeed motivations observed by Raijman and Semyonov, they also describe how xenophobic attitudes might explain another motivation for exclusionary attitudes towards migrant workers which they connect to illiberal views by parts of the Jewish Israeli population and fears of Arab Israelis over a worsening of their already disadvantaged situation (Raijman, 2004).

The Case of Emerging Jews from Latin America

³⁹ The official website of the state’s conversion authority states: “[...] the committee has authorised its coordinator to reject outright requests of foreign nationals, as defined in Rule D of the Procedure for considering Conversion Applications, 2006, who is one of the following: 1. A person who does not have legal residency status in Israel 2. A person who has infiltrated Israel. 3. A resident of Judea, Samaria or the Gaza Strip. 4. A foreigner with Status B/1. [this category includes foreign workers] 5. A person with temporary status of type A/5, [less than a year from its issue]”.

If one wants to understand through which frame Colombian emerging Jewish communities, which largely self-identify as Orthodox, are received by the State of Israel, it is crucial to keep the previous cases and groups in mind. However, geographic, cultural, and religious similarities are insufficient to comprehend the positions of, e.g. the Rabbinat towards these new communities.

It is quite challenging to find verified documentation of the Israeli Rabbinat's involvement with Colombia's emerging communities. Various accounts of interviewees who are currently either working for the Israeli Rabbinat, the state's *Maarach Hagiur* (religious conversion unit), or independent rabbis who have been involved with conducting conversions in these communities in Colombia overlap in some crucial ways. First, both internal and external sources recounted how a delegation of certified rabbis of the Sephardic branch of the Chief Rabbinat (but not the Chief Rabbi himself) travelled to Colombia a few years back (I was unable to corroborate the dates) and performed conversions in at least one emerging community. However, when members of these communities tried to make *Aliyah*, their applications were denied by the Rabbinat itself. The explanation given was that the branch chairing the *Maarakh Hagiur* at the time was the Ashkenazi Chief Rabbinat, not the Sephardic. The consequence of this misunderstanding meant that the Sephardic rabbis who conducted the conversions had no official authority to do so. It is a bewildering episode for many reasons. First, it shows how some decisions (including the travel of a whole *beit din*, the performance of various conversions, and the issuing of certificates) regarding emerging communities have been taken without informing legal superiors within the Chief Rabbinat itself. One interviewee even suggested that the Sephardic Chief Rabbi himself was not aware of the activity of the delegation of rabbis heading to Latin America to perform conversion ceremonies. Apparently, also no consultation with other government actors, e.g., the Ministry of Interior, took place before the travel and issuing of the certificates. Secondly, it puts in question whose conversions have the "highest value" for emerging communities in countries such as Colombia.⁴⁰ While these, and many other conversions conducted by mainly Israeli, American, and other non-Colombian Orthodox rabbis, might be halakhically valid, they do not provide the level of recognition that is necessary among Jewish communities all over the world today to be accepted into their communities and to make *Aliyah*.

While the attempt to perform conversions in Colombia by the Israeli Chief Rabbinat failed, another Israel-based organisation has been more successful: Shavei Israel. Shavei

⁴⁰ Due to the sensitivity of the issue and the position of the interviewees who work for government institutions related to the Rabbinat, it was decided to commit to the complete anonymity of the informants.

Israel, a successor of another organisation working on the return of the lost tribes to Israel, has made it its purpose to actively reach out to so-called *lost Jews* to enable their return to Israel and is competing with another such organisation, Kulanu, for support and followers. In the case of Colombia, Shavei Israel has organised conversions of dozens of individuals and families in Colombia in the last decade. However, for reasons that have not been made public by any state ministries since 2018, applications from Colombian emerging communities, including those organised by Shavei Israel, have been frozen.

The picture that emerges is a fuzzy one. On one side, there have been communities whose conversion (either complete or partial) was conducted by official rabbis of the Israeli Rabbinate (e.g., in the case of the Bnei Menashe, the Trujillo Jews, and Ethiopian Jews). On the other side, these processes seem to have been initiated by other actors (e.g., Shavei Israel), and some conversions, such as the ones done by the Israeli Rabbinate's rabbis in Colombia, were deemed unacceptable for Aliyah. Additionally, many of the emerging communities who have been converted by the Chief Rabbinate abroad were previously accepted as ethnically Jewish (the Ethiopian Jews as Shevet Dan, the Bnei Menashe as Shevet Menashe). At the same time, this is not the case for the Colombian communities. Nevertheless, this lack of "ethnic" precondition was also lacking in the case of the Trujillo Jews. However, if one considers the time factor, the fact that most emerging communities were recognised, converted, and brought to Israel throughout the 1980s, 1990s, and early 2000s, and considering the halt on Colombian emerging communities' applications from 2018/2019 and the hesitation with which further immigration projects of other already accepted groups, e.g., Bnei Menashe, is met, one can deduce the position of the Israeli Rabbinate. For the last approximately twenty years, its positions have been very hesitant. Some interviewees have argued that the current Chief Rabbis lack the charisma and energy to manage a project involving thousands of emergentes (interview Davidson, 2021). However, I think it is not merely the presiding Chief Rabbis's lack of charisma that explains the Rabbinate's position towards emerging communities. Furthermore, three internal and external factors that influence the Israeli Rabbinate's position need to be considered. 1. Its ongoing tension with the Ministry of Interior over Jewish status and immigration rights connected to it. 2. The numeric increase of emerging communities all over the world; and 3. The changed political context in Israel has turned away from both emerging communities and the Chief Rabbinate.

1. As we have seen, the Ministry of Interior already opposed the immigration of Ethiopian Jews, and in this and other cases, their influence to decide whether or not to accept

a new immigrant group, such as the Bnei Menashe, seems to have been limited. The Prime Minister's Office gave the decision to grant Bnei Menashe the right to immigrate and, therefore, bypassed the Ministry of Interior. However, in recent years, the Ministry of Interior seems to have become more involved in setting rules, such as defining and often limiting emerging communities (and as we will see in the following sections, the Ministry of Interior has defended and upheld this position in the High Court of Justice). To phrase it in the metaphor of the gatekeeper: The Ministry of Interior seems to have replaced the Chief Rabbinate, at least in the case of emerging communities, as the first gatekeeper.

2. The numeric increase of emerging communities in the last 20 years. According to Tudor Parfitt, there are dozens of emerging communities, and the Ministry of Diaspora Affairs report speaks of thousands and millions of people in the Jewish sphere with an affinity to the Jewish people. There are hundreds of emerging communities worldwide, with Colombia, Brazil, and Mexico spearheading this phenomenon in Latin America, while similar communities have emerged in Sub-Saharan Africa and India. In the cases of Ethiopian Jews and Bnei Menashe, the dynamics of narrative and identity construction were very much tilted towards the Rabbinate. It is worth remembering that the decision to accept them as the lost tribes of Dan and Menashe was primarily a narrative offered by Chief Rabbis Ovadia Yosef and Shlomo Amar. In contrast, internal narratives were soon discarded even by the members of the communities. However, other, newer, emerging communities have since then adapted their narratives of identity, largely without direct suggestions of the Chief Rabbinate, while indirectly following the pattern of constructing a narrative based on descent connected to the lost tribes or *Bnei Anusim* (Egorova, 2013; Feitler, 2011).⁴¹

The changed political context in Israel has turned away from both emerging communities and the Chief Rabbinate. Between the 1980s and early 2000s, emerging Jewish communities were part of the demographic project of the religious settler movement. However, various interviewees suggest that the projects, such as settling the, e.g., Bnei Menashe in the West Bank, have been discarded as failures, numbing interest in similar future endeavours.⁴² The Bnei Menashe have so far been unable to bridge the gaps in lower economic, social and cultural capital with which they initially arrived, continuing to earn

⁴¹ In the case of Brazil, for example, Anita Novinsky's research is cited by many emerging Jewish communities, which is why she and other researchers have been accused of crafting and disseminating the idea of Sephardic descent among members of emerging Jewish communities (See Feitler et al. (2011). Four chapters in the history of crypto-Judaism in Brazil: the case of the northeastern New Christians Identities, 1516-1700 Jewish History, 25(2), 207-227).

⁴² These included one former official of the Jewish Agency to Israel, an active member of the Conversion Authority and several independent rabbis.

minimum wages and living in the periphery of the country with lower access to better education, and continued dependency from religious and social actors on the ground. Scholars have criticised this situation as being an effect of the reluctance of the Jewish-Israeli society more broadly, and local state employees to accept these individuals into the majority society as equals and the disinterest for the further immigration of those Bnei Menashe still living in India (Desille, 2019; Singh, 2020).

Shavei Israel, which seems to have been at the centre of many projects trying to re-settle emerging communities in Israel, has been involved in financial scandals destabilising their political activity and influence.⁴³ It is also worth mentioning that while until 2017/2018, Shavei Israel-organised conversions in Colombia happened in collaboration with the State of Israel, at least since early 2019, this is no longer the case.⁴⁴ Converts from emerging communities, regardless of whether they converted with Shavei Israel or not, are not entitled to Aliyah.⁴⁵ Nevertheless, in a Zoom meeting hosted by the World Jewish Organization and the Jewish Agency on 28.04.2021, a representative of Shavei Israel actively promoted the option of converting with them, concealing the fact that their conversions are no longer recognised internationally.

Additionally, with the change of government in 2021, there is currently no political party or individual that has backed the project of recognising emerging communities. Lastly, since the outbreak of the war in Ukraine in early 2022 due to the growing number of Ukrainian immigrants- Jews and non-Jews alike-this new immigrant group will probably be a dominating factor in immediate and future decisions regarding immigration policies, integration, and even conversion. Considering the political climate in which opinions regarding the descent and heritage of immigrants are openly shared (Times of Israel, 2022), Colombian emerging communities are in a difficult position regarding Israeli State

⁴³ According to the Globes newspaper, the Tel Aviv district court ruled in favour of MrFreund's ex-wife, who had accused MrFreund, the founder and director of Shavei Israel, of forging her signatures and claiming, wrongfully, that she had been a member of the organisation in order to use her fortune for personal use and to fund the organisation. The article also suggests a link between the 5 million NIS per year that flowed into the organisation and yearly government funding of half a million Shekel for the organisation's projects. See Grinzig, A. (2022, 27.04.2022). Court: The founder of Shavei Israel forged his ex-wife's signatures on the association's documents (translated from Hebrew). *Globes*.

⁴⁴ This has been attested by individuals interviewed during my fieldwork for my Mst Dissertation in 2019 /2020 on Colombian converts who chose to live in Israel (Vergara, A. (2021). *Colombian converts to Judaism living in Israel* (Publication Number 1044937) [Dissertation, University of Oxford]. Oxford, UK.). Unfortunately, both Shavei Israel and the Prime Minister's office have declined to give a statement regarding their collaborative work to confirm the testimonies.

⁴⁵ This information was gathered during fieldwork for my BA Dissertation on emerging Jewish communities in Colombia. At the time, the leaders of various communities in Medellín, Cartagena, Cali, and Barranquilla informed me that the Jewish Agency had told them that files from their communities had been put on hold.

recognition. The Chief Rabbinate additionally has been facing increased criticism and attempts to erode its influence. On one side, it has recently been challenged by former Minister Kahane's attempted reform; on the other hand, the growing political involvement of religious parties can be seen as an alternative expression and political participation of the higher religious echelons (Gross, 2022). Considering the conservative position of most Israelis towards converts and immigrants from developing countries, putting its weight in the ring for emerging communities would, at least at this point, weaken its position even further.

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Before the Law: The Law of Return, the Nation-State Law, and the High Court of Justice

Seeing how the Rabbinate is neither the sole, the first, nor apparently the most influential actor of the Israeli State concerning the decision of who can convert in the State of Israel and determining the Jewish identity of its citizens, as well as enabling the access to citizenship, it is important to approach this subject from another angle- by looking at the involvement of the state's judicative. Several laws are essential for understanding how the State of Israel interacts with those attempting to be accepted as Jews and hence access a privileged class within the state. Not all of them are the base for the exclusion or inclusion of the groups presented before, but they create the framework in which the question of who is Jewish in the State of Israel is posed. The following section will, therefore, re-evaluate both the Law of Return and its 1970s Amendment, as well as the 2018 Nation-State Law.

The Law of Return and its 1970s Amendment

The Law of Return (5710) was passed by the Knesset on the 5th of July 1950 and signed by then Prime Minister David Ben Gurion, Minister of Immigration Haim-Moshe Shapira, and

⁴⁶ According to a worldwide survey published by the Pew Research Centre, 56% of Israelis want fewer immigrants to the country (See Pew ResearchCentre. (2018). *About the Pew Research Center's Spring 2018 Global Attitudes Survey* (Many worldwide oppose more migration – both into and out of their countries, Issue.). While the 2018 publication does not detail whether “immigrants” was interpreted as Jewish- or non-Jewish immigrants, another earlier publication suggests that most interviewees interpreted the term as meaning “non-Jews”. In a publication from 2016, also by the Pew Research Centre, but this time specifically on Israeli Society, 98% of Jews support the right to Aliyah and preferential treatment of Jews in Israel over other groups. See Pew Research Centre,. (2016). *Israel's Religiously Divided Society* (Views of the Jewish State and the Diaspora, Issue.).

the president/chairman of the Knesset Joseph Sprinzak. It famously states that “Every Jew has the right to come to this country as an Oleh” and, among other things, that “The Minister of Immigration [later changed to Minister of Interior] is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation” (Knesset, 05.07.1950). The Knesset, therefore, put the execution of Jewish immigration into the hands of administrative state bodies and not, e.g., religious bodies that had traditionally been responsible for integrating newcomers into Jewish communities.⁴⁷

It is critical to understand the centrality of the Law of Return as the main immigration pathway. Unlike many countries on the American continent, such as Canada, the USA and Argentina, Israel adheres to *ius sanguinis*, based on a real or imagined “blood” link to the Jewish People. The Law of Return, therefore, reflects the missionary agency of the State of Israel through bio-politics (Krauel-Tovi, 2012; Yuval-Davis, 1997). Other pathways into citizenship, such as spouses of Israelis, children of naturalised individuals, and special government permits for specific groups, e.g., the German Bet-El community, are far more restricted and sporadic (Shapira, 2019). It should nevertheless be kept in mind that while these pathways for non-Jewish immigrants might be intricate and, at times, spontaneous, the pathways for Palestinian non-citizens to gain citizenship have almost ceased in their entirety. In the early 2000s, the Ministry of Interior froze family reunifications for Palestinians from Gaza and the West Bank, a step which was transformed into a government decision in 2002 (Government Decision No. 1813, 12 May 2002) and has been upheld by each subsequent parliament ever since and even extended to Lebanese, Syrian, Iranian and Iraqi nationals (Shapira, 2019).

Amendment to the Law of Return (Amendment No. 2; 5730-1970)

The perhaps most significant Amendment to the Law of Return, which significantly shapes the demographics of the State of Israel today, is amendment no.2, 4 A, which was passed in 1970 under Golda Meir. It states that “(a) The rights of a Jew under this Law and the rights of an oleh under the Nationality Law, 5712-1952, as well as the rights of an oleh under any other enactment, are also vested in a child and a grandchild of a Jew, the spouse of a Jew, the

⁴⁷ The case of the Polish orphans and the fight that ensued over whose institutions would absorb them (religious Zionist, Orthodox or non-religious Zionists) demonstrates the shift in the mindset of Jewish organisations and the demographic battles within emerging nation states (Mahla, 2019).

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” (Knesset, 1970).⁴⁸

A lot has been written about the Law of Return and its amendments, with widely diverging opinions of scholars on how to tackle the question of naturalisation rights for non-Jews immigrating through the Law of Return. While Ruth Gavison, for example, supports the idea of changing the law to some extent, she insists on its legitimacy and even advocates for its anchoring in a constitutional setting (Gavison, 2011). She writes that “the principle of return is justified by virtue of the fundamental principle of self-determination, which justifies [...] the immigration preference granted to the majority ethnicity [...]” (Gavison, 2011, p.12). She admits to the discrepancy between the principle of return for Jews and the situation on the ground in which a high percentage of *olim* are not Jewish. According to her, this does not mean that eligibility should be amended but that the state should do the utmost to integrate those non-Jewish immigrants and show more leniency towards ascribing them a Jewish identity (Gavison, 2011). Lustick, on the other side, fiercely criticises the fact that the Law of Return extends itself to people traditionally not considered Jews. Unlike Gavison, who explains the continuation of this situation with a supposed successful integration of those non-Jewish immigrants into the Jewish majority in Israel, Lustick argues that the law has not been touched so far because the state’s priority is to impede an Arab majority. Non-Jews, as long as they are non-Arabs, contribute to the continuation and strengthening of Israel as a non-Arab state (Lustick, 1999). He seems to answer scholars such as Mark Altschul, who worries about the likely impact of the rise of the Palestinian birthrate on Israel's general population, which might ensue, regardless of whether the country will implement new immigration laws (Altschul, 2002). He defends the determination shown on the political to hold on to the law, regardless of the exclusion of the non-Jewish population. Similarly to Ruth Gavison, Altschul envisioned an increase in conversion rates once these non-Jews settled in Israel due to the pressure created by the undesirability of intermarriage and through the help of an Orthodox-Conservative-Reform Conversion Institute, similarly to the recommendation of the Neeman Committee (Altschul, 2002; Prime Minister's Office, 1997). However, as seen in the stagnating conversion numbers regardless of the reforms following the Neeman committee, Altschul’s prediction of increased conversion rates has not materialised since the publication of his article twenty years ago.

⁴⁸ For more, see Israel: Nationality Law, 5712-1952 [], 14 July 1953, available at: <https://www.refworld.org/docid/3ae6b4ec20.html> [accessed 9 March 2022].

The Amendment which is most significant for the case of emerging communities and non-citizens more broadly is Amendment 4B: “For the purposes of this Law, ‘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” (Knesset, 1970). Two important ideas can be extricated from this one sentence: First, the Knesset accepted the perspective of the Orthodox stream, according to which Jewish identity is being transmitted matrilineally, not through the father. While this definition does not limit the access to Israeli citizenship to individuals who today, according to the Reform movement, are considered Jewish, it nevertheless carries symbolic meaning (and, in effect, also limits the freedom of these individuals once in Israel regarding, e.g., marriage).⁴⁹ It means that the State of Israel, not just the Orthodox Rabbinate, does not consider all Reform Jews to be equal Jews. Simultaneously, the Amendment de facto widened the gates of immigration to people who, outside of the State of Israel, were not considered Jews (spouses, grandchildren of Jewish males). By putting them under the umbrella term *Oleh*, it closed, and as we will soon see even narrowed, its conception of *core-Jewishness* in the state.

The second statement, which can be extrapolated from Amendment 4b, is concerned with the subject of conversion. The part of the sentence states that “‘Jew’ means a person who [...] has become converted to Judaism”. While this statement effectively widens the gate to Jewish belonging to individuals who did not receive their Jewish identity through descent, it remains silent on whose and what kind of conversion will fit this category. In practice, this enabled changing policies regarding which conversion would be accepted by the state. One such policy change was the early attempt by the Ashkenazi Chief Rabbi of Israel, Rav Shlomo Goren, to reform the conversion system in 1972 when he established conversion courts, which were separate from regular rabbinic courts (Waxman, 2013). Besides institutional changes, it also enabled the particular cases mentioned earlier, such as the conversion and naturalisation of the Beta Israel, Bnei Menashe, and Trujillo Jews. Therefore, the Amendment of the Law of Return created a situation in which conversion became both an ante-nullam and post-nullam, becoming a prerequisite for immigration for some and a way to complete the naturalisation for others. Being the cause for the creation of a, in a sense, “uncomplete-Jewish” group in Israel, the state has invested in institutionalised ways to promote conversions among non-

⁴⁹ The Reform movement adopted patrilineal descent only ten years later in 1983 (See Central Conference of American Rabbis. (n.d.) TASK FORCE TO STUDY THE 1983 RESOLUTION ON PATRILINEAL DESCENT. Retrieved February 25, 2021, from <https://www.ccarnet.org/ccar-resolutions/task-force-to-study-the-1983-resolution-on-patrilineal-descent-1996/>; .

Jewish FSU immigrants by subsidising most of their conversion process. The population which de-facto joined the Jewish majority group in Israel, without being themselves Jewish, is therefore, according to Kravel Tovi, “morally and politically entitled to state-sponsored conversion to a service that will facilitate their accommodation to Israeli society” (Kravel-Tovi, 2012, p.747).

While there is abundant work on the link between the Law of Return and immigrant groups in Israel, only scant research has been conducted concerning the cases and groups it does not address in practice. This approach of silence and negligence, too, is one tool the state has so far used to address immigration and naturalisation requests of groups and individuals it is either uninterested in or actively opposed to converting (Waxman, 2013). This conundrum shows parallels to other immigrant groups the state has succeeded in limiting in numbers and social participation, such as thousands of African asylum seekers, specifically from Sudan and Eritrea, which received temporary group protection status. On one side, this status protected individuals in this group from deportation; on the other, it cut them off from socioeconomic rights and, until 2013, prohibited individuals from filing asylum applications (Hochman, 2017).

The dichotomy some Israeli historians have drawn until now, according to which the State of Israel has been coerced into taking strict religious and identity positions due to the pressure of the Orthodox institutions, seems somehow flawed. It, hence, calls for a revision of the juxtaposition of interests to understand how the state relies on traditional and Orthodox definitions of Jewishness. It demonstrates the influence non-religious decisions have on ethno-religious questions.

The Nation-State Law

Unfortunately, the Declaration of Independence did not elaborate on the meaning of defining Israel as a Jewish state. Instead, many laws concerning the role of religious communities and the personal status of individuals in the Jewish State are based on Ottoman and British laws (Rabinovitch, 2018). Israel lacks a constitution and has instead assembled a collection of so-called basic laws, including the Nation-State Law (Barak, 1997). Yaacov Yadgar summarises the interpretation of the basic law as being “both obvious and radical” (Yadgar, 2020, p.86), with some describing it as an affirmation of the state's Zionist character, while others applaud

presumed innovative ideas. However, Yadgar advises caution to those who downplay its significance, highlighting that the law declares “Israel’s Jewish identity over the polity’s (liberal-) democratic principles when the two are understood to be in conflict, and the assertion of Jewish nationhood through the blunt negation of Palestinian nationhood” (Yadgar, 2020, p.87). The law, therefore, establishes a hierarchy favouring Jewish preferences over minorities, primarily Palestinians, while also dismissing potentially conflicting political ideologies when it comes to balancing Jewish and democratic values (Arens, 2018; Yadgar, 2020).

To comprehend how the Jewish state evaluates the Jewishness of *newcomers* such as converts or emerging communities, one must understand the State of Israel’s perception of its own Jewish identity. While there is no explicit answer formulated as such in official state documents, a certain degree of understanding can be gleaned from the context and manner in which Jewishness is presented, as well as the actions and inactions of the state in the name of Judaism and Jews. For instance, the Nation-State Law appears to underscore an ethnonational perspective of Jewishness, as evidenced by the frequent use of the term “Jewish People”.⁵⁰ It highlights hereditary links and a communal aspect, suggesting that “Jewish” is what a Jew does.

The Nation-State Law is a result of years of discussions among various streams within Judaism and different political opinions and expectations in Israel. For example, Haredi parties such as Shas and United Torah Judaism, which are both Haredi parties, expressed concerns that non-Orthodox movements might influence fundamental questions regarding the state’s Jewish identity.⁵¹ According to Rabinovitch, this led to the modification of section 6 (b) of the draft, initially addressing the state’s connection to the Jewish people in general. The section was altered in such a way that it focused on the state’s preservation of this connection “in the Diaspora” without suggesting any similar internal preservation (Rabinovitch, 2018). According to Yadgar, this reflects an attitude wherein concepts like religion and tradition are more readily applied when referring to Jews and Jewish communities outside of Israel.

⁵⁰ Jewish holidays, Jewish settlement, Jewish immigration and Jewishness are equally only mentioned once. In contrast, words such as Jewish practices and religion are omitted unless used in a backwards-looking way, e.g. in combination with heritage or rights (see Harel, A. 2021. Basic Law: Israel as the Nation State of the Jewish People. *Cambridge University Press, Nationalities Papers*, 49(2), 262-269).

⁵¹ Shas is the biggest Haredi party which caters primarily to Sephardic Orthodox Jews and Mizrahim. United Torah Judaism is a Haredi party that unites two other Haredi parties, Agudat Israel and Degel HaTorah. Both parties were part of the 20th Knesset coalition and are part of the current 25th Knesset.

Interestingly, the term *Diaspora* is also left undefined. While traditionally used to describe Jews and Jewish communities in Exile or living outside of Eretz Israel, since the Amendment of the Law of Return, it might, at least for the State of Israel, include all those eligible for immigration under the Law of Return. However, just as the state has, intentionally or unintentionally, failed to clarify its Jewish identity, it has also not defined the idea of *Diaspora*. While the Nation-State Law provides no definitions for either the Jewish identity of the State or the *Diaspora*, it nevertheless broaches the subject, exposing the tension arising from the absence of clear definitions.

Research commissioned by the Ministry of Diaspora Affairs indicates that there are 14,400,700 Jews worldwide (Ministry of Diaspora Affairs, 2020). However, an examination of the numbers on the map reveals that not everyone who self-identifies as Jewish is included in this count. For instance, in the case of Colombia, only 2,500-6,000 people are officially listed as Jewish, a surprising figure given the influx of converts into these communities and the emergence of communities that now boast thousands of members (Szymkowicz, 2020). The 2017 Ministry of Diaspora Affairs report, titled “Examining Israel’s Approach Regarding Worldwide Communities with Affinity to the Jewish People,” focused on the phenomenon of emerging Jewish communities worldwide. To address the interested newcomers, it had to define who was attempting to join the Jewish collective, essentially delineating a part of the non-Jewish out-group vis-à-vis the Jewish in-group comprising Jews in the State of Israel and the Diaspora. The report asserts:

“During most of the country’s [the State of Israel’s] existence, its relations with the Jewish People, the majority of whom resided outside its borders, were conducted along fairly clear-cut and constant lines: most of the world’s Jews were organised in communities or in known organisations, and even those who were not, such as Jews living in Communist bloc countries which prohibited or severely limited Jews from establishing organisations, identified themselves as Jews and were clearly identified as such by their environment” (Ministry of Diaspora Affairs, 2017, p.10).

It is worthwhile analysing the use of the adjectives chosen in this sentence to describe Diaspora Jewry and its communities: *Clear-cut*, *clearly*, *constant*, and *known*. These strong, determinative adjectives convey continuity, visibility, and acknowledgement. However, throughout Jewish history, even beyond the establishment of the State of Israel, questions of status in the group and belonging to it have always been present, such as periods of intense and moderate interactions among communities (see the cases mentioned above of Ethiopian

Jews), but also the cases of *Conversos* returning to Judaism in Amsterdam of the 17th Century (Feitler, 2011).⁵² Even the assertion of the identification of individuals in the FSU by the *environment*, which, according to the Ministry, happened “clearly”, might raise eyebrows among those familiar with the intricate ways in which non-halakhic Jews were identified as Jews due to the lack of clarification over the definition of Jewish identity by Israeli policymakers (Kravel Tovi, 2017). In the FSU, many people were registered as Jews regardless of whether they or their families self-identified as Jewish, as determined by the state based on descent (Raijman, 2011). The Ministry of Diaspora Affairs opted to present a far simpler image than historical and present realities might suggest; instead of highlighting which communities have traditionally received mutual recognition and why and by whom, it relies on the notion that defining Jewish identity and communities has been self-understood by insiders and outsiders alike. While this approach shields the Ministry from backlash, it nevertheless fails to offer boundaries and tools for receiving, rejecting, or even just encountering newcomers.

Several clauses of the Nation-State Law present intriguing ideas and points of discussion warranting further exploration. For instance, 1. b of the Basic Principles states that “The State of Israel is the nation-state of the Jewish People, in which it realises its natural, cultural, religious and historical right to self-determination”. Most scholars who have analysed the Nation-State Law have focused on the implications for Arab minorities in Israel (Barzilai, 2020). Alexandria Buettner criticises the Law for enshrining “the principles and inherent Jewishness of Israel” (Buettner, 2020, p.132), yet she too accepts Jewishness as a given. However, what stands out from this section is the sequence in which its argument is presented. This formulation portrays nature, culture, religion, and history as antecedents or foundational elements for Israel’s self-determination. The latter represents the culmination of both a temporal past (culture, religion, and history) and a given present (nature). Also noteworthy is the use of the word *right*, instead of, e.g., *obligation*, which would align more with the “natural” argument. The word *right*, on the other hand, carries a more contemporary connotation. It also intentionally or unintentionally opens up the space for alternative realities for the Jewish People it seeks to represent. By terming it a “right to self-determination”, Jews in the Diaspora are ostensibly afforded the opportunity to reside in the State of Israel. However, given this and other provisions of the law, it remains unclear whether Jews in the

⁵² Spanish for “converts”.

Diaspora have the autonomy to choose whether they wish to be part of the state's vision and purpose.⁵³

Following Yadgar's categorisation, there are four main rubrics into which the sections of the state law can be divided. The first could be summarised as laws that have been de facto practised even before the passing of the law and reflect the Zionist perspective on Jewish nationhood. For instance, the statement "The exercise of the right to national self-determination in the State of Israel is unique to the Jewish People" exemplifies this perspective, granting exclusive national self-determination to the Jewish nation and leaving limited space for recognition of the Palestinian collective within the state. Thus, the law not only enshrines present but also future asymmetries between Jewish and Palestinian citizens, as well as other non-Jewish groups, of the state (Harel, 2021). Questions about history, culture, language, education, and even economic and physical well-being can be viewed through the prism created by this collective-individual juxtaposition. Again, it is noteworthy that the *Jewish People* are not explicitly defined. This implies that a collective comprised of individuals, many of whom were born and currently reside outside of Israel and hold other citizenships, holds the right to self-determination over individuals whose state identity is defined and controlled.

Secondly, Yadgar describes those parts of the law that are mere repetitions of other, even older laws which are already in effect, such as "The State shall be open for Jewish immigration, and for the Ingathering of the Exiles". At a first glance, this statement is primarily preoccupied with elaborating immigration rights, which were enshrined in the 1952 Nationality Law. However, what is striking is the exclusive focus on Jewish immigration, coupled with the quasi-religious terminology of "ingathering of the exiles". According to Rabinovitch, it anchors the reasoning for exclusivity in an explicit religious argument, entangling the core idea of the state and its sovereignty with a demographic expansionist notion tied to the *unique* rights of the Jewish people on a global scale (Rabinovitch, 2018).

Another third category Yadgar identifies are those sections which "are so vague as to render them lacking any coherent legal implications" (Yadgar, 2020, p.86), such as section 6. A: "The State shall strive to ensure the safety of members of the Jewish People and of its citizens, who are in trouble and in captivity, due to their Jewishness or due to their citizenship". This argument serves to include individuals the state wishes to incorporate into

⁵³ I am aware that the nationality law gives Jews in the Diaspora the right to give up their birthright to Israeli citizenship (and their children's), but this only reinforces the notion that Jews are "in" the collective idea unless they actively act against it.

the Jewish collective. Reflecting on research on emerging communities in Latin America, or the discussion around the Bnei Ephraim and Abayudaya, reveal that in some cases, the persecution for someone's Jewishness is not sufficient to be recognised by the State of Israel as Jewish or granting immigration rights (Egorova & Perwez, 2013b; Segal, 1999; Vergara, 2021).

The fourth category identified by Yadgar includes those sections that aim to preserve Jewish tradition(s), such as section 6. C, which states that "The State shall act to preserve the cultural, historical and religious heritage of the Jewish People among Jews in the Diaspora". By exclusively focusing on Jews outside of Israel and using the term *preservation*, it suggests that the cultural, historical, and religious heritage of the Jewish People in the Diaspora is fragile (Pinko, 2018). One of the tasks of the State of Israel is, therefore, to support and educate. It suggests an asymmetry of Jewish assertiveness by the State of Israel vis à vis less empowered Jews abroad (interesting here is the use of the term "Jews" and not "Jewish communities").

Conversely, it provides an idea of an easily translatable, homogenous Jewish identity. It does not reflect the fact that Jewish communities have cultivated cultural distinctions across countries for centuries.⁵⁴ These cultural assertions were neither dictated nor *preserved* by any one community alone (Harel, 2021, p.266).

Another dimension regarding the recognition of individuals and communities as Jewish is, therefore, the support given by the State of Israel. By using the term "Jewish people" instead of "Jewish communities," it additionally disregards the fact that, in practice, the State of Israel often recognises Jews according to their affiliated communities. In many cases, this is just a bureaucratic procedure, but it can have a significant impact. For instance, the Conservative "German-Jewish" community in Cali is considered one of the traditional Jewish communities in Colombia and is recognised by the State of Israel as such. Although some have noted that its membership composition has shifted towards a convert-majority in recent years, the community's status remains unchanged.

Consequently, an individual who converts within a community predominantly comprised of converts in the *German-Jewish*, Conservative community would be recognised as a Jew in the Diaspora, whereas someone who undergoes the same conversion but attends a

⁵⁴ For example, Sephardic rabbis from Amsterdam or Italy were sent to 17th-century Surinam to teach the Torah. Today, young men and women attend yeshivot and midrashot across the globe due to organisations promoting cultural language differences.

Jewish community lacking a hundred-year history would not. Moreover, the confident usage of the term “Jewish People” suggests that those eligible for state intervention are easy to identify. However, considering the struggles of the Beta Israel from Ethiopia, the Bnei Israel from India and the Abayudaya community from Uganda today, this confidence is not self-evident.

Recent Cases Involving the Ministry of Interior and Applicants for Aliyah from Emerging Communities at the High Court of Justice

Regarding the recognition of conversions from non-citizens, it is essential to analyse the encounters between the Ministry of Interior and BAGAZ, the Israeli High Court of Justice. Over the years, various cases of converts to Judaism against decisions of the Ministry of Interior have been brought to the High Court of Justice. While each case surely deserves to be presented in its own right, this section will concentrate on the most relevant cases for understanding the status of emerging Jewish communities: 1. Irena Guzman, 2. Toshbaim, 3. Oswaldo Gomez, and 4. Yosef Kibita and the Abayudaya.

1. Irena Guzman 2004

In 2004, the High Court of Justice ruled on a case involving both the Ministry of Interior and the Conversion Authority in the case of Irena Guzman. Guzman, a Ukrainian citizen who was not born Jewish, was married to an Israeli citizen and was living in Israel when the relationship ended. The end of her relationship with an Israeli citizen thereby terminated her residency status in Israel. While her then-husband notified the Ministry of Interior of their pending divorce, Guzman submitted several requests to the Ministry of Interior to allow her to remain in Israel irrespective of her partner and non-Jewish status, as she was studying Judaism with the intent to convert and working in Israel. The Ministry rejected her request, citing that her residency had been tied to the A5 spousal visa she had received for being married. Shortly after their official divorce, the Ministry of Interior ordered Guzman to leave the country. Relevant to the Ministry was that Guzman had no independent status; she was neither Jewish, thus ineligible for Oleh rights, nor married to an Israeli citizen, which would have afforded her a safe status and access to conversion on civil grounds. Guzman appealed and applied for conversion through the Conversion Authority. However, as she had lost her

residency permit, the application was rejected by the Conversion Authority, stating that she did not meet the criterium of being an Israeli resident. Guzman's appeal, arguing that the religious institution responsible for conversion could not reject an application on non-religious civil-status grounds, reached the High Court of Justice in 2004. The court, under the auspices of Judge Barak, dismissed the petition, stating that "The decision of a court to condition the conversion services on a stay in Israel is lawful," and therefore ruled that the decision of the Conversion Authority and Ministry of Interior had been correct and that Ms. Guzman would have to leave the country (Israeli High Court of Justice, 2004).

2. *Toshbaim* 2005

One year after Guzman's case, another case involving the facilitation and recognition of a conversion reached the Israeli High Court of Justice. In the case of Toshbaim vs. Minister of Interior and Head of the Population Office of the Ministry of Interior, the dispute concerned the question of conversions performed outside of Israel. Toshbaim, who was born in Brazil, along with various other individuals from Russia, the Philippines, Germany, Poland, Peru, Colombia and Romania, were all legal residents in the country but not Israeli citizens. They had studied for their conversion process with the Conservative and Reform movement in Israel.⁵⁵ However, the actual conversion, meaning the hearing at the Beit Din and the immersion in the mikveh, had been conducted outside of Israel. In Toshbaim's case, this occurred in New York in 1997, while in the case of the other petitioners, the ceremonies took place in England, Argentina, and other communities in the USA.

Interestingly, none of these conversions occurred in the petitioners' home countries. After the conversion, Toshbaim returned to Israel and applied for Aliyah. However, the Ministry of Interior denied the application because Toshbaim had not completed the conversion in the community in which the studies and participation in community life had taken place. The Ministry of Interior, therefore, made a quasi-rabbinical decision, apparently even without consulting with a rabbinic authority. Unlike in Guzman's case, the High Court of Justice ruled against the Ministry of Interior in Toshbaim's case, stating that "the fact that the petitioner did not join the community in which she converted, but returned to Israel to join the Jewish

⁵⁵ The communities mainly were part of the Reform movement. Not all the names of the communities in which the converts studied in Israel are mentioned in the court decision, but some of them are located in Tel Aviv, Jerusalem and Ramat Gan.

people [...], does not negate the recognition of her conversion for the purposes of the Law of Return. All the facts, including that the community that performed the conversion is part of the mainstream of Judaism in the world [...], as well as the preparation for conversion taking place in Israel, [...] indicates that the conversion is not a fiction designed to achieve economic benefits, but was done to truthfully join the Jewish people” (Toshbaim, 2005, p.722).

In the same breath, the ruling clarifies the term “recognised Jewish community” for Aliyah, stating that “A recognised Jewish community is, as a rule, an established and active community with a common and well-known Jewish identity, which has regular frameworks of community management and which belongs to one of the recognised streams in the world Jewish population” (Toshbaim, 2005, p.722). What can be extracted from this are the following key elements and the subsequent questions that arise from them. The first is that the community has to be well-known. “Well-known” implies that other communities or Jewish actors acknowledge the existence of the community. It does not, however, specify a time frame. How long must a community have been recognised for a member to qualify for Aliyah? Or, who has to acknowledge the existence of the community (e.g., how many communities or individuals)? What are the characteristics of the community, group or institution that holds the power to recognise a new community? The second element is that the community must adhere to regular frameworks of community management. While this stipulation seems more straightforward at first glance, it is nevertheless not specified which and for how long these frameworks must have existed or who should be in a managing position. The last point is that the community belongs to one of the recognised and dominant streams in the world Jewish population. While in the case of the Conservative and Reform movement, the question of belonging to one of the recognised streams is bureaucratically regulated, these movements have created frameworks that officially connect them through regulations, statements of mutual recognition, and perhaps most importantly, list their communities internally and to the public (Masorti Olami, 2022); the case of the Orthodox stream is very different. There is no such thing as “the Orthodox movement”. While there is a lot of communication and collaboration between certain communities, no umbrella organisation exists regulating these communities, and for sure, there is no official list of all Orthodox communities. Thus, while the High Court of Justice addressed the important issue

of having to clarify the concept of a recognised Jewish community, it perhaps raised more questions than answers.⁵⁶

3. *Oswaldo Gomez 2021*

On June 23rd, 2021, the case of Oswaldo Velis Gomez reached the Jerusalem District Court. Oswaldo Gomez converted to Judaism in 2014 in an emerging community in Guatemala, but the Ministry of Interior denied his request to make Aliyah in 2019. He, therefore, took the case to the Jerusalem District Court, which upheld the Ministry's decision. The Gomez case is one of the, perhaps, most informative legal accounts to improve the understanding of the development and recognition of the status of emerging communities (as Jewish) all over the world.

The emerging community Oswaldo had been a member in Guatemala City is called "Adat Israel". It is a Conservative community that was recognised as a member of The World Association for Progressive Judaism in 2012. Conversions done by the progressive movement give eligibility for Aliyah since 2002. That year, the Israeli High Court of Justice ruled that Conservative and Reform conversions would also be recognised by the State of Israel for the Law of Return (Shetreet, 2021). However, on legal grounds, Adat Israel has been considered an emerging community as all of its members and most of its leadership are converts to Judaism. The community's situation is especially difficult because it does not have a permanent local rabbi. Rabbi Elyse Goldstein, a US American Reform rabbi who is listed as the community's rabbi, visits the community twice a year, leaving the guidance (e.g., Hebrew classes) of the community to members of the community who are themselves converts. Oswaldo Gomez completed his conversion after one year, meaning two visits of Rabbi Goldstein and passing an exam.⁵⁷ The other two people at his legal hearing for the conversion were not rabbis, which today is uncommon, although there is no halakhic requirement.⁵⁸ He requested to make Aliyah in 2019 and was rejected by the Ministry of Interior on the grounds of it not being a recognised Jewish community and because his conversion was primarily based on self-studying and lessons taken with people who had converted shortly before him.

⁵⁶ It nevertheless stated that it was no longer enough for a community to just come into existence. The question of recognition can no longer be vague but must be put in a bureaucratic frame of conditions.

⁵⁷ For comparison, in the Toshbaim case, most of the conversions took approximately a year, but these converts were immersed in communities that had a permanent rabbi.

⁵⁸ One of them was, e.g., a hazan.

Again, the Ministry of Interior put on the robe of the halakhic decision-maker instead of a rabbinic court.

The official status of the community was additionally complicated by a statement of the head of the Progressive Movement in 2017, which stated that there were no emerging communities in its movement, that it did not support group conversions, and that it had a substantial number of born Jews among its members. The Jerusalem District Court reached its verdict considering, among other things, previous High Court of Justice judgments by Judge Aharon Barak, who defined a recognised Jewish community as an established and active community with a common and known Jewish identity.⁵⁹

4. Yosef Kibita 2021

The case of Yosef Kibita reached the Israeli High Court of Justice in 2018, but it took three years until it was eventually decided in 2021.

Yosef Kibita was born in Uganda, where he was part of the Abayudaya community from an early age. According to his account the Abayudaya community was established in 1919 by Semei Kakungulu, who felt estranged from the New Testament and, after making Jewish acquaintances, decided that he wanted to be Jewish.⁶⁰ At the time, Kibita converted for the first time in 2002 with Kulanu and the second time in 2008 with Masorti Olami, and the community was already comprised of 2000 members.⁶¹ Kulanu, a US-American Jewish organisation, organised the conversions in 2002. Kulanu, similarly to Israel-based Shavei Israel, has made it its purpose to search for the lost tribes and similar groups. However, according to Mugoya Shadrach Levi, who has been one of the communities' leaders, the Israeli Rabbinate did not recognise these conversions. In the same year, Masorti Olami, the umbrella organisation of the Conservative movement worldwide, entered the scene of the Ugandan community. For several years, it accompanied the community, teaching and guiding its members in Jewish law and practices. Yosef Kibita converted for a second time in 2008 under their supervision. However, only in 2009 did Masorti Olami officially recognise the

⁵⁹ The judge also said that "it should be avoided that the state will be opened to external actors" (הלכת מקרינה 747 (ב'עמ)).

⁶⁰ Other authors have explained it as a rejection of Western, and specifically British- influence in the region (Twaddle, 1993).

⁶¹ In 2002, an organisation called Kulanu organised a Beit Din with rabbis from the US in order to convert the Abayudaya to Judaism. However, that conversion was not recognised by the State of Israel (Shadrach Levi, 2017).

Abayudaya community as part of their umbrella organisation. In 2018, Kibita asked to make Aliyah, believing that the 2008 conversion was recognised by the State of Israel. However, his request, initially supported by the Jewish Agency, was rejected by the Ministry of Interior (Sharon, 2021c).⁶² Decisions to deport Kibita were challenged by his Israeli lawyer, Nicole Maor, and Masorti Olami, and the case eventually reached the Israeli High Court of Justice. In his closing statement on 01.02.2021, High Court of Justice Judge Menachem Mazuz said that “the issue of what you call ‘developing communities’ is indeed an issue that deserves to be addressed. It is true that the state is not enthusiastic about this idea. However, at one point or another, it will be inevitable to find [it] out” (Kibita vs Ministry of Interior, 2021, p.1). But while Mazuz acknowledged the significance of emerging Jewish communities to the state, he dismissed Kibita’s case as not being “the right case in order to address this issue”. The High Court of Justice sided with the decision of the Ministry of Interior because Kibita had converted in 2008, while the community had only been accepted by Masorti Olami a year later, in 2009. Mazuz advised Kibita that he “will have to go through another procedure with a recognised Jewish community” (Kibita vs. Ministry of Interior 2021, p.1).

When the High Court of Justice made its decision public, Kibita’s lawyer, Maor, criticised it, pointing out that she believed that no matter if Kibita returned and converted again, “also then his conversion will not be recognised because that community will never be recognised, and that is our problem, both for the petitioner and in general” (Kibita vs Ministry of Interior, 2021). Kibita followed Mazuz’s recommendation, did an additional conversion with a Beit Din of Masorti Olami in Israel, and applied again for Aliyah. However, this application was rejected because Kibita had not participated in an additional preparation course in a recognised Jewish community before the conversion (Sharon, 2021c).

Regardless of the personal outcome of Kibita's case, it seems as if Kibita’s case is already having broader adverse effects on other members of the Abayudaya community. According to newspaper articles, several members of the Abayudaya who converted in Uganda after 2009 have been denied the right to make Aliyah. Rivka Nabulo converted in 2010, but a letter from the Jewish Agency which she had contacted stated that the Ministry of Interior and the Population authority “doesn't recognise the conversions performed in Uganda and therefore we're not able to start your Aliyah process” (Sharon, 2021c).

⁶² The Jewish Agency was established in 1929 with the initial, very influential purpose of being, in many ways, the provisional political representative prior to the establishment of the State of Israel. Today, its main goal is centred on handling the logistics of Jewish immigration to Israel.

The Kibita case is relevant on an individual level but also much more far-reaching. It uncovers a dimension, both in time and space, in which Jewish identity is negotiated without the direct involvement of the Israeli Chief Rabbinate. In Kibita's case, the immediate scene is instead dominated by two state- and two non-state actors representing very different positions: The Israeli High Court of Justice, the Ministry of Interior, Masorti Olami, and the Abayudaya. On that first level, it is a dispute around the individual recognition of Joseph Kibita's status as a Jew and the practical aspect of granting him the right to live in Israel as an Israeli citizen. However, there are additional dimensions that add up the more one looks at what the different actors represent: When considering the involvement of Masorti Olami, it becomes clear that this is also a case about the scope of its recognition by and influence on the state's identity. While in theory, especially the advocates of the Masorti movement had believed that their recognition of a community as being part of Masorti Olami was decisive, the Kibita (and the Gomez-Guatemala) case shows that this is *de facto*, not the case.⁶³ At the same time, the questioning of Masorti Olami's authority in the case of the Abayudaya was not done outright by the Ministry of Interior, which brings us to the second actor. Seeing how, following the rejection of Kibita's case by the Ministry of Interior, other Abayudaya have since then also been rejected, not on the grounds of an individual but community *inaptness*, it is not far-fetched to say that Kibita's case eventually did function as a test runner for emerging communities, regardless of Mazuz' comment that it was not the proper case to debate the question of recognition of emerging communities.

Through the way the case played out, there are additional insights into the different stages of awareness by the Israeli State players. While it seems like the High Court of Justice is only starting to become aware of this phenomenon and its implications, Mazuz is optimistic that this problem could be resolved, at least on an individual level. At the same time, the Ministry of Interior continues to reject certain groups, just as in the case of Ethiopian Jews in the 1970s and earlier.

Before the Shomer: The Ministry of Interior

The following section will focus on the Ministry of Interior's role in recognising emerging communities and individuals by the State of Israel. It argues that the

⁶³ Rabbi Sacks comments that this is the reason why it usually takes Masorti Olami years to accept a community such as the one in Guatemala and Uganda. They are aware of the scepticism of the State of Israel.

Ministry of Interior has become the de facto gatekeeper and authority over the Jewish identity of people who seek to receive the recognition of the State of Israel and the right to naturalisation and conversion. In order to understand the range of influence and depth of the regulations and decisions made by the Ministry of Interior, this section will analyse two main sources: 1. The Ministry's declarations and rules on recognition immigration of converts to Judaism and emerging communities; and 2. An in-depth analysis of the self-representation of the Ministry of Interior during the Knesset committee meetings concerning the Israeli Conversion System.

The Israeli Ministry of Interior's Declarations and Rules on Recognising Converts to Judaism and Emerging Communities for Immigration Purposes

While the Ministry of Interior is a large institution that “plans and implements national policy in matters of local government, physical planning, population registry, emergency services, and special functions, and supervision of elections and construction” (Ministry of Diaspora Affairs, 2022), the sub-department which is involved in most decisions regarding recognition of conversions and granting of citizenship rights is the Immigration and Population Department. This department is responsible for the implementation of the Law of Return, meaning that in practice, whoever wants to apply for Aliyah, and therefore Israeli citizenship, is reviewed by the Immigration and Population Department of the Ministry of Interior.⁶⁴ A representative of the Population and Immigration Authority also sits at the committee meetings of the exceptions committee for conversions of foreign nationals in Israel.⁶⁵ In this process, a person is first granted the right to convert in Israel, which subsequently entitles them to naturalisation. In practice, a non-citizen wishing to convert has to file an application form with the exceptions committee at the time of the research chaired by Rabbi Raphael Dayan. According to ITIM, “they must apply to the Committee in person and can only begin their conversion studies following the Committee's approval” (ITIM, 2019). Once the committee reviews the applicants' files, verifies that the applicant is a legal resident, not

⁶⁴ The original law of return of 1950 stated that “The Minister of Immigration is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and also as to the grant of Oleh's visas [...]”, but in 1954 the law was amended (Amendment 5714) and the authority was moved from the Ministry of Immigration (today Ministry of immigration and absorption) to the Ministry of the Interior (see Law of Return 5710-1950, (05.07.1950)).

⁶⁵ This committee is not part of the Ministry of Interior but of the Prime Minister's office, as it is part of the general Conversion Authority. See T. C. A. P. M. (2021, 10.06.2021). *The Conversion Authority's Services*. Retrieved 11.05.2022.

registered as an infiltrator, B1, or first-year A5-visa holder, and not a resident of the West Bank or Gaza, and interviews them, the applicant joins a conversion program. From that moment on, the applicant undergoes the same program and process as a citizen within the state conversion system.

Nevertheless, the process for a non-citizen to start the conversion can take a long time. According to a report by the State Comptroller Committee of 2013, they found “failures, including a long wait, a lack of transparency in the committee’s operations and conduct, a lack of transparency toward the converts, and a lack of organised work conduct leading to every official working according to the best of his understanding” (State Comptroller, 2013, p.171). The report furthermore states that the current chair of the committee, Rabbi Dr Raphael Dayan, claimed that the committee meets weekly, but this was refuted by the MK of the time, Roni Bar-On (Kadima), who reviewed the records and found that the committee convenes only once a month.

The Ministry of Interior has published various regulations on how to handle applications of converts from abroad applying for Aliyah and the recognition of new communities. In the first case already in 2006, the Office of the Attorney General of the Ministry of Interior published “Conditions for granting status of a conversion conducted abroad” (Ministry of Interior 2006). The text opens with the claim that every year, “many applications for granting immigrant status in Israel based on a conversion conducted abroad” are submitted. Although the Ministry does not back up this claim with any data, it provides the internal reasoning for why, in the next step, the text details ways through which it tries to filter out those individuals whose purpose for the conversion, it fears, is primarily to obtain legal status in Israel (Ministry of Interior, 2006, p.1). The two main criteria are: 1. That the conversion took place in a recognised Jewish community (affiliated with one of the main Jewish streams) and 2. Temporal requirements determining that a convert needs to have been part of such a community for at least a year during the conversion process, and a year after the conversion (Ministry of Interior 2006, p.1). There is no explanation for why this time frame was chosen, whether it is on religious grounds, e.g., Halakha or for another reason. In a similar document issued in 2014, the Ministry states that a convert applying for Aliyah must have lived for nine months during and nine months after the conversion in a recognised community (Ministry of Interior, 2014).⁶⁶ Additionally to those requirements, the Ministry’s document lists various cases that automatically exclude a person from being entitled to Israeli

⁶⁶ Or approve of taking at least 300 hours of classes in a community. Additionally, the Ministry of Interior lists a variety of sub-cases, e.g., in case the process was split between communities.

citizenship based on a conversion conducted abroad: 1. The applicant had already applied for status, and his/her application has been denied.⁶⁷ 2. The applicant had previously lived in Israel illegally. 3. Some of the applicant's family members have residency in Israel but have not converted to Judaism. 4. Accepting the application would enable the immediate immigration by other, not converted, family members by virtue of family reunification. 5. A previous criminal involvement of the applicant (Ministry of Interior, 2006).

Interestingly, the 2006 document cites various High Court of Justice judges' opinions on the matter instead of fomenting the decisions of the Ministry of Interior with statements of, e.g. the Minister of Interior of the time, Bar-On. The 2006 document cites three judges, Judge Barak, Judge Naor, and Judge Hashin, all three quotes being somewhat critical towards accepting converts. Judge Naor was perhaps the most critical, stating: "In my opinion, even conversion proceedings conducted in a recognised Jewish community may not yet be recognised by the state if they were done while abusing the possibility of conversion" (Ministry of Interior, 2006). The use of specific quotes of judges of the High Court of Justice in a document of the Office of the Attorney General might point to the wish to legitimate the decisions of the Ministry of the Interior by the judiciary and perhaps be an attempt to avoid legal quarrels in the future.

Another more recent document submitted by the Ministry of Interior during its defence in the Rengifo vs Ministry of Interior case is the "updating notice on behalf of the respondents", which was submitted on 21.07.2020.⁶⁸ The document is constructed around the previously mentioned documents from 2006 and 2014 and alludes to the cases of Mr Gomez and Mr Kibita, which were both pending at the time.

The Ministry of Interior justified its rejection of the Rengifo's Aliyah application, arguing that a conversion abroad could only be accepted for Aliyah purposes if done in a recognised Jewish community and done individually. Therefore, the group conversion the applicants had done in Peru did not qualify them for Aliyah. However, because one of the applicants was married to an Israeli, she was permitted to remain on that visa. Nevertheless, the document is not only more extensive than the ones published in 2006 and 2014, but it also declares that the Ministry of Interior has no interest in recognising emerging communities:

⁶⁷ E.g., a person applied previously for residency tied to a work-and-residency permit.

⁶⁸ Between 2017 and 2020, Eva Maza Rengifo and her cousin Sabina Atan Rengifo appealed against a decision of the Ministry of Interior at the Supreme Court because the Ministry had denied their Aliyah applications. Both women's mothers had previously made Aliyah due to their Jewish grandfathers. Ava and Sabina had converted within an emerging Jewish community in their home country, Peru, but the Ministry of Interior did not accept that conversion.

“The Interior Minister [Aryeh Deri] decided that he did not intend to change the policy according to which there is no recognition of group conversion for the purpose of eligibility under the Law of Return (Ava Meza Rangifu vs. The Minister of the Interior, 2020, p.2).

While the Ministry relies on its previously formulated definitions of what constitutes a recognised Jewish community and what does not, the Ministry of Interior explains why it feels responsible for setting these guidelines.⁶⁹ The document states that the Ministry is afraid of an "abuse of conversion as a tool to regulate status and receive economic benefits, without a will to join the Jewish people" (Rangifu vs. The Minister of the Interior 2020, p.3-4). Accepting emerging communities, and therefore the right of an outsider group to decide over its belonging to the Jewish collective, would therefore mean that “the state would lose the possibility to control who obtains Israeli citizenship automatically” (Rangifu vs. The Minister of the Interior 2020, p.4). It is interesting how the image of control and the fear over the loss of it is portrayed. While the very Law of Return could be seen as a challenge to the power of the Ministry of Interior to award the status of Israeli citizenship to whomever only it sees fit, considering the anonymity of people prior to their Aliyah application, the Ministry concentrates on the portrayal of converts as an uncontrollable variable.

While the question of Jewish identity and its definition has historically been discussed by religious, cultural and political Jewish figures, the Ministry of Interior bases its authority on its role as a gatekeeper of the demographic body of the State of Israel. Being the executive state body for immigration policies, the Ministry’s officials cite High Court of Justice judge Noam Sohlberg. Sohlberg voiced his fear over possible misuse of the Law of Return by individuals and groups that were undesired by the state: “[...] the gates of the land, which are wide open to every Jew, require the presence of a guard-soldier in order to prevent the entry of uninvited guests. Not everyone who wants to take the name ‘Jew’ will come and take it, enter the gates of the land, gain citizenship and return. Recognition of a group conversion process [...] is like giving permission to any group of people around the world to gather together to learn that its nature and draw lots in the fog, until at the end [they] declare themselves as Jews and open the gates of the country with their own hands. The respondents are rightly on guard, so that such a thing is not done” (Brooks vs. Ministry of Interior 2015, p.7).

⁶⁹ The distinctions do not discuss a situation in which an entire community has converted at once; they certainly do not discuss how a Jewish community arose following a group conversion of its members.

The Ministry's bullet points in the document echo Sohlberg's fears. They write that developing communities aim to receive a better status in Israel and that allowing one case would entice others: "Let us remember that in our case, the developing community counted several hundred who joined a joint conversion" (Brooks vs. Ministry of Interior 2015, p.5).

Therefore, the Ministry of Interior's position is clear: Emerging communities will not gain entrance through the Ministry's gate. Interestingly, the document points out another way through which communities can and have received not only state recognition as Jews but also the collective right to Aliyah. This is the case when they receive approval from the government, such as seen in the Aliyah stories of the Bnei Menashe, the Ethiopian Jews and Bnei Israel, as well as the Trujillo Jews. The message is clear. Just like in Kafka's story, the gatekeeper in the dress of the Ministry of Interior says, "There is another more powerful gatekeeper".

Knesset Committee Meeting on State Conversion System in Israel with Focus on the Exceptions Committee

It is perhaps not surprising to hear that in a case such as conversions of non-citizens in the State of Israel, various institutions are involved in the process of accepting or rejecting conversion applicants. One such institution is the *Vaadat Harigim le Giur* (Exceptions Committee for conversions, here only written as *Vaadat Harigim* or *Exceptions Committee*). This Committee can be understood as a result of the pressure created by cases such as Toshbaim and Guzman, which pushed for the creation of a space in which applications of non-citizens for conversion in Israel are examined. The Exceptions Committee started to operate in 2007, and its Committee was and continues to be composed of a representative of the Prime Minister's office, the Chief Rabbinate of Israel, and the Population and Immigration Department of the Ministry of Interior.

Due to increased pressure from the State Comptroller and NGOs such as ITIM (an Israeli NGO focused on disputes and regulations concerning Jewish identity in Israel) on the work of the State Conversion System, and especially the work of the exceptions committee, the Knesset called in a committee to discuss and analyse these issues. The Knesset committee met four times between March 2016 and February 2017. The composition of the Committee barely changed over the four meetings: The chairperson of the Committee was Karin Elharar,

of Yesh Atid, the mostly constant Knesset members were Aliza Lavie (Yesh Atid), Elazar Stern (Yesh Atid), and Bezalel Smotrich (at the time: the Jewish Home). Additionally, certain ministries and government organisations were required to send representatives to each meeting: the Ministry of Interior (specifically the Population and Immigration Department), the Prime Minister's Office, the Head of the Conversion System, the State Ombudsman's Office, and the Jewish Agency. On the other side, there were also representatives of NGOs and other independent organisations such as ITIM, the Masorti Movement in Israel, The Israeli Democracy Institute, and Shavei Israel. Surprisingly absent during most meetings were the representative of the Chief Rabbinate, the head of the Exceptions Committee, Raffi Dayan, and representatives of Likud or the Haredi parties (neither a representative of Shas nor United Torah Judaism was present).

The composition of these four Knesset committee meetings can give great insight into the active figures in the Israeli conversion system. We will see that the representatives of the Population and Immigration Department of the Ministry of Interior, the State Conversion System, and the Chief Rabbinate had similar, and in many cases, joint positions and arguments. They simultaneously pushed away responsibility from their institutions and towards the legislator while describing the Exceptions Committee as the executor of the will of the Israeli population and positioning the *Vaadat Harigim* as the guardian of Israeli citizenship and Jewish identity. The analysis of the protocols demonstrates to what extent the institutions mentioned above have created a coalition, which is barely visible in the scarce official documents but significantly helps understand the current state of the conversion system in Israel.

However, first, let us take a closer look at the position of the Ministries whose representatives compose the Exceptions Committee. During the Knesset committee meetings, four positions were reiterated by the representatives of the Population and Immigration Department of the Ministry of Interior, the Prime Minister's office, the State Conversion System, and the Chief Rabbinate. Overall, these positions describe a negative image of potential converts and portray Jewish identity as a primarily ethnonational characteristic. One position held by the decision-makers in the Exceptions Committee is that the primary focus of the conversion system should lie on the conversion of Israeli citizens or potential citizens eligible for it through the Law of Return. Another viewpoint considers those who desire to convert in Israel, mainly as Palestinians, illegal immigrants, refugees, or work migrants, all groups of the threshold condition and maintains that it is, therefore, suitable to keep the

threshold conditions imposed by the legislator in place. The third position posits that the Exceptions Committee should not only keep those of the threshold condition out but only let exceptional cases in. Here, the interpretation of the term *exception* is not “non-citizen-conversion” but perhaps translates best as “rarely”. This strict interpretation of the wording hints at the intention to limit the number of those eligible for conversion. The fourth position asserts that non-religious actors, in this case, clerks, can and should pre-determine the sincerity of someone wishing to undergo a religious conversion because of its citizenship and ethnonational implications.

The following section will expand on these four observations:

1. The Focus of the conversion system should lie on the conversion of Israeli citizens or potential citizens eligible for it through the Law of Return.

This claim was reiterated, particularly by the representative of the Ministry of Interior, who stated: “It is important for me to look at the big picture. The conversion system was established for the citizens and residents of the State of Israel. [...] it is impossible to make the special circumstances a rule and say that all the energy now needs to be invested in the conversion of foreign nationals” (Rina Nesher, Knesset Committee Meeting, 07.06.2016, p.14). The representative of the Ministry of Interior perceives a conflict between facilitating conversions for citizens and non-citizens, fearing that focusing on non-citizens could divert resources from other areas and groups it considered more important. Bezalel Smotrich contended that the state should concentrate its resources on those individuals who are already citizens or entitled to immigrate under the Law of Return: “[...] we have an interest that as many of the citizens of the state, who are already here and have immigrated under the Law of Return, will be Jews, it is good for all of us” (Smotrich, Knesset Committee Meeting, 29.03.2016, p.7-8).

It is also worth noting that while the representatives of the Ministry of Interior cited correct sources for limiting conversions of non-citizens, the information provided on the limited resources for non-citizens was often incomplete or factually wrong.⁷⁰ At one point, Mrs Nesher, the representative of the Ministry of Interior at the Knesset Committee Meeting, for example, said: “So again I say: as long as a person knows in advance that he intends to

⁷⁰ “[...] the rule is that foreign nationals will not convert in Israel. There is no eligibility here (Rina Nesher, Knesset Committee Meeting 07.06.2016, p.20)”; legal ground for this comment: “(2) No conversion proceedings will be opened for a foreign national, he will not be referred to studies in the body preparing for conversion, and will not be converted by the court, except in special circumstances and in the manner detailed below” (See Bagaz Toshbaim 2006, p. פ'רק ב).

enter Israel for conversion, everything can be arranged in advance” (Rina Nesher, Knesset Committee Meeting 22.02.2017, p.11). However, this is not accurate. According to the regulations of the procedures of the Exceptions Committee itself, the applicant has to be in the country to be interviewed and to receive the answer from the Committee while being physically present in Israel (interview with Elad Kaplan). It is important to consider that, in the Knesset Committee Meeting, the representatives of the Ministry of Interior, the Conversion Authority, the Prime Minister’s Office, and the Chief Rabbinate hold the positions of experts both as they are the ones legally controlling the conversion process in Israel, and because they have access to and produce data, unavailable to any other participant at the meeting. Mrs Nesher’s comment demonstrates the desire to discourage non-citizens from participating physically (by advising them to stay away from Israel, even though it might jeopardise the individual’s case) and effectively hindering them from accessing valuable human capital.⁷¹

This attitude presents a stark contrast to the situation of the largest non-Jewish immigrant group in Israel. As seen before, over the past decade, approximately half of the immigrants to Israel have not been considered Jewish, according to Halakha. Most of these individuals originate from the FSU and are entitled to Israeli citizenship under the Law of Return. The cases of non-citizen applicants for the Exceptions Committee are thus caught between two major groups in Israel. On the one hand, there are immigrants from the FSU who, while not halakhically Jewish, have the right to make Aliyah and receive substantial support from various Jewish-Israeli organisations to relocate to Israel.

Additionally, they are often provided extensive assistance through alternative conversion systems such as the army conversion Nativ, Kahane’s attempts to liberalise the system, and Russian-speaking courses. On the other end of the spectrum, there are Palestinians, who, despite being physically within Israel-controlled territory, are openly excluded not only from obtaining citizenship but also from the opportunity to undergo a religious conversion. The Latin American emergentes are officially permitted to convert by applying for conversion in Israel, yet simultaneously, they are discouraged and kept at a distance. This situation illustrates that while there are vocal calls for Jewish immigration,

⁷¹ According to Rafi Dayan, the head of the exceptions committee, the application is first discussed in a subcommittee before going to the actual Exceptions Committee (Raphael Dayan, Knesset Committee Meeting 13.02.2017, p.10). It should further be noted that in Israel, legal aid for those wanting to challenge rejections of the *vaada* is more broadly available (e.g. Itim, Nicole Maors office). However, especially networks among non-citizen immigrants and personal connections to rabbis and yeshivot are available in Israel, which might back an individual’s application.

converts and potential converts are not considered part of the target group but are viewed primarily based on their nationality.

Israeli citizens who acquire their status through a Jewish father or grandfather may not be halakhically Jewish but are deemed desirable on a national level due to their status as *zera Israel* (Amsalem, 2011).⁷² Many scholars argue that once these individuals reside in Israel, they undergo a process of social conversion (Cohen, 2009). Additionally, there are those, particularly in the media, who advocate for the full recognition of the Jewishness of public figures, such as athletes or soldiers fighting for Israel, based on the premise that their affiliation and contribution to the Jewish State warrant the full recognition of their Jewish identity.

2. The image of the average applicant portrayed by representatives of the Exceptions Committee, Ministry of Interior, and Prime Minister's Office in the Knesset meeting is that of either Palestinians, illegal immigrants, refugees, or work migrants—all falling under the threshold condition.

The members maintain that it is, therefore, correct to maintain the threshold conditions imposed by the legislator: "The threshold condition is a person who has the sincerity to convert, that wants to convert. This is the threshold condition. He has honesty and is not a foreign worker, because the government has decided that foreign workers cannot convert, or stay illegally. But if a person does not have these things and his goal is not just to get citizenship, on our part, there is no problem" (Rav Yitzhak Peretz, Knesset Committee Meeting, 29.03.2016, p.5). While the threshold conditions were not instituted by the Exceptions Committee but by the legislator, it is nevertheless worthwhile to note that these conditions effectively exclude all non-Jewish and non-citizen minorities living in Israel, such as the thousands of migrant workers and their children. This position stands in stark contrast with the previously mentioned attitude towards non-Jewish FSU immigrants, who are praised by the media as being worthy not only of citizenship but also of the status of Jews.

According to the argument of social conversion, even long-time residents such as the children of migrant workers and refugees, who are socialised in Jewish majority environments, could be considered socially, albeit not legally, Jews. However, unlike in the case of non-Jewish citizens who immigrated through the Law of Return, the groups

⁷² *Zera Israel* translates into English as "seed of Israel." It refers to people who are not halakhically Jewish but have a Jewish ancestor. This ancestor could be a Jewish father, grandfather, or someone who can trace their descent ten generations back. Rav Haim Amsalem is perhaps the most known supporter of the idea of bringing people who are considered to be of *Zera Israel* closer to the Jewish people through, e.g., conversion.

mentioned in the threshold conditions are prevented from converting. They are acknowledged as neither *de facto* nor potential social converts or Jews. Paradoxically, it is not beneficial for the case of applicant to have lived in Israel for an extended period or have other personal relations in Israel, as these might be interpreted by the clerks as a pretence to gain citizenship, with conversion being seen as a shortcut to it. The fear of possible attempts to shortcut otherwise lengthy or impossible naturalisation processes is perhaps best summarised in a moment during the Knesset's committee meeting on February 13th, 2017, when the Chair, Karin Elharar, asked Attorney General Avraham Katalan (Prime Minister's Office) about how applications to the Exceptions Committee are handled: "What is the deal? What is the concern? Mr Attorney General, what is the concern?" (Chair Karin Elharar: Knesset Committee Meeting 13.02.2017, p.22). To which Avraham Katalan replied: "The fear is of a shortcut to citizenship" (Avraham Katalan, Knesset Committee Meeting 13.02.2017, p.22), and the protocol notes the interruption (outcry): "Millions are standing at the door" (outcry, Knesset Committee Meeting 13.02.2017, p.22). It is evident that these "millions" the interruption refers to are not the millions of American Jews or non-Jewish Jews from Western countries the state is rallying to bring to Israel. Instead, it refers to individuals and groups deemed by the officials as inferior, as highlighted by the director of the Interior Ministry's population registry, Amos Arbel, in 2018 when he asked attendees at a Knesset committee hearing on the case of an Abayudaya member in Israel whether they wanted "half of Africa here?" (Sharon, 2021a).

Both the representatives of the Ministry of Interior and the state conversion system offer only restricted information about the number of people rejected due to the threshold conditions during the meetings. However, the fourth category, referred to by all those who have representatives in the Committee as "foreign workers", is referred to in official documents as B1-visa holders (Conversion Authority, 2021). The B1 visa category is addressed by various NGOs such as ITIM because non-Jewish partners of Israelis also receive that type of visa. ITIM pointed out that only after four years of living with a B1 visa, or one year with an A5 spousal visa, is a non-Jewish partner living in Israel allowed to apply for the state conversion process. Rabbi Rosen pointed out that this situation leads and has practically led to couples living together, unmarried according to Halakha, and therefore, the Jewish partner being led to committing a *khet*.⁷³ Even if there is a desire to first convert and marry before effectively living together, the current approach to the threshold conditions by the

⁷³ Halakhic transgression.

Exceptions Committee discards any other solution, forcing mixed couples to live against Jewish law. This contradiction describes a bizarre scenario, considering that the different actors of the Exceptions Committee portray themselves as protectors of the Jewish State while simultaneously acting against traditional Jewish concepts of conversion and community building.⁷⁴

3. The Exceptions committee should only let exceptional cases into the state conversion system.

The members of the Exceptions Committee do not see themselves as representatives or allies of the applicants to the Committee but as allies of all those Israeli citizens they wish to protect. While they are, therefore, personalised gatekeepers for non-citizens wishing to convert, they see their primary goal as representing those who do not wish for non-Jewish citizens and “othered people” to enter. On this note, Rina Nesher, for example, said:

“I might open and say that the rules of discussion in conversion requests stipulate in Rule D that conversion proceedings for foreign nationals will not be opened except in special circumstances and in a manner set forth in the rules. [...] I think that usually or routinely the decisions in the Committee are made unanimously, there is no question of veto or no veto” (Rina Nesher, Knesset Committee Meeting 29.03.2016, p.5). Moreover, “If you want the Exceptions Committee to be able to locate the exceptions- and the reason that all those publics of foreign workers or infiltrators do not apply [...]. [It is] because they know they will be rejected through the threshold conditions” (Rina Nesher, Knesset Committee Meeting, 07.06.2016, p.16).

The source of the ardently discussed word *exception* in the committee meeting lies in the previously presented decision of the Israeli High Court of Justice on Toshbaim, in which the court states that:

“In special circumstances and after a reasoned written request is submitted for the opening of conversion proceedings for a foreign national, the request will be examined by an

⁷⁴ During an interview, Rav Dayan, who also holds the title of rabbi, underscored his awareness of having the responsibility of deciding the future of the applicants while being responsible for finding those insincere cases that could harm the state. When confronted during one of the Knesset Committee Meetings with the lack of rabbinical authorities in the Exceptions Committee, he defended the situation by stating that he himself had the title of a rabbi.

exceptional committee whose members will be a representative of the conversion system appointed with the consent of the Chief Rabbi and chair of the Interior Ministry” (High Court of Justice on Toshbaim; 2006; Amar, 2006).

NGOs such as ITIM interpret the task of the exceptions committee as having to examine all, or at least most applications individually, without disqualifying out of hand through *tnai asaf*, interpreting “exception” as deviation from the focus group- Israeli citizens.⁷⁵ The Ministry of Interior interprets it very differently. According to the Ministry of Interior, “exceptional” means rare; only seldom should conversion applications be, therefore, admitted. This interpretation has meaningful consequences on the approach and goals of the work of the Committee. As pointed out in 1, the Ministry of Interior sees the work of the Exceptions Committee concerning the larger project of the *Maarakh Hagiur*. This position demonstrates that the Committee interprets its task as setting the focus on the conversion of citizens and those eligible for citizenship through the Law of Return. The “exceptionality” of cases and applications of non-citizens, even if viewed individually, are, therefore, seen and compared to the stagnating conversion rates of citizens.

4. Non-religious actors, in this case, clerks, can and should pre-determine the sincerity of someone’s wish to undergo a religious conversion because of its citizenship and ethnonational implications.

One of the main points of discussion in Israel has increasingly been how to reconcile the traditional expectation that a convert agrees to keep mitzvot while joining a society in which large parts are free to choose whether they want to adhere to Jewish practices without the fear of being sanctioned for a secular lifestyle.⁷⁶ Within the largest immigrant group of the last few decades, stemming from the FSU, most immigrants are neither observant before nor after their immigration, regardless of their halakhic Jewish status. The main focus of the conversion apparatus, in which clerks function as central gatekeepers (both in the Ministry of Interior and the Exceptions Committee), has therefore been to reconcile the problem of non-

⁷⁵ Author’s translation of “tnai asaf”: “threshold conditions”.

⁷⁶ “The Beth Din is aware that the standards it requires for conversion create an anomaly insofar as converts are expected to be more religiously observant than the majority of the mainstream Jewish community, who tend to be more traditional than observant. While the lapse in religious standards within the wider Jewish community is a problem in its own right, affected to a large extent by the overwhelming secular society in which most Western Jews live, it cannot be a reason for lowering the universal standard expected of every Jew by the Torah (Bible) for one who wishes to enter the Jewish faith (See United Synagogue. (2022). *Conversion*. Retrieved 10.05.2022 from <https://www.theus.org.uk/article/conversion-2>).”

religious immigrants with the idea of a Jewish nation-state.⁷⁷ The focus has, therefore, been on an internal Israeli problem. The primary task of those working in the Conversion Authority is directed inwards, not outwards, to questions regarding global Jewish identity. The clerks' filter for sincerity, concerns Israeli citizenship (see the previous discussion on shortcuts to citizenship), not religious sincerity (which is the task of the Beit Din once an applicant is accepted).

During the committee meeting, Shuki Friedman of the Israeli Democracy Institute poignantly summarised the danger of entrusting civil servants with the ethno-religious gatekeeping role: "In the end, a lot depends on the goodwill of officials and what they want and how they want to promote the areas they are entrusted with. What the clerk wants many times is what happens, [...] if at the end of the day the clerk in charge of the matter is not interested in advancing these exceptions and is interested in pursuing a rigid policy that is what will happen" (Shuki Friedman, Knesset Committee Meeting, 07.06.2016, p.14).

Weaving the analysis of the four arguments together leads to the following summary: The primary role of the exceptions committee for conversions is to function as a gatekeeper who filters through a potentially unnecessary or undesired group of potential immigrants vis à vis those eligible for citizenship through the Law of Return. Non-citizens are viewed as either beneficial or threatening for the demographic, ethnic, cultural, and economic development of the state.

Furthermore, the interpretation of "exceptional" as rare, in combination with the gatekeeping practice being carried out by civil servants, points towards the conclusion that the State of Israel (this conclusion can be made because, in the Exceptions Committee, all the essential state actors work together) is distancing itself from being the decision-maker regarding Jewish identity in the Diaspora. Instead, it is limiting itself to those individuals and communities eligible for immigration. This response means that it limits its activity outside of Israel on conversion practices and moves the soluble boundary, in which Jewish identity can be bestowed, into the offices of its civil executive arm, the Ministry of Interior in Israel.

The framework through which "entry tickets" into the inner chambers of Israeli (Jewish) belonging are given is drawn under the premise that Jewish identity is not (just) religious but primarily ethnic and political. Those individuals remaining in the Diaspora, even

⁷⁷ See Broyde, M. G., Mark. (2014). Who should be a Jew? Conversion in the Diaspora and in the Modern Nation-State. In L. Greenspoon (Ed.), *Who is a Jew? Reflections on History, Religion, and Culture*. Purdue University Press. p.143; Kravell-Tovi, 2017; Fisher 2015).

if not halakhically Jewish, but who fit the ethnic and political criteria of the time, can pass the first gatekeeper towards the second, the religious gatekeeper. While Halakha has developed specific criteria to decide whether someone is apt for conversion (mainly acceptance of mitzvot, studying, and going through certain rituals), the current functioning of the Exceptions Committee prevents certain people who might pass the religious conversion process from starting the conversion on bureaucratic and, most importantly, national grounds.

It should furthermore be highlighted that, although Israeli officials, their declarations, and laws have not been rare in proclaiming Israel as the homeland of the Jewish People, taking paternalising undertones when it comes to Jewish education in the Diaspora, little attention is given to diversity and limits of this heterogeneous group. None of the state documents or protocols showed an awareness of the perception of Israel as the centre of Jewish jurisprudence, culture, and life in general among emerging communities, but at best, saw them as a potential reservoir from which to choose, as seen in the report from 2017, and at worst neglected their members altogether. While the latter position might be a success for inner strategies of keeping undesired immigrant groups out, by not offering a form of engagement with the phenomenon of emerging communities across the globe, the State of Israel is increasing the pressure on traditional Jewish communities in the Diaspora to come up with both local and glocal answers to the question of who can belong to the Jewish people today.

Conclusion

According to Weber, modern states are characterised by the following elements: They require a set of institutions, political relations, a population, a territorially demarcated area, and a monopoly over-rules and their enforcement (Weber, 1968). While these elements are not necessarily static and can be inflated, weakened, and distorted, understanding the state with these characteristics and functions is a helpful tool for comprehending who determines the Jewish identity of Colombian emerging communities. As we have seen, the self-understanding of the State of Israel is, although connected to a physical territory, also linked to the concept of a nation whose majority neither holds Israeli citizenship nor lives in the territory of the state. As it has yet to come up with a definition of its idea of Jewishness, which, according to various declarations and laws, is an essential component of its identity, the idea of certain individuals and communities being integrated into that vague concept

might seem plausible. If the State of Israel has lacked a definition of what is Jewish while accepting various definitions of who is a Jew within its borders and what defines the Diaspora, why should the Comunidad Judía de Antioquia doubt their belonging to the Jewish people?

This chapter has demonstrated how the positions taken by state institutions towards members of Colombian and other emerging communities around the world paint a picture of rejection. However, this is not a clear-cut position nor a "secret folder" containing names or adjectives that have been deemed "un-Jewish" at the inception of the state. These positions have changed and, in this case, hardened over time. While certain groups within the state had not only aided emerging communities to convert and settle in Israel between the 1970s and early 2000s, with a preference for the West Bank and other political outposts, some groups such as Shavei Israel (and its predecessor Amishav) convinced state actors to get involved in shaping narratives, goals, and religious expressions of communities across the globe. However, neither the settler movement nor religious Zionist NGOs seem to see significant political benefits in lobbying for the recognition of emerging communities today.

If one focuses on the positions of the various state institutions presented in this chapter, their engagement with emerging communities fluctuated between acceptance and rejection. While the Ministry of Interior seems to have maintained a negative attitude towards accepting communities, it was deemed culturally too different; its influence on decisions regarding these communities depended on the strength of other actors, such as the Prime Minister's Office or the Chief Rabbinate and Chief Rabbis. The Chief Rabbinate has lost a significant amount of popularity and power over the last decade. While Chief Rabbi Ovadia Yosef had accepted Ethiopian Jews, Rabbi Amar's recognition of the Bnei Menashe was already only partial. Twenty years later, Colombian emerging communities can no longer count on a Chief Rabbinate that is currently fighting too many other battles. With the voluntary and involuntary thematic re-orientation of previously opposing actors such as the Chief Rabbinate and the Prime Minister's Office, the Ministry of Interior has become the new gatekeeper for emerging communities and non-citizens.

The State of Israel presents itself inwardly and outwardly through laws, rulings, demographics, education, and military activities as a primarily Jewish state. It has so far relied on a demographic ethnonational building process in which conversions are a tool to secure and shape a Jewish majority and consciousness. While emerging communities are, in theory, eligible for inclusion in the Jewish collective imagined and defined by the state, practice

shows that the State of Israel is currently actively working against recognising emerging communities and their members as Jewish inside and outside the borders of the state. This attitude is mainly due to the primarily inward preoccupation of the state with its Jewish identity. At present, conversion and bestowing belonging to the Jewish collective are aimed at those who are already within the state and desired by it. While in the past, opinions on integrating groups that were culturally and even racially deemed less preferable were deferred for demographic reasons, the unanimous positions voiced by state representatives in the Knesset Committee Meetings presented in this chapter demonstrate its current agreement on the matter.

Like other communities in Latin America, Africa, and Southeast Asia, Colombian emerging communities are growing in number, locations, and assertiveness. However, in the Colombian case, only individual recognitions were successful when people immersed themselves in the structures of the traditional communities that the State of Israel still accepted without greater supervision. In other cases, individuals have taken their chances against the Exceptions Committee, which sees itself as a substantial stronghold against such immigrants. While a trickle of Colombian converts can obtain recognition from the state, the structure of the Exceptions Committee is not designed to handle or answer the question of emerging communities. Therefore, advocates of emerging communities worldwide have sought out the Israeli courts. However, the Ministry of Interior has so far been successful in thwarting any attempts to undermine its authority as a gatekeeper for these communities. At this point, Colombian and other emerging communities lack recognition from the State of Israel and face growing restrictions in accessing such recognition.

Chapter 3: Sounding the Horn for the Return of the “Spaniards Without a Homeland”? The Spanish Citizenship Law of 2015 and the Reshaping of Sephardic-Jewish Identity

“Pharaoh and Titus, Haman made their aim
To slay me in their times and lands,
Eternity still bears my name
Upon its hands
And I survived in Spain the rack,
The Inquisition Fires too.
My horn sounded this message back:
I am a Jew!”

- Itsik Fefer, 1941 (I am a Jew)

Introduction

“Nosotros ordenamos además en este edicto que los Judíos y Judías cualquiera edad que residan en nuestros dominios o territorios que partan con sus hijos e hijas, sirvientes y familiares pequeños o grandes de todas las edades al fin de Julio de este año y que no se atrevan a regresar a nuestras tierras y que no tomen un paso adelante a traspasar de la manera que si algún Judío que no acepte este edicto si acaso es encontrado en estos dominios o regresa será culpado a muerte y confiscación de sus bienes”(Alhambra Decree, 1492).¹

Under the reign of Catholic Monarchs Ferdinand II of Aragon and Isabella I of Castile, the infamous Edict of Expulsion was issued on March 31, 1492. The royal decree mandated the expulsion of all Jews from the Kingdoms of Castile and Aragon. The edict was a culmination of a series of discriminatory policies and events in the previous centuries, indicative of an intolerant desire for religious homogeneity. The estimated number of Jews forced to leave their homes ranges from around 40,000 to as high as 200,000. Faced with the harsh choice between exile and conversion to Christianity, many Jews opted for the latter to avoid expulsion. Others left for Portugal, North Africa, the Ottoman Empire or Italy. However, the conversion of those who stayed did not guarantee safety. They, too, faced suspicion, persecution, and discrimination that reached its peak during the time of the Spanish Inquisition but lasted even beyond its abolition, as seen in the case of the continuous discrimination of the Chuetas in Majorca.²

¹ Author's translation: “We further order in this edict that Jews of any age who reside in our reigns or territories leave with their sons and daughters, servants, small or large family members of all ages at the end of July of this year and that they do not dare to return to our lands and do not take any step to trespass. If any Jew who does not accept this edict and is found in these reigns or returns, he will be sentenced to death, and his property will be confiscated.” The vast majority of quotations labelled in the text were originally published in Spanish and have been translated by the author. Most of these quotations have been labelled as such, except for very short quotes.

² The Inquisition was an institution that was set up as an ecclesiastical court to detect and sentence Christians who had transgressed against church law. It was first introduced by the Spanish monarchs in 1478 and only abolished in 1834. The first *auto de fé* took place in 1481 in Seville. However, the Inquisition soon became active all over the Spanish kingdoms and the Portuguese and Spanish overseas colonies (Berlin and Grossman (2011). ANUSIM. In The Oxford Dictionary of the Jewish Religion (2nd ed.). Oxford University Press.). One of the perhaps most known examples of persecution of continued persecution is the one of the Chuetas (or Xuetas) in Majorca, the descendants of Jewish converts to Christianity who were first forced to convert and later accused of secretly holding on to Jewish practices. The case of Majorca is especially noteworthy because their discrimination continued after the end of the Inquisition in Spain, which led to continuous endogamy in the community and a more recent recognition of their Jewish identity by the Israeli NGO Shavei Israel and the religious court of Rav Nissim Karelitz in Bnei Brak (Sharon, 2011). There have been stories of discrimination

What followed was a long period of Jewish absence from the Spanish centre of attention, which only began to change significantly in the 19th Century with the settlement of some, mostly Ashkenazi, families in Spanish cities, as well as the establishment of the Spanish protectorate in North Africa, intensifying interactions between the Spanish military, administration, and local Sephardic Jews. As we shall see, this accelerated the rate at which Jews were nationalised in Spain. In the congressional debates leading up to the adoption of the 12/2015 law, the Minister of Justice at the time, Catalá Polo, said: “Sefarad is no longer a nostalgia but a home in which it should not be said that the Jews feel at home- because the Spanish-Jews are in their own home, in the home of all Spaniards, whatever their belief or religion” (Catalá Polo, 20.11.2014, p.59).³ In 2015, the Spanish parliament eventually approved the law that would allow descendants of the Jews expelled from Spain in the 15th Century to apply for Spanish citizenship based on their Sephardic ancestry (Boletín Oficial del Estado, 2015). According to that law, proposed by the previous Minister of Justice Alberto Ruiz-Gallardón, those showing proof of such ancestry and a *special connection* to Spain could apply for citizenship until 2019.⁴ Many Jews and non-Jews around the world heeded that call. According to the Times of Israel, at least 27% of over 153,000 applications for Spanish citizenship were not Jewish, according to Halakha (Lipshitz, 2019). The countries spearheading the list of places from which the applicants hailed were not Israel, the United States, or Turkey but Latin American countries such as Mexico, Colombia, and Venezuela. 21,057 Colombians applied for Spanish citizenship based on the 2015 law (Ministerio de la Presidencia, Justicia, y Relaciones con las Cortes, 2023). This high number might surprise readers, considering that Colombia’s recognised Jewish community counts only 2,100-4,500 Jews (many of them of Ashkenazi origin). It would be far-fetched to assume that the more than 19,000 remaining applicants applied due to emotional ties to an enduring Sephardic Jewish ancestry.⁵

and public humiliation of individuals and families for being of *Chuetas* descent up until the 20th Century. See Assis, Y. (2007). Chuetas. In *Encyclopaedia Judaica* (Vol. 4, pp. 708–709).

³ Rafael Catalá Polo was the Minister of Justice of Spain between 2014 and 2018.

⁴ According to interviewees from the Jewish community, but also Spanish historians and social scientists, Gallardón’s decision to propose the law was both a result of the pressure from the Jewish Federation and the fact that he had previously been the President of the Autonomous Community of Madrid where he had worked closely with the local Jewish community. Therefore, he was more attentive to their needs and requests. It should be further noted that initially, the window for applications was limited to three years, but it was then extended by an additional year.

⁵ From conversations with various Colombian Jews, I understood that many members of the “traditional” local Jewish communities did not apply for Spanish or Portuguese citizenship, as a significant number apparently already hold other European passports.

This caution is not explicitly raised against Colombians. Research has shown that most applicants for European passports who reside outside of the European Union apply for practical reasons such as economic or residential benefits and not because of emotional ties. Moreover, the same research showed that many people did not apply for citizenship in the EU country that they had a formal connection with (Moritz, 2015). 344,000 Israelis living in Israel have dual citizenship with an EU nation, often from Eastern European countries, and only a few have decided to move to one of those countries (Harpaz, 2013).⁶ A quite significant number of Israelis, between 11,000- 40,000, have chosen to move to Berlin instead (Atshan, 2021). While this has received significant media attention, it is not the first case of a rapid rise of Jewish immigration to Germany after World War II. With the crumbling of the Soviet Union in the 1980s, thousands of Jews moved to Germany under the term *Jüdische Kontingentflüchtlinge* (“Jewish quota-refugees”).⁷ This status has been described, similarly to the Spanish citizenship law of 2015, as a means of addressing past German injustice (Brenner, 2012).

Critics of the way that both Spain and Germany have facilitated increased Jewish migration have noted that these gestures are indicative of an insinuated openness. This apparent desire for diversity is belied by a hardening of naturalisation laws for larger groups, like Turks in Germany and North Africans in Spain (Gessen, 2023; Laurence, 1999; Ojeda-Mata, 2018). However, an element that is unique to the Spanish case is the role of *Hispanidad*, the nostalgia for a Spanish past and its commemoration. In 1990, the Sephardim (as a community) were given the Asturias Prize because “the greatness of the ‘Hispanic’ world is inseparable from the cultural diversity of its components, and the Sephardim are- without doubt an endearing part of this great family”, and “even when they had to leave their land under dramatic circumstances, they continued to be loyal to it [...]” (Spanish King Juan Carlos I, 1990).⁸

Catalá Polo’s above-cited comment shows how similar the terminology used in the 2015 citizenship law is. Words such as *Sefarad*, *Spanish*, or *Spanish-Jew* suggest simultaneous closeness and distance. The use of these words raises the question of whether

⁶ The number of Israelis might already be higher at this point, as the data cited here is from 2010.

⁷ This type of residency right was based on the Geneva Convention and was initially used in Germany for refugees from Vietnam. However, the term *quota refugee* might be misleading as there was, in fact, no set quota applied for the Jewish refugees from the Former Soviet Union (Schoeps, 1996).

⁸ From 1981 to 2014, The Prince of Asturias Awards (Spanish: *Premios Príncipe de Asturias*), which today is the Princess of Asturias Awards (Spanish: *Premios Princesa de Asturias*), were various annual awards given by the heir to the Spanish crown, the Prince or Princess of Asturias, to reward achievements in areas such as science, humanities, and public affairs.

some terms can be used interchangeably or if they are weighted differently according to their distance from an imagined core-group identity.

In his book on ethnic groups and boundaries, Fredrik Barth writes that an ethnic group is a collective whose members sustain their identity through familial connections and shared cultural beliefs. Membership in such a group is determined not only by self-identification but also depends on recognition from others. (Barth 1969). This chapter, therefore, focuses on the understanding and determination of Jewish identity by the Spanish state. The discourse surrounding the Spanish citizenship law for descendants of Sephardim offers insight into the ways non-Jewish actors participate in the construction of Jewish identity. The fact that many applicants were neither halakhically nor culturally Jewish creates an interesting conundrum: the possibility that an individual or community might have a stronger claim of Jewishness if they were granted citizenship by a non-Jewish entity.⁹ Moreover, it reflects Spain's own concern with Jewishness and Spanishness, contributing to the understanding of the role of *others* in delineating in- and outsiders in the Spanish context.

This chapter sets the focus on an abstract genealogy that induces cultural and national feelings through those offering Spanish citizenship. While Spanish lawmakers were careful not to define all descendants of Sephardim categorically as Jews, they nevertheless prompted thousands of people who did not define themselves as Jews to search for Jewish ancestry. Since the announcement of the Spanish law in 2015, a significant number of non-Jews have begun to search for an identity that their very ancestors they were trying to uncover had meticulously hidden. Many of those who have found a link supporting an application for Spanish citizenship have not renounced their non-Jewish identities. Others have embarked on new religious and cultural journeys. In some cases, this might have only contributed to new hyphenations; in others, it might even result in people wanting to convert to Judaism.¹⁰

While most of the literature dealing with the 2015 citizenship law focuses on the Spanish reasoning, aspirations, and personal interest of Latin Americans to gain EU citizenship, no attention is given to how Jewish identity is constructed, modified, and therefore challenged by the 12/2015 law. Sephardim are not defined as per the Jewish in-

⁹ Carolina Aisen of the *Federación de Comunidades Judías* mentioned in the interview that there have been various cases of people who, after receiving the certificate of the Federación de España, demanded to be allowed to make Aliyah (Jewish immigration) to Israel- interpreting the certificate of ancestry and the resulting Spanish citizenship as proof of a current status as Jews.

¹⁰ Heba Iskandarani, a young Palestinian woman who was born in Lebanon and was studying in the United Kingdom at the time, described herself as “Palestinian, Jewish, Lebanese, Muslim, Emirati and Spanish” (Miriam Blanco, 2020).

group, according to Halakha or any other law or norm followed by Jews today, but in a novel way. The main question this chapter addresses is whether and, if so, how the Spanish state participates in the broader discourse concerning Jewish identity in the 21st Century. It questions how Sephardic identity, in conjunction with Jewish identity, is constructed and imagined through the 12/2015 law and the possible purpose and implications of such framing.

Furthermore, this chapter argues that through the 12/2015 Citizenship Law for descendants of Sephardic Jews, the Spanish state becomes an active participant in the construction of Jewish identity in the 21st Century. By reshaping the idea of Sephardic identity for the purpose of nation branding to enhance the image of Spain and *Hispanidad*, Spain's perception of Jewishness is being conceptualised based on Philo-Semitic and Philo-Sephardic tropes. Sephardiness and Jewishness are constructed in a way that their meanings overlap, constructing them in a quasi-spatial manner in relation to an imagined Spanish in-group: 1. Sephardim in the liminal space of *Hispanidad* and otherness, 2. Philo-Sephardic and Philo-Semitic tropes and stereotypes, and 3. The in-group: what Spain sees through its Sephardic reflection.

Further still, I would argue that in the process of creating the *Sephardic nation brand*, Spain seems to be attempting to exclude other contested minorities from claiming *Hispanidad* and citizenship rights. Goldschlager and Orjuela have argued that the 12/2015 did not arise as a spontaneous reaction to Sephardic or Jewish pressure. It was, as some of the politicians have written in the book *Cuanto os Hemos Echado de Menos*, the culmination of a historic Philo Sephardism which responded to perceptions of Spanish weakness and geopolitical unimportance by highlighting a re-imagined past in which Spain was one of the most politically and economically influential countries of the world (Lisbona, 2023; Goldschläger & Orjuela, 2021).¹¹ Philo-Sephardism served as a reminder of this heritage. If the law is mainly a “symbolic gesture”, such as stated by Jaime Moreno Bau and the various Spanish politicians and diplomats in the book *Cuanto os Hemos Echado de Menos*, it is vital to understand how the beneficiaries of the law are described and, as I argue, constructed.¹²

Finally, this chapter is structured into four main sections. The first section serves as a concise introduction to the theoretical framework encompassing in and out-groups alongside citizenship discourses pertinent to this dissertation. Following that first section, the second

¹¹ Author's translation of “*Cuanto os Hemos Echado de Menos*”: “How much we have missed you,” titled after a part of a speech the Spanish King gave in honour of Spanish citizenship law.

¹² Jaime Moreno Bau is the director of the Centro Sefarad Israel in Madrid.

section will delve into the case study of the so-called *Jewish quota refugees* (“Kontingentflüchtlinge”) in Germany, offering a comparative viewpoint for the examination of the Spanish context. Subsequently, the third part will offer an extensive review of Spain’s historical backdrop preceding the enactment of the 12/2015 citizenship law to present the key elements of the Philo-Sephardic and Philo-Semitic discourse analysed for this research. Finally, the fourth and concluding section will present the findings derived from the analysis of the said law, synthesising the insights gleaned throughout the preceding sections.

The analysis follows the example of discourse analysis of various textual and oral sources such as legal texts, drafts, transcripts of parliamentary discussions, and interviews that have been conducted for this project. The interlocutors were chosen according to an adapted version of Melissa Noble’s concept, which identifies groups of actors involved in state apologetics as mobilised minority groups, state officials, and public intellectuals, particularly historians (Nobles, 2008). However, as this study primarily concentrates on the construction by the out-group, the results presented focus on the perceptions of lawmakers, historians and actors adjacent to the state apparatus, although it should be noted that the perspective of the local Jewish community is considered for the analytical assessments. The conceptualisation of the local Jewish communities as (partially) representing the position of the in-group is in this case based on the acceptance by the relevant out-group, the Spanish state, as established through the 25/1992 law of the “Acuerdo de Cooperación del Estado con la Federación de Comunidades Israelitas de España” (Boletín Oficial del Estado, 12.11.1992, no. 272).¹³ The Jewish Communities in Madrid are organised under the umbrella of the Jewish Federation. According to the federation’s website, today, approximately 45,000 Jews live in Spain (Federación de Comunidades Judías de España, 2024). However, according to various interlocutors, this number has been vastly inflated.¹⁴

The methodology adopted for this chapter relies on qualitative research methodologies, mainly employing face-to-face interviews conducted between September and December of 2023 in Madrid and Barcelona, reflecting the concentration of Spain’s Jewish population and government institutions in the capital city. All but one of the 14 interviews were conducted in Spanish, as the interlocutors were Spanish nationals and spoke Spanish as their mother tongue. A wide array of perspectives was represented, encompassing four state functionaries,

¹³ Author’s translation of Acuerdo de Cooperación del Estado con la Federación de Comunidades Israelitas de España”: “Agreement of Cooperation between the State and the Federation of Jewish Communities of Spain.”

¹⁴ Various interviewees suggested the number to be around 20,000 Jews.

four individuals who were working or had worked for organisations representing Jewish communal life in Spain, and six expert interviews.¹⁵ In order to supplement the interview data, fieldwork observations were conducted in various settings, such as state-funded seminars and lectures on Jewish history in Spain, academic conferences, guided tours, and community events of the Jewish community. These observations served to deepen the contextual understanding of community dynamics beyond the scope of verbal communication alone. By employing a multifaceted approach integrating interviews, fieldwork observations, and online interactions, this chapter aims to present a holistic exploration of the complexities surrounding Jewish identity formation and community dynamics in contemporary Spain.

Understanding the Context of the Spanish Citizenship Law

The following section will delve into the theoretical framework used in this research project and the historical and political precedents that inform the analysis of the Spanish citizenship law for descendants of Sephardic Jews from 2015.

Theoretical Background: In-Groups, Out-Groups and Instrumental Citizenship

The sociological exploration of in-groups and out-groups, as framed by Robert Merton in 1972, distinguishes *insiders* as members of specific groups or social statuses and *outsiders* as non-members, setting the stage for understanding social dynamics. Jenkins' perspective builds on this foundation and delves into the nuanced intricacies of identification and classification, emphasising the dynamic nature of the identification process. Merton's in-out-group dichotomy explores the strong sense of identification within in-groups and the lack of connection with out-groups. At the same time, Jenkins brings a crucial nuance to this discussion by underscoring that identification, not just static identity, is pivotal. He emphasises that identification is an ongoing process rooted in language and human capacity, continuous mapping of the social world in multi-dimensional terms. Classifying individuals involves hierarchical organisation, wherein categories exist at various levels. This hierarchical structure extends to social contexts, illustrating that identification can vary across different situations and is not devoid of evaluation and preference. These processes do not happen in parallel; self-identification and categorisation of others have to be seen as interconnected (Merton, 1972; Jenkins, 2014).

¹⁵ In this case, the term *expert* encompasses historians and social scientists working on Jewish life in Spain. Most of these interlocutors were also part of the Jewish community in Spain or had close ties to it.

Crucially, the question posed by Jenkins, whether a group constructed from outside can become real and how outsiders interfere in the understanding of an in-group, is at the heart of this chapter. This inquiry opens avenues for exploring the fluidity of group boundaries and the complexities introduced when external categorisation influences the perceptions and behaviours of both the in-group and the out-group, especially the discourse about them. According to Per Stahlberg and Göran Bolin, “collective identity is just as much about recognition as about belonging. The self-perceived identity needs to be recognised similarly by others” (Stahlberg & Bolin, 2016, p.283), which suggests that a mismatched ascription by outsiders could challenge the constitution of the in-group. Patchen Markell’s observations add to this discourse by contributing to a critical perspective on the role of recognition in shaping identity. Charles Taylor’s argument, as cited by Markell, underscores that identity is shaped by recognition or its absence, leading to real damage or distortion if individuals or groups are mirrored by a confining or selective picture. His work challenges the idea that the politics of recognition is solely about systematic failures to recognise others’ identities. Instead, he contends that social and political subordination can be patterned, allowing some to enjoy sovereign agency at the expense of others. Even seemingly successful exchanges of recognition may reinforce existing injustices or create new ones (Markell, 2009; Taylor, 1994). This situation prompts us to critically examine acts of recognition, like the Sephardic citizenship law, and consider whether it could be an example of recognition that, in effect, perpetuates misconceptions about Jews and Sephardic-Jewish identity.

Christian Joppke examines the multifaceted landscape of citizenship. His insights offer valuable perspectives alongside those of other influential authors such as Rainer Bauböck, Yossi Harpaz, and Pablo Mateos. Joppke focuses on the instrumental turn in citizenship practices, highlighting the tension between de-nationalisation forces that emphasise individualism and re-nationalisation forces that seek to revive national cohesion (Joppke, 2010). Bauböck labelled de-nationalised citizenship, characterised by easy acquisition and a multiplicity of citizenships without the typical citizenship duties, as “citizenship lite” (Bauböck, 2019). He further explores the strategic uses of dual citizenship, which provide individuals with free or facilitated movement and incentivises citizens of second and third-tier countries to acquire first-tier state citizenship as an emigration ticket or insurance policy. The demand for multiple citizenships among the global elite is expected to increase steadily, especially in Western Europe, where de-nationalised citizenship has been increasing over the past few decades (Bauböck, 2019; Joppke, 2010).

Joppke identifies two forms of instrumentalisation of citizenship: First, the selling and buying of citizenship by investment, and second, external citizenship, acquired by individuals residing outside the citizenship-providing state (primarily used as an insurance policy against uncertainties in unstable regions). External citizenship, prevalent in a globalised context, reflects a growing incongruity between people and politically demarcated territories. According to Joppke, EU citizenship provides a legal construct which is devoid of bottom-up social dynamics. The commodification of citizenship, particularly through citizenship by investment, has been criticised for linking access to citizenship to social class and raising integration hurdles for people experiencing poverty. The absence of a residence requirement, coupled with facilitated naturalisation rules based on ancestry or ethnicity, signals a growing commodification of citizenship, characterising it as a class position within a stratified world society (Joppke, 2010).

Nation Branding, Heritage and Philo-Semitism: The German Case of the Jewish *Kontingentflüchtlinge*

“And now- as far as the Jewish question is concerned - I can perhaps understand your question as follows: Why have you always described the Jewish question as an extremely important question and behaved accordingly? First, because of a sense of justice. We had committed so many injustices against the Jews; we had committed crimes against them that had to be atoned for or made amends in some way if we were to regain any respect among the peoples of the world. And further: The power of the Jews even today, especially in America, should not be underestimated. And that’s why I very carefully and very consciously - and this has always been my opinion - put all my effort into bringing about reconciliation as best as I could between the Jewish people and the German people” (Konrad Adenauer, 1966).¹⁶

Several authors analysing the Spanish citizenship law compare the Spanish case with other European countries that have offered to restore citizenship to, e.g. Holocaust survivors (who had previously held such citizenship) and their descendants (Kandiyoti & Rina Benmayor, 2022; Aragonese 2018, 2022). Germany is, as perhaps best shown in Konrad Adenauer’s quote, the country that is most frequently brought up in connection to the question of

¹⁶ Konrad Adenauer was the first German chancellor after WWII. He was a member of the Christian Democratic Union (CDU).

responsibility, guilt and reparation of Jews. While Karl Jaspers is concerned with the question of guilt (he divides it into four types: criminal, political, moral, and metaphysical) and positions himself against demands by those who are not implicated in the Holocaust (Jaspers, 1946), the question of the necessity and usefulness of public apologies has not ceased. In *Towards a Membership Theory of Apologies*, Nobles poignantly questions the common conception of state apologies, presented as being driven by regret and guilt (“We had committed so many injustices against the Jews”), arguing that they are driven by rational motives such as easing relations with former belligerents (“The power of the Jews even today, especially in America, should not be underestimated”). Post-war Germany is, therefore, one of the most iconic examples of the use of apologies as a tool to focus the attention on the past with strong “implications for the future” (Nobles, 2008, p.2).

Following Isabel David’s and Gabriela Anouck Corte Pinto’s argument, which posits that the Portuguese citizenship law from 2015 is an act of nation branding, this text contends that the Spanish 12/2015 citizenship law, too, is a *heritage tool* for nation branding and an example of how an outsider group, namely the Spanish state, constructs Jewish identity.^{17 18} I further argue that the type of nation branding, based on a Philo-Semitic narrative and imagined Jews used in the Spanish case, has already been exemplified by Germany in the 1990s. This section will, therefore, offer an overview of one of the most exemplary cases, the quota refugees from the FSU in Germany and describe its use and implications for nation branding.

A lot has been written about the life of Jews in Germany after WW II (Brenner, 2018), German-Israeli relations (Vogel, 2021; Auerbach, 1986), and increasingly about the celebrated German *Erinnerungskultur* or *Vergangenheitsbewältigung* (Neiman, 2020; Pankaj Mishra, 2023).¹⁹ In the latter case, the literature deals mainly with either German attitudes

¹⁷ David and Anouck contend that the law attempts to promote an idea of historical rehabilitation based on a narrative of cultural and racial tolerance (David and Anouck Corte-Real Pinto, 2023).

¹⁸ According to David Lowenthal, the difference between history and heritage is that while history’s role is exploring past events, which we are mostly detached from by time, heritage’s role is to revise past events and to reframe them in current light and stories by 1. Highlighting or constructing anachronistic narratives. Another tool for reframing the past can be achieved by 2. Highlighting specifically positive stories, or 3. By doing the exact opposite, namely actively forgetting certain events or actors [21] (Lowenthal, 1996). The purpose of heritage studies can, among other things, be seen in commemorative policies such as the widely esteemed/acknowledged German *Erinnerungskultur* and *Vergangenheitsbewältigung*. In this case, we can see the various expressions of heritage.

¹⁹ The literal translation of *Erinnerungskultur* is “remembrance culture”, and *Vergangenheitsbewältigung* could be translated as “a coming to terms with the past”. Criticising the German use of memorialisation to position itself as a moral gatekeeper, Keskinkilic and Langer denounce: “The perpetrator nation is currently engaging in a new variant of remembering in order to never forget: it burdens itself with the responsibility not only to

towards Jews, e.g., in surveys about anti-Semitism, or with the analysis of the German state towards the Holocaust through memorials, public commemorative events and especially the German *Staatsräson* of its support for the State of Israel.²⁰ While most of the publications resonate with a positive analysis of the German goodwill to right its wrongs, an increasing number of authors have begun to critically analyse the German state's public memorialisation of the Holocaust- focusing on the intentions of the state behind the attitudes and public expressions.

Analysing Germany's *Vergangenheitsbewältigung*, and especially its public demonstrations through a rational choice framework, authors such as Pankash Mishra, Thomas Altfelix, Frank Stern and Esra Özyürek describe Germany's use of its Holocaust commemoration, together with its attitudes towards Jews and Israel as a way of presenting Germans as rehabilitated, and Germany as a moral state (Altfelix, 2000; Stern, 1992; Pankaj Mishra, 2023; Özyürek, 2023). This research builds on the assumption that social in-groups do not tend to assess out-groups positively- or, to put it in Nobles' words, "Governments are not in the habit of apologising for their injustices, let alone those perpetrated by former governments in distant and not-so-distant pasts" (Nobles, 2008, p.1). It moreover presumes that groups break this habit if it enhances the in-group status and that Philo-Semitism²¹ has been construed as a genuine manifestation of guilt and repentance for the Holocaust by succeeding German governments- a relatively new nation branding tool which has been adopted and adapted by Spain. Altfelix and Stern suggest that Philo-Semitism has been used as a tool for public policy that was necessary post-WW II, at a moment in time in which Germany had to rapidly re-imagine itself as an ally of the Western forces vis à vis the Soviet Union. Today, this Philo-Semitism has become part and parcel of the image that the German state has created for itself: a polity that has incorporated guilt and remembrance as vital

remember Auschwitz but to remind others of Auschwitz in the way it, the perpetrator nation, sees fit. But it also burdens itself with the responsibility of fighting the anti-Semitism of others and, in doing so, creating its own expanded, watered-down definitions of anti-Semitism and dealing with the German genocide of the Jews of Europe as a model for combating all anti-Semitism and everyone accused of genocide" (Zakariya Keskinkilic & Langer, 2018).

²⁰ In a speech in front of the Israeli Knesset, then-German Chancellor Angela Merkel said: "This historical German responsibility is part of the matter of state ('Staatsräson') of my country. This means that for me, as German Federal Chancellor, Israel's security is never negotiable. And if this is the case, then *these cannot be empty words* in the moment of truth" (Antje Wiener 2024. *Staatsräson: Empty Signifier or Meaningful Norm?* Verfassungsblog <https://verfassungsblog.de/staatsrson-empty-signifier-or-meaningful-norm/>).

²¹ The term Philo-Semitim in this text includes the idea of anti-anti-Semitism, which has become increasingly popular in publications criticising the German state for its self-assigned role in fighting and persecuting anti-Semitism. To paraphrase Ellie Wiesel's "The opposite of hate is indifference, not love" (Wiesel, 1986): the opposite of anti-Semitism would not be philo-Semitism, but a-Semitism.

components of its national identity.²² In practice, this has meant highlighting Jewish visibility in public spaces (including the promotion of art, interreligious projects, and academic research), supporting Israel and orally advocating for the repatriation of Jews to Germany.²³ Today, this position has gone so far as to mean that German authorities sanction activities and people critical of the State of Israel, such as seen in the case of Maya Gessen but also other Jewish authors and activists (Gessen, 2023; Pankaj Mishra, 2013; On the Media, 2024).²⁴

While the support of Jewish (re-) immigration to Germany after WW II was neither fervid nor followed by significant changes, this shifted in the late 1980s and early 1990s.²⁵ The case of the Jewish *Kontingentflüchtlinge* (“quota refugees”), unknown to many, began in East- not West- Germany.²⁶ In 1988, the East German government initiated a series of activities, hoping to improve the economic relations between the GDR and the United States and legitimise a sovereign East German state. These included the invitation of prominent Jewish figures to East Germany and the decision to allow Jews from the FSU into the GDR (Schoeps, 1996).²⁷ At first, these Jewish immigrants were not included in the reunification agreement between East and West Germany on October 3. However, the newly established government soon understood the value of such policies for the newly unified German state. Jews hailing from the Former Soviet Union were allowed to migrate to Germany as *Quota Refugees*, based on the Convention Relating to the Status of Refugees from 1951. Both the government- and opposition parties agreed that these Jews should be allowed the right to settle in Germany, citing a historical responsibility towards Jews and the memory of Germany before the rise of National Socialism. Being aware of how such a step would be perceived outside Germany, Dietrich Wetzels of the Green Party at the time said: “This response will

²² This text follows Cohen Daniel’s definition of post-WWII philo-Semitism as a “broadly conceived as positive discourse on Jews” that “can [...] recycle antisemitic themes, recreate Jewish otherness, or strategically compensate for Holocaust guilt” (Cohen, 2020, p. 118). It is a term that was first used in 1879 by anti-Semites such as H. v. Treitschke, who spoke of the “blind philosemitic zeal of the Progress Party” (Brenner, 2011).

²³ It is debated whether, until the 1990s, there were actual attempts to promote immigration or whether that was a theoretical position (Stern, 1992).

²⁴ Gessen published an article in December 2023 in which they argued that treating the Holocaust as a “singular event,” without comparisons, limited the lessons that could be learned to prevent future genocides. In the same article, she compared the conditions in Gaza after October 7, 2023, with those in Nazi Concentration Camps, which led to stark criticism from German left-leaning foundations such as the Heinrich Böll Stiftung.

²⁵ After WW II, Jewish communities in West and East Germany were re-established, but their member numbers were far smaller than before the war. In the 1950s, the Central Council of Jews in Germany counted 15,000 members in all of West Germany, while the GDR counted 8,000 in 1949 (Jasper, 1999).

²⁶ In contrast to other ethnic minorities, such as the Russian-Germans, the Jewish minority did not have what is referred to in the sociological and anthropological literature as “thick culture” - a common language, eating traditions, clothing and religious practices. For the Jews, the only concise expression of their ethnic affiliation was an entry in the population register, a purely technical and administrative step (Gorelik in Brenner 2012).

²⁷ In October 1988, the President of the World Jewish Congress, Edgar Bronfman, visited the GDR (Gorelik in Brenner, 2012).

also be understood internationally as indicating the extent to which reservations about and fears of the new Germany are justified” (Brenner, 2012). However, like many politicians after him, Wolfgang Schäuble made it clear that this was going to be a special treatment of an exceptional group- which should not be mistaken for an invitation to other migrant groups, saying: “By definition, the Federal Republic is not a country of immigration” (Dernbach, 2006).

It should be highlighted that, unlike in the case of Russian-Germans who had been living for centuries in what today is known as the FSU, and German Jews who had been stripped of their German citizenship during national socialism, the case of the *quota refugees* was not about the repatriation of people with family ties to Germany, but about the repatriation of a people: Jews. The acceptance of these immigrants was bound to the expectation that they would “revive the tradition of the German-Jewish Enlightenment that had distinguished a town or city in its heyday” (Gorelik and Weiss in Brenner, 2012, p.393-394). By repopulating the dwindling Jewish communities of the country and highlighting the German past before WW II, Germans attempted to “travel back in time into a German-Jewish past, or, rather, into their notion of an imagined earlier local Jewish community” (Gorelik and Weiss in Brenner 2012, p.393-394). This situation created an expectation of *Jewish identity performance* and the insistence for the new immigrants to join the already existing Jewish communities and rebuild the old ones.²⁸ They would have to be religious and have a discernible Jewish identity. According to Gorelik, this was also the argument that was brought forward by German policy-makers to justify the preferential treatment of this migrant group over others.

This initiative presents obvious problems, as it undermines both the concept of refugee status and pressures people with disparate life trajectories and motivations to fit into a miniature park of a polished German past. Furthermore, there were practical problems. The German government did not rely on a halakhic definition of Jewishness but granted residency to those who had at least one Jewish parent and did not belong to another religious community, their spouses and children. This situation meant that, while it is true that the Jewish communities in Germany experienced a significant boost in members, many of the new immigrants did not join the local Jewish communities. In some cases, it was because they did not conform to halakhic definitions of Jewish identity (e.g. the mother was not Jewish); in

²⁸ Jasper, for example, describes how Jews were eroticised in Germany in the 90s when, e.g. the magazine “Marabo” used images of Jews with prayer shawls and Israel flags next to a text describing the disconnect to Jewish traditions by the newcomers from the Soviet Union (Jasper, 1999).

others, because they viewed Jewishness more as an ethnic than a religious identity or because they did not identify strongly, or at all, as Jews (Brenner, 2012).

The case of the *Jewish quota refugees from the FSU* is, therefore, an excellent example of how Philo-Semitism has been used as a nation branding tool and continues to be used for public diplomacy. Unlike nation-building, nation branding is not primarily directed at the in-group, the “us”, but about informing an “other” about the nation (Stahlberg & Göran Bolin, 2016, p.286). According to Anholt, this requires a process of “strategy, substance and symbolic actions”, meaning understanding the place of a nation in relation to others, introducing an element with the goal of changing (or upholding) that place and communicating that action (Anholt, 2013, pp. 7-8). Anholt is especially careful to differentiate between aims. Nation branding, he argues, is not about increasing tourism (for more, see Justin Hart, 2012) but improving the image of a nation (in our case, the German and Spanish nation-states) by making it relevant through cultural participation “in the global conversations on the topics that matter to people elsewhere and everywhere” (Anholt, 2013, p.9). The “elsewhere”, according to Anholt, can be the scrutiny and approval by influential countries such as the US (in the case of post-WWII Germany) and regional groups such as the European Union (in the case of 2015 Spain).

In the case of Philo-Semitic nation branding, the “us” is not translated directly to the “others elsewhere” but transferred through the refraction of a contested Jewish *liminal other*. Because the focus lies on the in-group, in our case, the nation-state, the *liminal other* receives only a passive and functional role, serving solely as reference points against which the in-group establishes its own identity (Altfelix, 2000). Lozowick and Millen note that, when it comes to German-Jewish relations, “For Germans, the primary focus of interest is in their own history”, in which process “the identity of the victims may become blurred” (Lozowick & Millen, 1996, p.286). Altfelix’s criteria to determine the success of such xenophilic political initiative is based on two levels: 1. Abstraction, meaning the re-fashioning and representation of *the other* in an agreeable light, and 2. The self-oriented perspective, meaning the creation or upholding of differentiation from the *other* to underscore previous exclusion and paint an image of reconciliation. The most important examples he offers are memorialisation, historiography with the inclusion of Jewish experiences, and the implementation of Holocaust Studies (Altfelix, 2000).

Some of the elements that arise from the case of the *Jewish quota refugees* in Germany following Altfelix’s propositions reflect on the construction of Jewish identity as follows: 1.

Jews as “other”, 2. Jews vis à vis other “others”, and 3. Jews as weak and victims. Others reflect on the host country: 1. the host country as open, liberal, pluralistic, and moral; 2. the host country as its “old self”: a reminder of its positive and cohesive past; 3. the host country as saviour, 4. the host country as wrong-doer; and guilty.

Spain and the Sephardim Before the 12/2015 Citizenship Law

The following chapter is, in many ways, only a short introduction to Philo-Sephardism and the relationship between the Spanish State and Sephardic Jews from the 19th Century onwards, as this is the lens through which that relationship is presented in the 12/2015 citizenship law.

Foucault’s methodological work on the conditions that enable knowledge and connections of discourses as such (Foucault, 2013) is a helpful framework for aiding the retrospective glance we must take into the beginnings and transformations of Spanish Philo-Sephardic discourses.²⁹ The preamble of the 12/2015 law is, although a discourse in itself, full of references to previous centuries, events and motivations. This research suggests that Philo-Sephardism, at least today, is not so much a movement or worldview but a discourse. It is a discourse of two stories. One story is about Spain, and the other is about Jews. Leaning further on Foucault’s idea that “history is one way in which a society recognises and develops a mass of documentation with which it is inextricably linked” (Foucault, 2013, p.7), and emphasising the importance of discourses within subject and form of expression, Spain’s constant reshuffling of its history is as much part of the changes and continuity in Philo-Sephardic discourses as it is a tool for reshuffling history itself.³⁰

²⁹ Foucault argues that power operates through discourse, influencing not only what is permissible to be said and thought but also what is considered acceptable knowledge within a given historical context (Foucault, 2013). The Philo-Sephardic discourse, therefore, reflects the time in the given moment the discourse took place. It does not necessarily reflect an objective truth, but a desired reality.

³⁰ Questioning the objectivity of researchers, Robert Merton wrote in “Insiders and Outsiders: A Chapter in the Sociology of Knowledge” that “once the historian elects to write the history of a time other than his own, even the most dedicated Insider, of the national, sex, age, racial, ethnic, or religious variety, becomes the Outsider, condemned to error and misunderstanding” (See Merton, R. K. (1972). *Insiders and Outsiders: A Chapter in the Sociology of Knowledge*. *The American Journal of Sociology*, 78(1), 9–47, p. 32).

Historical Background: A Short Introduction to Philo-Sephardism

“Considero que la ley aprobada y el acto que celebramos reafirman el deseo de que esas llaves [...] abandonen el Halo de la leyenda para representar ahora una nueva y definitiva apertura de las puertas de España a los hijos de Sepharad”, with these words, the Spanish King Felipe VI ended his speech on November 30th 2015, a few months after the Citizenship Law 12/2015 was adopted.³¹

While the meaning and significance of the law are disputed among many historians, most mark the late 19th Century and the emergence of the so-called Philo-Sephardic movement in Spain as the first step towards the 12/2015 law. As will be shown in this chapter, Philo-Sephardism is indeed an important factor for understanding how Jewishness is imagined within the 12/2015 citizenship law.

The emergence of the Philo-Sephardic movement can be linked to three historical developments in the mid-19th Century: The abolition of the Inquisition in Spain, the almost total loss of its overseas colonies, and the Spanish conquests in North Africa. The movement, however romantic it might be described today, aimed at restoring Spain’s global influence and prestige (Ojada Mata, 2015). The definitive abolition of the Spanish Inquisition in 1834 closed an important chapter in Spain’s history after years of oscillation between abolition and restoration. The Spanish Inquisition had been established in 1478. It became part of the continuation of the persecution of religious “others” in the Spanish (and Portuguese) Kingdoms and a feared arm of the state. With the backing of the Inquisition, the Spanish Queen and Portuguese King signed decrees for the expulsion of the Jewish inhabitants of the Iberian Peninsula. In 1492, Jews were faced with the painstaking choice of leaving Spain or converting to Catholicism. This persecution befell other groups, too, such as the Muslim population in Spain and their descendants (Ojada Mata, 2015; Kamen, 1997; Weisz, 2019).

Even after centuries had passed, at the beginning of the 19th Century, various royal decrees upheld the continuous prohibition of Jews from entering the reign (Macias, 2000). It should be noted, however, that although the Inquisition had been abolished, only in 1865 did it cease to be an obligation to inform about one’s “blood purity” (*Limpieza de Sangre*) for

³¹ Author’s translation of extract of king’s speech: “I consider that the law approved and the act that we celebrate it reaffirm the desire for those keys [...] to abandon the halo of legend to represent a new and definitive opening of the doors of Spain to the children of Sepharad”.

marriage and public office (Aliberti, 2018).³² Additionally, legislative changes from Spain's 1812 constitution marked the introduction of nationality laws, distinguishing between *Spaniards* and *Spanish citizens*. This differentiation facilitated the inclusion of populations from colonial territories while ensuring the metropolis retained political authority. Following the loss of vast parts of its empire in the early 19th Century, Spain faced the challenge of maintaining control over its remaining colonies in the Pacific and Caribbean. The Spanish-American War of 1898 further accelerated Spain's imperial downfall, as the United States emerged victorious, gaining control of former Spanish territories such as Cuba, Puerto Rico, Guam, and the Philippines. However, the Spanish conquest of Tetouan a few years earlier, in 1859, revealed a geopolitical shift in Spanish interests and opportunities.³³ Fuelled by the re-orientation and the liberal revolution of 1868, the first Philo-Sephardic voices were heard among Spanish politicians and intellectuals, with their gaze set at the Mediterranean.

Figures such as Adolfo de Mentaberry, a Spanish diplomat in Istanbul, highlighted positive interactions with Sephardim in the Ottoman Empire in similar terms to the one echoed in the 2015 law: "However, strangely enough, they have no resentment against us. They always treat us very well and listen to us with stunned delight" (Aliberti, 2018, p.38). Diego de Coello, another Spanish diplomat in Istanbul in the late 19th Century, was amazed by how the local Sephardi Community "still remembers after four centuries its beloved fatherland, Spain" (Aliberti, 2018, p.43). Publications claiming the "discovery of Sephardim", such as Angel Pulido's article on how he marvellously encountered travellers on a ship on the Danube speaking a strange and old Spanish, as well as the romanticising construction of past religious tolerance under Spanish Kings, were meant to serve Spanish interests (Kandiyoti & Benmayor, 2023; Boum, 2012).³⁴ Sephardic Jews were seen as strategic bridges at a time when other European nations were dividing the continents by force amongst themselves.

³² The *blood purity statutes* divided Spanish society according to Catholic- and non-Catholic descent. Certain professions were reserved to only those people who could prove an "old" Christian lineage; Jewish and Muslim converts to Christianity were thus labelled as others and saw themselves limited in their freedoms regardless of their sometimes religious devotion (See Goode, J. (2009). *Impurity of blood: defining race in Spain, 1870-1930*. Louisiana State University Press.)

³³ Although initially welcomed by the local Jewish community, the 1862 Spanish withdrawal from Tetouan without concern for the Jewish population left under difficult circumstances highlighted the problematic Spanish activities in the region (Aliberti, 2018).

³⁴ References to the Middle Ages, "Convivencia", and the end of it coinciding with the beginning of the Spanish empire in 1492 were frequently present. The idea of Convivencia played a crucial role in legitimising Spain's presence in Northern Africa, positioning it as the country best prepared to occupy Islamic countries for historical reasons (Aragoneses, 2018; Boum, 2012).

Other Spanish intellectuals, such as the Count of Rascon, took the idea of a past Spanish loss into the present and advocated for a re-settlement of Jews to Spain to boost its tumbling economy: “Si se fijaran los Hebreos en las principales ciudades de la península [...] se podían establecer líneas de vapores desde Sevilla hasta Odesa [...]. Si a esto siguiera la fundación de un instituto español de segunda enseñanza (como las escuelas reales de Alemania) en Constanstinopla u otro en Salonica, donde hay setenta y tantos judíos precedentes de España, nuestras relaciones mercantiles con Turquía tomarían un vuelo inmenso” (Aliberti, 2018, p.41-42).³⁵³⁶ Philo-Sephardism, although in name benevolent towards certain Jewish communities, did hold on to and disseminated well-known anti-Semitic tropes in a seemingly positive way.

The enduring presence of Judeo-Spanish and Haketia, spoken by Sephardim four centuries after their expulsion from Spain, attracted significant admiration within intellectual circles. Notably, a cohort of influential writers, including Menéndez Pidal, Echegaray, Valera, and Pérez Galdós, showed keen interest in Sephardic history (Lisbona, 2015). The reaction by the government was as hoped by promoters of Jewish re-settlement in the peninsula. However, one of the main counterarguments was the unwillingness to invest in such a project monetarily. This conflicting attitude would prove to be an enduring one.

Furthermore, many authors cite General Primo de Rivera’s decree of 1924 as a decisive turning point in the relations between the Spanish State and Sephardim in North Africa, the Balkans and Turkey. Although it did not specifically name Sephardim as such, it became a tool for many Sephardic Jews around the Mediterranean to gain Spanish citizenship (Lisbona, 2023; Lopez, 2023). The decree was aimed at the local political and economic elites to better the Spanish standing in the region, where other European countries were advancing similar plans of strategic patronage.³⁷ This decree, like the Spanish citizenship law of 1915, was limited in its length (applications could be submitted until 1930) and scope (it included a line stating that “the petitioner should assert that he will not settle in Spain” (Rohr, 2007, p.27)). Only a few followed the call. However, it was perceived as a win by the Philo-

³⁵ Juan Antonio Rascón y Navarro was a Spanish politician and diplomat who served in Frankfurt (Germany) and Constantinople (Ottoman Empire) in the mid-19th Century.

³⁶ Author’s translation: “If the Hebrews settled in the main cities of the peninsula [...] steamship lines could be established from Seville to Odessa [...]. If this were followed by the founding of a Spanish secondary school (like the German schools) in Constantinople or another in Thessaloniki, where there are seventy-odd Jews from Spain, our commercial relations with Turkey would take an immense leap”.

³⁷ The decree allowed “former protected Spanish subjects or their descendants” to apply for Spanish citizenship if they were able to show registration in a Spanish register (Lisbona, 2015, p.39).

Sephardic advocates of the time, foremost Angel Pulido, a Spanish senator who published several cornerstones of Philo-Sephardic literature, the most cited one being “Españoles Sin Patria y la Raza Sefardi” (Aliberti, 2018; Lisbona, 2023; Ojada Mata, 2015; Pulido, 1993).³⁸

In the nineteenth Century, Spain, no longer a major colonial power, sought to assert its colonial influence against European powers, particularly in Morocco. According to Ojada Mata, some Spanish politicians developed the argument that Spaniards and Sephardim had a shared identity to legitimise Spanish colonial ambitions. This narrative was neither based on altruistic nor naive ideals but steeped in the desire to use cultural and historical ties for colonial goals.³⁹ The idea was that “Ottoman and Moroccan Jews [...] be incorporated into this neocolonial and post-imperial vision” (Kandiyoti & Benmayor, 2022, p.9). However, the collision between Spanish colonial interests and a desire to maintain cultural purity within peninsular Spain led to a selective application of Philo-Sephardism and, often, only half-hearted concessions. Spain wanted the Sephardim to open doors and facilitate influence for the Spanish state in North Africa, but it did not want them to settle in Spain (Aliberti, 2018; Aragonese, 2018; Ojada Mata, 2015).

This intricate tapestry of historical events, legislative changes, and intellectual debates underscores the complex evolution of Spain’s relationship with Sephardic Jews. The complexities of identity, colonialism, and geopolitical considerations intertwined, shaping the Philo-Sephardic discourse of a community. Nevertheless, various characteristics can be considered essential to Spanish Philo-Sephardism: 1. An imagined continuous love for Spain by Sephardic Jews; 2. An imagined forgiveness and lack of resentment by Sephardic Jews; 3. A professed regret of the expulsion of Jews from the Iberian peninsula because of the believed economic, cultural and intellectual loss; 4. Sephardim as a reminder of a great Spanish past in which diversity, strength and geopolitical importance defined the state. 5. Sephardim as a

³⁸ Pulido claimed that the Sephardim exhibited a stronger connection to Spanish identity compared to other groups of the Iberian Peninsula, including the Basques and Catalans, and criticised these groups for their perceived weaker attachment to the Spanish language (Pulido, 1993).

³⁹ While Sephardim are depicted as committed guardians of medieval Castilian culture, albeit with some linguistic adaptations to Spanish, Moroccan Muslims are depicted as insufficient caretakers of an Islamic Iberian cultural legacy that is currently diminishing and requires preservation efforts from Spain. The paper “La Revista de la Raza” published an article in 1923, writing: “The Moor can be and must be our friend, we will not have a moment’s peace in the Rif and the Yebala if we do not practice this brotherhood, . . . but the Jew must be more than a brother, he must become a Spaniard” (*La Revista de la Raza* 1923, p. 15–16, in Kandiyoti and Benmayor 2023, p.143).

reminder of a somehow more “pure” Spain by holding on to derivatives of an “old Spanish language” such as Ladino and Haketia.⁴⁰

Spain, the Nazis and the Holocaust

The atrocities committed on October 7 shook up the local Jewish community in Spain, becoming the main focus of online platforms and in-person meetings. During my fieldwork trip, I witnessed a situation that accentuated how parts of the Jewish community in Spain connected their current fears and hopes for protection to Spanish history. Against the backdrop of a conversation about which political parties are the allies of Spanish Jewry today, one person tried to fend off criticism of the PP (Partido Popular), arguing that it had been the PP lead government that had passed the 12/2015 citizenship law.⁴¹ The person added that, without the law, there would be fewer people in the Jewish community. Another person replied that had it not been for the Franco dictatorship and its alliance with Nazi Germany, there might be even more Jews in Spain today. The conversation then turned to objections brought forward by individuals siding with the first speaker by bringing in stories of Spanish ministers and diplomats who had protected Jews during WW II.

The different opinions in the observed scene can be found within recent Spanish historiography and public political statements. The preamble of the Citizenship Law from 2015, for example, includes a description of Spain’s involvement in saving thousands of Jews from the atrocities of the Shoah (Kandiyoti & Benmayor, 2022). However, this is a very particular reading of Spain’s position and role during WW II. Spain’s role regarding Jewish refugees, particularly Sephardic Jews, could be described, in the best case, as ambivalent and complex. Initial numbers, often pushed by the Franco regime itself, estimated between 48,000 and 60,000 Jews escaping deportation due to Spanish assistance. However, recent research has revised the numbers to 30,000- 35,000, with 8,000 more saved by diplomats (Lisbona, 2015).

⁴⁰ Ladino, also referred to as Judeo-Spanish or Judezmo, is the language spoken and written by the Sephardic Jews, originating from Iberian Jews exiled from Spain and Portugal at the end of the 15th Century and who settled primarily in the Ottoman Empire, which resulted in an influx of Turkish, Greek and other languages spoken in the region. Haketia, also known as Western Judeo-Spanish, Haquetia, or Jaquetia, is the language spoken and written by the Sephardic Jews, originating from Jews exiled from the Iberian peninsula at the end of the 15th Century and who settled primarily in North Africa, having a greater Arabic influence in the vernacular of the Jews of the region.

⁴¹ The Partido Popular (People’s Party) is one of Spain’s two big political parties. It is ideologically conservative and part of the group of Christian-democratic parties in the European Parliament.

During the war, the attitude of the Spanish state toward the fate of Sephardic communities was disinterested, and it was occasionally even characterised by animosity. This attitude is best highlighted in the statements of the Spanish Minister of Foreign Affairs, Francisco Gomez Jordana, on December 28 1944: “There are many hundreds of Sephardim with Spanish nationality in Europe, either in concentration camps or about to go to them, and we cannot bring them to Spain and settle in our country because this is in no way convenient for us, neither does the Caudillo authorise it, nor can we leave them in their situation as Spanish citizens because this can give rise to serious press campaigns abroad, especially in America, and cause us serious international difficulties” (in Lisbona 2015, p.43).⁴² In another instance, the Minister pointed out that the laws which had enabled Sephardic Jews to attain Spanish citizenship years earlier had been put in place for strategic and colonial reasons: “I believe that it cannot be ignored that these Sephardim are not truly Spanish, and in many cases, it is questionable whether they possess our nationality, even when they do, it is a pure political fiction since it is known that 450 years ago they were expelled from our territory, with which they have no spiritual contact of any kind, having been granted nationality in some cases mainly for the purpose of our commercial and cultural expansion in the Levant” (in Lisbona, 2015, p.44).

Jordana’s statements highlight Spain’s internal disinterest in offering asylum to Sephardic Jews and simultaneous suspicion of them at a time when help was most needed. Despite the efforts of individual diplomats, often acting against government instructions, to save Jews all over mainland Europe, the regime’s ambiguity persisted. Perhaps the most shocking part of its “neutrality” was that, while the regime dragged its feet and left the German offer to repatriate a significant group of Sephardim to Spain unanswered, it did intervene in so-called “arianizations” of Jewish properties. Condemning these attitudes, the Spanish historian Lisbona writes: “Once again in history, Spain’s interest in its Jews is sadly also determined by economic factors” (Lisbona, 2015, p.42). After World War II ended, measures were taken to prevent liberated Sephardic Jews from choosing Spain as their residence, and officials were instructed to invalidate wartime documentation (Lisbona, 2015; Moradiellos, 2022).

⁴² In Spanish, the word “caudillo” generally means military leader. But when prefixed with the definite article, it almost exclusively refers to General Francisco Franco.

The end of WW II produced a radical rewriting of Spanish-German relations (it should not be forgotten that the Franco regime won the Spanish Civil War, partly due to German support, such as the famous bombing of Guernica). Following growing isolation, the Franco regime asserted its role as a saviour of Jews fleeing Nazi persecution, cultivating an image in which diplomatic dissidents, who acted independently, were, in fact, formal actors carrying out Spain's official wartime policy (Moradiellos, 2022). Stories such as that of the Minister of Foreign Affairs from July 1945, Martín Artajo, sending a report titled "A summary of the extensive protective work carried out by Spain in favour of the Sephardim" to the governments of various European countries and the United States, are, therefore, no surprise, but align with state policies at the time (in Lisbona, 2015, p.47).⁴³

The Cartas de Naturaleza

"The problem is that when you have to make a rule that is no longer a discretionary act by the Council but is regulated in black on white, you have to define who the recipient of the rule is. And that is very difficult. That is when it is decided to define not the Sephardim but the recipients of the exception on two grounds. One is that they are descendants" (Interview Elorriaga Pissarik, 2023).⁴⁴

The *Cartas de Naturaleza*; a form of acquiring nationality in Spain, operates as a gracious and discretionary mechanism.⁴⁵ Governed by royal decree, they are granted or withheld by the government, taking into account exceptional circumstances. The Minister of Justice promotes it, presenting it to the Council of Ministers. Applicants for this type of fast-track citizenship have to provide documentation supporting the claim for exceptional circumstances which warrant Spanish citizenship. The historical context of *Cartas de naturaleza* traces back to the Republican Constitution of 1931, offering foreigners the possibility of extending citizenship rights to those who had resided within the republic under prescribed conditions. This moment marked the first instance of Sephardim being granted the

⁴³ Martín Artajo had been appointed by General Franco in 1945. He was a monarchist and leader of the Spanish organisation Acción Católica (Catholic Action). It was under Artajo that, in July 1945, the Foreign Ministry ordered the annulment of all documentation that facilitated the settling of Sephardic Jews holding Spanish citizenship in post-war Spain. According to Martín Arroyo, the communique 2088 further ordered "to avoid as much as possible the entry and settlement in Spain of those Sephardim whose previous residence was abroad" (Pedro Martín-Arroyo, 2013, p.94).

⁴⁴ Elorriaga Pissarik is a politician of the conservative Spanish Partido Popular (PP).

⁴⁵ The term would perhaps best be translated as "fast-track citizenship".

opportunity to acquire Spanish nationality.⁴⁶ Catala Polo, the former Minister of Justice of the Spanish Partido Popular, in a session at the Congress of Deputies on November 20, 2014, highlighted the utilisation of *Cartas de naturaleza* for the acquisition of nationality by Sephardic Jews (Catalá Polo, 2014).

This publicised process, however, faced various challenges, particularly when a surge in applications occurred in the early 2000s. This surge made it evident that this system would no longer serve to facilitate a few exceptional applications for Spanish citizenship: “The problem that arises is that [...] the Council of Ministers has to make its agreements public. And then they say, first, we have made ten Sephardic Jews Spanish, then 40, then 200. There comes a time when it is public knowledge that you are doing this to hundreds of [...] people, and then there is an avalanche of requests” (Interview Elorriaga Pissarik, 2023). The other, more practical and imminent problem was the collapse of the bureaucratic system due to a large number of applicants: “And then the system collapses because the principal idea of that system is that suddenly there is a very good football player and you make him Spanish, but you do not make the whole English league Spanish. It is not designed to attract people by the hundreds. They are supposed to be exceptional, singular cases, [...]. Then, it [the process of granting citizenship to Sephardic Jews] stopped. And then, when it was cut off, a problem was created because there were thousands of files in processing. There were cases identical to those that had been previously approved that were suddenly not being processed” (Interview with Elorriaga Pissarik, 2023). Pissarik notes that the system, designed for exceptional and singular cases, struggled to handle the sudden influx of requests, causing a backlog for which the 12/2015 Law was framed as a solution for the Ministry of Justice and the Jewish Federation, and posed a challenge for the Ministry of Exterior.⁴⁷

⁴⁶ One of the problems of the “*cartas de naturaleza*” was that it did not fit the requirement of having to give up their previous nationalities, e.g. Israelis and Turks: “The issue of dual nationality. Many Israelis in the previous concession processes that had taken place from 2004 to 2015 had not intervened and had requested mainly Turks and Venezuelans. But they had not conceived Israelis, they are very few, one or two. Three, I think. This was the only problem” (Interview Lisbona, 2023).

⁴⁷ According to Carolina Aisen of the Federation of Jewish Communities of Spain, the Jewish communities rallied the Ministry to improve access to Sephardim Jews from Turkey and Venezuela, especially for humanitarian reasons. She also said that about 4,000-4,500 applications got stuck in the system. Furthermore, According to various interviewees, there were clear tensions between the Ministry of Justicia and the Ministry of External Affairs because the latter feared that the “solution” to the problem of the ‘*cartas de naturaleza*’ through a citizenship law would lead to a bigger work-load for the Ministry of Exterior, specifically the various Spanish consulates abroad.

The 2015 Citizenship Law

“Ley 12/2015, de 24 de junio, en materia de concesión de la nacionalidad española a los sefardíes originarios de España” (12/2015 Law).⁴⁸

That is the official title of the law at the centre of this chapter. One does not even need to read the continuous preamble to trip over some of the questions of this chapter. To whom is the law addressed? The answer seems clear: It is addressed at Sephardim originating from Spain. For many reading this title, at first glance, there might be little to object to or question. A person might think, “Sephardim- those are the Jews whose ancestors were expelled from Spain in 1492”. Moreover, why add the “originarios de España”? As one of the lawmakers pointed out, Sephardic has at times been used for all non-Ashkenazi Jews, not just those with familial roots in Spain: “This insistence on the expression ‘Sephardic originating from Spain’ aims to undo the misunderstanding that occurs when every non-Ashkenazi Jew is called Sephardic” (Catala Polo 20.11.2014, p.60). To clarify that the law was not directed at what is usually labelled as *Mizrachi* or *Middle Eastern Jews*, adding these three words can limit misunderstandings among Jewish applicants: “For example, the Ministry of Foreign Affairs put many objections to the matter, and they did that because they said ‘hey, if I do this [...] I have to process it in the various consulates- that is impossible because 50% of the Jews living today consider themselves Sephardic. Therefore, almost half of the Jews will come and ask for nationality’” (Interview with Elorriaga Pissarik, 2023).

Analysing the body of the law—especially the preamble and its previous iterations, as well as the discussion of the law in the Spanish Congress of Deputies and the various interviews, and drawing on the nation branding elements of the *Jewish quota refugees* and the historical review of Sephardic-Spanish relations, I created a *map* of my research findings—the *liminal space of Sepharad*.

1. Sephardim in the liminal space of *Hispanidad* and otherness
2. Philo-Sephardic and Philo-Semitic tropes and stereotypes
3. The in-group: What Spain sees through its Sephardic reflection

⁴⁸ Author’s translation: Law 12/2015, of June 24, granting Spanish nationality to Sephardim originating from Spain.

Sephardim in the Liminal Space of *Hispanidad* and Otherness

The first theme that this text will dive into, and which is an immediate continuation of the above conversation, concerns the concept of Sephardic identity. How is that identity presented in the law, and how is it described and discussed by the Spanish lawmakers? The different findings correlate with the concentric circles of in-and out-group belonging: 1. Sephardim as liminal Spaniards, 2. Sephardim as Jews, and Jews as Sephardim, 3. Sephardim as “other”, 4. Sephardim vis à vis other “others”.

Sephardim as Jews

The category “Sephardim as Jews” is, perhaps, the most coherent definition for both scholars of Jewish Studies and Jewish readers alike. It is also the way the preamble of the law opens: “The Jews who lived in the Iberian Peninsula are called Sephardim and, in particular, their descendants, those who, after the Edicts of 1492 that forced conversion or expulsion, took this drastic route. The name [Sephardi] comes from the word ‘Sepharad’, a word by which Spain is known in the Hebrew language, both classical and contemporary.” Here, “Sephardim” is presented as a certain ethnic expression of Jewish identity. But this clarity lasts for only the first half of the sentence, as in the case of this Spanish law “, descendants” means both Jews and non-Jews- unlike the traditional Jewish in-group concept. Various interviewees highlighted the inclusion of non-Jewish descendants in the law. As we have seen, many applicants (and recipients) for Spanish citizenship following the 12/2015 law are not Jewish. Nevertheless, following various other interviews with politicians of the then-government party PP, I would suggest that initially, non-Jewish descendants were seen, at most, as a minority of the imagined Sephardic (Jewish) target group.

What is interesting about the use of the term “sefardí” itself is that it is a term that, as the text explains, has been used in the past and continues to be used in the present by Hebrew speakers and is, therefore, a self-defining term. It is a description that belongs to the minority group itself. The text does not speak of “Judíos de la península Ibérica” or “judíos españoles”.⁴⁹ Arguably, using the term “sefardí” both honours the Jewish perspective and shrouds the term from national discourse. Concealing the idea of Sephardic belonging in this nebulous twilight emphasises and reifies the Jewish perspective on Spain. This situation

⁴⁹ Author’s translation: “Jews of the Iberian Peninsula” and “Spanish Jews”.

makes it all the more curious to read the end of the first paragraph, which suddenly refers to the expulsion- not of Sephardim, but of Jews. As we will see in 1.3, this is one of the clearest moments in which Sephardim are referred to as Jews and *othered* in that sense.

It should further be acknowledged that the text accepts the idea of Israel as the Jewish homeland in one instance.⁵⁰ When describing political and social developments in what the author seems to allude to as Venezuela and Turkey, the text contends: “At the dawn of the 21st Century, the Sephardic communities of the world face new challenges: some have been battered under the fury of totalitarianism, others choose the paths of return to their longed-for Jerusalem” (12/2015 Law). While a very optimistic reader might praise the friendly gesture to the Passover saying, a more critical reader might notice that, when speaking about Jewish migration in the 21st Century, “Jerusalem” might be a metaphor for Israel. This reference is all the more striking when read in the context of Spain’s efforts to establish a role as a mediator in the Middle East conflict. This diplomatic initiative is informed by its expertise of the *tres culturas* (“the three cultures”), here referring to Christianity, Judaism, and Islam, typified by the establishment of a cultural centre named *Centro Sefarad-Israel*.⁵¹ In a text gushing with sentimental language about return, homeland and origins of Jewish communities, at a time when Spain advertises itself as a holiday destination to Israeli tourists, the State of Israel is not being named as such.⁵² The only use of the word *Israel* happens in connection a speech held by the Kings’ in 1987 during a visit to a synagogue in Los Angeles called “Tifereth Israel”. Here the word Israel is a reference to biblical Israel, not the modern State of Israel.

Non-Jewish Sephardim

A review of the legal text of the citizenship law, which includes its drafts presented at the Spanish Congress of Deputies, as well as the law’s discussion before it came into force, suggests that although the law was conceptualised for descendants of medieval Jews from the Iberian Peninsula, the imagined applicants are contemporary Jews. While the preamble opens with “those who, after the Edicts of 1492, were forced to convert or being expelled” and therefore includes converts to Christianity as part of the Sephardic collective (in Hebrew, they would be referred to as *Bnei Anusim*), their descendants are not referred to in the law any

⁵⁰ Alvaro Albacete (the ambassador for the Jewish communities and organisations between 2011 and 2014) writes in the book “Cuanto os hemos echado de menos” that he met with the Israeli ambassador, Alon Bar, at the time the law was being discussed, and that the ambassador “was not interested” in such a Spanish initiative as to him this would mean decreasing Jewish immigration to Israel (Albacete in ‘Cuanto os hemos echado de menos’ 2023, p.156).

⁵¹ The Centro Sefarad Israel is an institution based in Madrid, which was founded in 2006 with the goal of being a bridge between Spain, the Jewish World, and Israel. It is a cooperation between the Ministry of Foreign Affairs, the Community of Madrid and the European Union and one of several so-called “houses” for cultural exchange led by the Ministry of Foreign Affairs. Other cases include the “casa árabe” (the Arabic house) and the “casa Africa” (the African house).

⁵² Some authors, such as Silvina Schammah Gesser, have pointed out that while Spain, too, was interested in increasing Israeli tourism to Spain, it was especially Portugal that, in the beginning, used the law to promote business opportunities and investment (Schammah Gesser, 2022).

further, nor in the parliamentary debates. They only appeared in recent years, when it became apparent that many applicants were (if at all) descendants of the converts to Christianity that settled in Latin America, not in the Ottoman Empire, North Africa or the Balkans, and also did not keep the much-praised languages such as Ladino or Haketía, nor other Sephardic *cultural loyalties* to Spain.

This group, especially the Colombian applicants, have made various curiosities of the law apparent: 1. Most applicants and recipients of the Spanish citizenship based on the 12/2015 law are not Jewish, according to Halakha. And 2. The law is presented as an acknowledgement of the *loyalty* to Spain shown by Sephardic Jews, but proven loyalty is no requirement for application. As of 31.12.2023, 153,774 applications for Spanish citizenship based on the 12/2015 law were submitted to the Consejo General del Notariado (General Council of Notaries), of which 71,889 were accepted and so far 6,942 were rejected. The three countries with the most applicants by far were neither Israel, the US or Turkey, but Mexico (applicants: 26,713, admitted: 23,571), Colombia (applicants: 21,057, admitted: 18,343) and Venezuela (applicants: 15,042, admitted: 9,129). While in the case of Mexico and Venezuela, only a survey in, for example, the local communities could reveal whether most applicants were Jewish according to Jewish law, the data speaks for itself in the case of Colombia. Interlocutors from the local Jewish Communities in Colombia, the Jewish Communities in Spain, and Spanish politicians and academics confirmed the impression that most of the 21,057 applicants were not Jewish.

Moreover, this is even true of the majority of the 18,343 recipients (Ministry of the Presidency 31.12.2023). This number is unsurprising considering that, according to both local Jewish Communities and international organisations, only about 2,100 Jews live in Colombia today (though some older and optimistic sources speak of 5,000). Unlike in the case of Israel and the Law of Return, where an applicant must prove that at least one grandparent was Jewish, or the German case of quota refugees (parents and, in some cases, grandparents), in the Spanish case, it is sufficient to show an ancestor from 500 years ago. While various interviewees suggested that the law had primarily had Sephardic Jewish applicants in mind, the considerable difference between thought and reality was explained by some by the fact

that Spanish legislation prohibits religion-based discrimination and, therefore, preference for Jewish applicants over non-Jewish ones.⁵³

The essential message of the 12/2015 citizenship law is simple. Although Sephardic Jews were forced to leave the Iberian Peninsula, they and their descendants stayed loyal to their homeland and demonstrated that loyalty by keeping and developing certain linguistic and cultural traditions. However, according to the interviews with Spanish interlocutors, it has proved impossible to require proof of these practices. Applications from individuals who could demonstrate the development or retention of these traditions were viewed with benevolence. However, these linguistic and cultural conventions were not an essential requirement for admission.⁵⁴ In the end, this meant that a large number of recipients of this law did not have to prove a Sephardic-Jewish heritage, cultural traits or emotional connections to Spain or Sepharad. While knowledge of, e.g. Ladino was not a necessary requirement, knowledge and certification of a certain level in Spanish was demanded.⁵⁵ One of the exceptions for this documentation was for those originating from countries where Spanish is the mother tongue, such as most of South- and Central America.

These exceptions meant that Latin American applicants did not only not have to carry the cost- but did also not have to invest the time for a language course, while Israeli, Turkish and French applicants had to do so. While non-Jewish Colombian immigrants were not the initial target demographic, they did fit in the overall desired demographic group for the Spanish state, which has easier immigration procedures for immigrants from Latin America as it considers them culturally closer and easier to integrate, as described by the former Minister Pissarik: “Spain- let us say, it considers its special relationship with Latin America as strategically valuable, which is not the type of relationship that other European countries

⁵³ Article 14 of the 1978 Constitution states the right to equality and non-discrimination, rejecting discrimination based on reasons of birth, race, sex, religion or opinion and prohibiting discrimination based on any other personal or social circumstance (Article 14 of Spanish Constitution). During the interview Elorriaga Pissarik said; “Entonces yo lo que no puedo contemplar es si tú eres judío desde el punto de vista religioso o no, eso no lo puedo tener en cuenta. Puedo tenerlo en cuenta dentro de una multiplicidad de factores, pero no puede ser el factor, porque entonces me pueden impugnar la norma diciendo que es un factor de discriminación. Entonces, de hecho, en el caso de Latinoamérica, ahora la mayor parte de las nacionalidades concedidas no son de judíos practicantes, son más bien de cristianos” (Interview with Elorriaga Pissarik, 2023).

⁵⁴ “Que sea judío, sefardí, o sea que sea descendiente de los expulsados. Y segundo, que hable ladino. Esa es de verdad la norma. O sea, lo que está en la cabeza. Qué problema tengo que yo no sé cómo acreditar quién es descendiente de los expulsados. Y por otro lado, que yo no tengo manera de comprobar quién habla. Ladino, porque yo no tengo ninguna academia de ladino ni ningún certificador de ladino” (Interview with Elorriaga Pissarik, 2023).

⁵⁵ This had to be certified by the Instituto Cervantes (12/2015 law). The Cervantes Institute is an organisation created in 1991 to promote the study and teaching of Spanish language and culture. It follows the example of similar institutes, such as the German Goethe Institute or the French Institut Française.

maintain with their former colonies, it is completely different. It is much closer [...]. Additionally, Spain has enormously benefited from Latin American immigration. Furthermore, this is also an everyday debate. That is, when you compare the immigration problems in Spain and in France, what is the source of the problem? Basically, the problem is that culturally speaking, your immigration is completely analogue to your local population, and theirs is not, that is, [...] They speak Spanish, they are people who are Christians, people who are normally 100% literate, that is, they know more or less how to read, write and do basic math. Of course, those people integrate automatically. Most of them are young people, and Spain actually has the highest level of mixed marriages in Europe. These people marry Spaniards [...]. So they are people who are [...] socially integrated or who have Spanish families. [...] When someone comes from Morocco, [...] they do not integrate, they form separate communities, perhaps they end up acquiring the Spanish nationality, but even when they acquire nationality, they still do not integrate because it is much more difficult. That is, they have completely different cultural references because even if they learn the language, it will never be their mother tongue” (Interview with Elorriaga Pissarik, 2023).⁵⁶

It is further noteworthy that, unlike in the case of the German *Jewish quota refugees*, the applicants could reside abroad and could continue to live abroad after receiving Spanish citizenship with no residency requirement.⁵⁷ Immigration to Spain was, therefore, an option which neither non-Jewish nor Jewish recipients seemed to be especially interested in: “I don’t know how many have immigrated to Spain. But I can tell you there are very few. If until now there are seventy thousand who have been granted [citizenship], I would not say that more or less than a thousand have immigrated” (Interview with Lisbona, 2023). The fact that large-scale immigration of citizenship recipients has not materialised so far suggests that this is a

⁵⁶ According to Spanish nationality law, most immigrants have to reside in Spain for at least ten years in order to be entitled to Spanish citizenship. A prominent exception are those people coming from former colonies such as Latin American countries, the Philippines, and Equatorial Guinea, who have only a two year residency requirement.

⁵⁷ According to Pissarik, Spain did not care about Sephardim physically returning to Spain. However, it wanted to create the possibility for Jews to flee persecution and discrimination: “Spain does not want to gain population. What it wants is to offer protection. That is, the Spanish logic is to offer protection. It has always been that way since the beginning of the [Philo-Sephardic] movement. That is, from the end of the XIX Century until now. All the actions directed by Spain have [...] not aimed at returning the Jewish community to Spain, but rather they are aimed at protecting Jewish communities in situations of danger” (Interview with Pissarik 2023). Bensimon, the former president of one of the larger Sephardic communities in Spain, said something similar: “We are always talking about two axes. On one hand, the political, symbolic, and reparative axis, which is the attempt to close the problem of 1492. And on the other hand is the attempt to reinforce and to empower the Jewish community through this law. But not through demographics - not because I’m thinking that Jews are going to come from outside and the communities here are going to grow. That might be a side effect- yes. But the objective is not so much to make the community grow en masse. The law is about making the current Jewish communities feel empowered, making them feel safe, repaired, and comfortable with this law” (Interview with Bensimon, 2023).

case of citizenship as an “insurance policy”, or, perhaps, to facilitate short-term visa-free travel, as well as status improvement and therefore “securing an advantageous position within a global hierarchy of travel freedom” (Harpaz, 2019, p.851).

Sephardim as Liminal Spaniards

“Our country has remained estranged—in our opinion for too long—to a part of our own culture, our own legacy, the human heritage that once shaped the reality of Spain and that later extended it beyond our borders” (Catala Polo, 20.11.2014, p. 61).⁵⁸

The category “Sephardim as liminal Spaniards” was chosen with such ambiguous wording to reflect the vagueness of how this identity is presented and discussed. While there is only one sentence in the preamble that clearly links Sephardic identity to Jewish identity, there are many more which seem to include Sephardim into the Spanish in-group or at least close to it. In two different instances of the preamble, for example, does the text refer to Spain as their *old homeland*, and in three instances, to their Spanish origins. Furthermore, already in the first paragraph, the preamble offers us a perspective out of the geographical gaze of the Iberian Peninsula: “The Jewish presence in Iberian territory was firm and ancient, still palpable in vestiges of words and stone” (12/2015 law). While the sentence refers to a time before the establishment of the Spanish nation-state, it places Jews as part of the land known, in ancient Greek, as *Iberia*. Sephardim, in allusion, are presented as part of the tapestry of people that emerged out of the different communities that lived in the land today known as Spain, alongside communities such as the Basques, Galician, and Lucitans.

However, the other parts of the preamble that allude to the Spanishness of Sephardim are much more ambiguous. The second paragraph starts with the sentence: “The children of Sepharad maintained their nostalgia, immune to the evolution of languages and generations. They preserved Ladino or Haketía, an original Spanish language enriched with borrowings from their host languages” (12/2015 law). Here, “Sefarad” could mean both Spain in a supposedly objective way, as the modern Spanish nation-state, or in a more a-temporal way, the Spain of the Jews, and therefore limited to their temporal experience. This ambiguity

⁵⁸ Rafael Catalá Polo is a Spanish politician and member of the People’s Party (PP). He was Minister of Justice between September 29 2014, and June 1 2018, succeeding Alberto Ruiz Gallardón.

might suggest that although they are perceived as close, they are nevertheless no longer perceived as sitting in the same inner circle as today's Basques, Galicians, or Catalans.

On the other hand, the negation of a possible Sephardic *rootedness* in countries where they settled after Spain could be interpreted as a claim for their Spanishness (*Hispanidad*). Words such as *borrowing* and *reception* suggest an inferiority to a constructed *Spanish original*. Furthermore, the sentence presents us with the typical exuberant description of characteristics of Sephardic culture and language when linked to their Spanish origins, a feature we can observe in the whole preamble. As we will see further on, this allusion to the love of the Sephardim for Spain and the assumption that it was for love for Spain that certain traditions and languages were kept is perhaps one of the cornerstones of the reasoning behind the law and the construction of Sephardic-identity in light of it.⁵⁹

Sephardim as “Other”

“Just as in The Metamorphosis, ladies and gentlemen, we view the initial initiative of the Government with wonder” (Llamazares Trigo, 25.03.2015, p.7).⁶⁰

Category 3. Sephardim as “other” shifts us out of the twilight and towards the question of how Sephardim are, at times, constructed as *outsiders*. The first paragraph of the preamble breaks with the metaphorical closeness to the praised idea of *Sefarad*: “However, and due to the imperative of history, the Jews once again embarked on the path of the Diaspora, joining or founding new communities, especially in North Africa, the Balkans and the Ottoman Empire” (12/2015 law). Suddenly, it is not “sefardíes” or “Spaniards” who “take on the paths of the Diaspora”, but Jews. By switching from “Sephardim”, who, as the text notes in so many instances, have their roots, their home in Spain, to “Jews”, the described group becomes uprooted, homeless, and ever again a wandering, stateless Jew.⁶¹

Additionally, in section III of the law (it is composed of a preamble which includes I-III, and IV which details the administrative requirements and procedure), and perhaps preparing the reader for the administrative section which immediately follows the exuberant

⁵⁹ Kandiyoti and Benmayor offer a counter explanation for why languages such as Ladino were developed, saying that the cultural affinities and differences were retained so extensively in the Ottoman Empire because of the millet system enabled greater religious and cultural autonomy of minorities (Kandiyoti and Benmayor 2023).

⁶⁰ Gaspar Llamazares Trigo was a member of the Congress of Deputies between 2015 and 2019, and he is part of the party “izquierda abierta” (translation: “Open left”).

⁶¹ Both a myth and motif, the idea of the *Wandering Jew* is that of the cursed Jew, who, after the death of Christ, has been forced to wander the earth without a place to call their home (Lampert, 2024; Rokem, 2021).

preamble, the law reads: “It can be inferred that the Law now specifies that those exceptional circumstances referred to in article 21 of the Civil Code occur, apply to the Sephardim originating from Spain, which can prove said condition and their special connection with Spain” (12/2015 law). Meaning that the applicants to the citizenship would not only need to provide proof of their Sephardic ancestry but had to show “a special link” to contemporary Spain. For some outside observers, this seems to have been an insignificant detail and has, therefore, mostly been ignored. However, this research contends that it is a problematic assessment. To put it in the words of a former community leader of one of the major Spanish cities: “We criticise that point of the law. You cannot ask affiliation to 21st Century Spain or to the current culture of Spain, from people who were expelled. It’s like a double punishment” (Interview with Bensimon, 2023).

While the preamble does not provide any reasoning for the additional requirement of a link to contemporary Spain, in the section detailing which evidence and documentation would be needed, this second requirement suddenly becomes much more prominent. An applicant did not only have to provide evidence of a certain Spanish language level but had to show proof of having attended classes on contemporary Spanish society and culture, as well as having to swear allegiance to the Spanish monarch.⁶² Requiring applicants to prove a “special link” to Spain today in order to be able to apply for citizenship can, therefore, be read as another demonstration of *othering*. Perhaps this does not make Sephardic Jews complete *others*.⁶³ However, it suggests that just *being Sephardic* does not suffice and that they need to prove themselves additionally to be accepted into the Spanish citizenship-holding in-group.

Sephardim vis à vis Other “Others”

On November 20 2014, the then Minister of Justice, who had replaced Gallardón, presented the law in front of the Spanish Congress of Deputies in Madrid, saying that he considered it a “historic debate” (Catala Polo, 20.11.2014, p.58). However, then, similarly to Schäuble in Germany before him, he added: “No one has intended with this parliamentary initiative to

⁶² One interviewee (Bensimon) suggested that the emphasis on the second requirement might be due to the political conservative party PP, which is a more conservative party with more traditionalist features which would care about such links far more than PSOE (Partido Socialista Español). The People’s Socialist Party (PSOE) is the big centre-left party in Spain.

⁶³ Simmel develops the thesis that the stranger, by being both part and removed from the group, can have a more profound understanding of occurrences and dynamics (Simmel, 1923).

seek a grievance or to carry out a complete regulation of the right of nationality” (Catala Polo, 20.11.2014, p.59). Thus, the minister made the position of the then PP lead government clear: The law and Sephardim, as such, were seen as an exceptional case: “[...] the condition of Sephardic is in itself an exceptional circumstance that would allow the granting of Spanish nationality” (Catala Polo, 20.11.2014, p.60).

Nevertheless, the question of whether citizenship should be granted to other groups in the liminal space of Spanish identity became the cornerstone of the criticism by the opposition. They demanded the law be expanded to include Saharawis (this term will be explained further on), descendants of Moriscos, and descendants of Republicans who had to flee Spain during Franco’s dictatorship: “Memory cannot be partial, it should not be partial, especially if we want to have a common story of a people.”⁶⁴ The common story must incorporate the injustice of the Sephardim and also other injustices. It is not worth doing it only with some and not with others; it has to include everyone” (Cuadra Lasarte, 20.11.2014, p.64).⁶⁵ Sephardic identity is an identity which represents a measurable closeness and distance from the Spanish in-group and has thus become a tool to measure the distance of other collectives.

The Moriscos, descendants of Muslims of Al Andalus, who, following the Christian conquest which culminated with the fall of Granada in 1492, at first lived under Christian rule but were then forced to convert to Christianity. Regardless of their religious conversion, in 1609, King Philip III issued a decree expelling them from Spain. This decree of expulsion resulted in the dispersion of Morisco communities across North Africa and the Ottoman Empire. In recent years, there have been calls to grant Spanish citizenship to their descendants, to recognise their historical ties to Spain and to address past injustices. Several opposition parties brought up this claim. On November 20 2014, for example, Sabino Cuadra Lasarte (at this time, member of a separatist Basque party) said regarding the 12/2015 law in the Congress of Deputies: “The Spanish State, from its very origins, has been based on

⁶⁴ One amendment request from February 2015 also asked to add Saharawis and Moriscos to be added to the group of residents who can get citizenship after only two years of residency: “Five years [of residency] will be sufficient for those who have obtained refugee status and two years in the case of nationals from Latin-American countries, Andorra, the Philippines, Equatorial Guinea, Portugal or Sephardim, Moriscos and Sahrawis” (Amendment num. 23; Grupo Parlamentario de IU, ICV-EUiA, CHA: La Izquierda Plural, Feb 2015, p.23). The moriscos were those people who, under the pressure of evangelisation and assimilation, had converted from Islam to Christianity and their descendants. They were expelled in 1609.

⁶⁵ Sabino Cuadra Lasarte is a Spanish politician who, at the time, was a member of the Congress of Deputies. He was part of Amaiur, a left-wing Basque nationalist and separatist party in the Basque country and Navarre,

military conquest, the exclusion of its minorities and the imposition of language, culture and religion. The sword, the cross, the Holy Inquisition and also the Castilian have ridden together, producing what we have today, this Spain, yesterday one, great and free, and today indivisible and indissoluble. [...] What we are debating today is largely a consequence of all that. At the time, there was the plundering of property and the forced expulsion of hundreds of thousands of people from the Sephardic Jewish population existing in the different kingdoms of the Peninsula. [...] A Century later, the same thing happened with the Moorish population [...] Many of these people have vivid and direct memories of that Al Andalus from which they came or of the Kingdoms of Valencia or Aragon” (Cuadra Lasarte 20.11.2014, p.63). Cuadra Lasarte’s call for the law to include the descendants of Moriscos follows two notions: 1. That the law 12/2015 is a way of atonement for the Spanish state for the persecution and expulsion of a minority- which, following that logic, should include other minorities as well, and 2. That the law 12/2015 is a way of rewarding loyalty and a yearning for Spain- which he claims can be found as well among descendants of Moriscos, and not only Sephardic Jews.

The other group, which, interestingly, was brought up even more often than Moriscos by opposition parties, were the Saharawis. This group is connected to Spain through Spain’s historical colonial presence in the Western Sahara. When Spain withdrew from Spanish Sahara in 1976, the Saharawis were given the option of acquiring Spanish nationality. Those who did not avail themselves of this opportunity lost the right to Spanish nationality. However, those residing in the Refugee Camps are without nationality, as the Republic of Algeria considers them nationals of the Sahrawi Arab Democratic Republic, which enjoys limited international recognition. Spain regards them as stateless. There are those politicians, such as Tardà i Coma of the left-leaning Catalan party, who contend that the Saharawis, too, have been “disappointed” by Spain. “Even [now], the Spanish State has direct obligations and responsibilities because, according to international law, it continues to be the colonising and administrative power and, consequently, has direct responsibilities. The Royal Decree of 1976 effectively gave a period of one year for the Sahrawis to acquire Spanish nationality [...], but this was also not possible because the Spanish Administration had disappeared. [...] which meant they were immersed in a loop that still embarrasses us today” (Tardà i Coma, 20.11.2014, p.61).⁶⁶ In my estimation, this argument assumes, and I argue mistakenly, that the PP government was passing the citizenship law out of remorse.

⁶⁶ Joan Tardà i Coma is a former member of the Congress of Deputies of Spain and a member of the “Republican Left of Catalonia”.

While the camp in favour of the inclusion of Saharawis and Moriscos advocated for the integration of these other collectives based on past Spanish wrongs, which in their eyes constituted the base for claims of reparation in the form of immigration and citizenship rights, the government party maintained that while Sephardim had shown exceptional loyalty to Spain, this was not the case for other groups such as the Saharawis or Moriscos: “Because if the Sephardic experience demonstrates anything, it is precisely the special capacity to generate complementary links, which are never exclusive, between different identities” (Catala Polo, 20.11.2014, p.60). Various authors, such as Martina Weisz and Carlos Yebra Lopez, have explained this disjunct. They point out that one major reason for the exclusion of Muslim minorities from similar treatment to the Sephardim is their historical and present conceptualisation as military enemies. They are the perpetual *other* on which Spanish national stories such as the *Reconquista* were fashioned (Lopez, 2023). I would furthermore argue that another, at least rhetorical distinction, is being made on the grounds of loyalty to Spain, whereby Sephardim are depicted as having kept the memory of Spain alive. At the same time, Moriscos and their descendants are accused of having failed to demonstrate a similar emotional connection. This attitude is perhaps best summarised by Alberto Ruiz Gallardon, the former Minister of Justice, who, during the book presentation of *Cuánto os Hemos Echado de Menos*, said: “And I said[...] Mr Deputy, bring me a single Muslim citizen who, 500 or 350 years later, after his expulsion from Spain, still speaks Spanish, continues to preserve Spanish culture, continues to say that his homeland is Spain and continues to defend the memory of Spain and rest assured- that Muslim will receive the Spanish nationality. But I assure you that you can go to North Africa or any place in the world where the Muslims who were expelled as a result of the *Reconquista* settled, and you see the difference to the expelled Jews. Not one of them has kept the memory of Spain” (Gallardón, 28.08.2023).

Another group, which- perhaps surprisingly, was mentioned in the discussion of the law, are Palestinians. Just like the Saharawis, and mostly in connection to them and Moriscos, were they brought up by the opposition parties: “Finally, Amaiur—comrade Tardà has made partial reference to this—wants to show the injustices that are also occurring today with other populations that are being plundered and expelled from their lands. He has referred to the Sahrawi issue. It is the Sahrawi issue, and it is also the Palestinian issue. That is why we want to demand and vindicate, as in other issues, truth, justice, and reparation for all peoples, with all populations that have been the object of plunder and expulsion and, to the extent that we

are commenting on it. And also truth, justice and reparation here and now for the Sephardic population who are demanding the recovery of part of those rights that were taken away from them” (Cuadra Lasarate, 20.11.2014, p.63). It seems strange to see the Palestinians inserted in this discussion in a way which seems to date their claim for reparation prior to the Sephardic case.

The opposition speakers seem to allude to another elephant in the room: The State of Israel. However, by not addressing it directly, they create a situation in which Palestinians are, out of thin air, brought up as a comparison to the suffering Jews. It is the only group unrelated to Spain which is brought up, which might suggest that their story, in fact, might be connected to the addressees of the law, Sephardic Jews. This connection is made explicit in a requested amendment from February 2015, which calls for an exclusion of those applicants living on occupied territories under international law: “In the case of descendants of Sephardim, those people who reside or carry out their activity in occupied territories in accordance with International Law will be excluded” (Congress of Deputies, 19.02.2015, p.23). This short comment suggests that the speakers seem to connect the rights of Sephardim to the rights of Palestinians and could be seen as yet another attempt by Spanish lawmakers to insert Spain as a mediator in the Israeli-Palestinian conflict.⁶⁷

Another interesting example of the juxtaposition of Sephardim vis à vis others can be seen in a comment by Díez Gonzalez on June 11 2015: “Forced conversions have also been something that we Spaniards have come to know in modern times; Although it was not forced conversion to a religion, many Spaniards suffered the forced conversion to totalitarianism, particularly those of us who live in the Basque lands.⁶⁸ If we wanted to continue living, we had to convert, and if we didn’t, we ran the risk of being murdered” (Díez Gonzalez, 11.06.2015, p.13). In this example, Sephardic Jews are the standard to which otherness and oppression are compared. The speaker, Díez Gonzalez, seems to set the focus on oppression and compares the Spanish State to a powerful oppressor, with- at first Spanish people in general- and then Basques in particular as the oppressed. While the oppressor, which could be the state or the church, depending on whom the speaker sees as responsible for forced conversions, is not determined, the case of forced conversions of Jews opens up a new conversation about other oppressed minorities within Spain.

⁶⁷ It should be noted that the amendment was not approved.

⁶⁸ Rosa María Díez González is a Spanish politician from the Union, Progress and Democracy Party, UPyD and a deputy in the Congress of Deputies from 2008 to 2016.

Philo-Sephardic and Philo-Semitic Tropes and Stereotypes

This second theme, which is a crucial tool for understanding the construction of Sephardi-Jewish Identity, can be revised under the title *Philo-Sephardic and Philo-Semitic tropes and stereotypes*. While a large emphasis on the law and the congress discussions around it is put on closeness and distance to a Spanish identity, there are some more general and other very specific tropes which are repeated throughout the legislative text and statements by government and opposition parties. The main ones are 1. Sephardic Jews as loyal, loving and forgiving; 2. Sephardic Jews as weak and victims. 3. Sephardic Jews as home- and timeless, 4. Sephardic Jews as intelligent, influential, and rich.

Sephardic Jews as Loyal, Loving and Forgiving

“The ultimate justification for this whole story is that the unique thing that happened with the Sephardim is that they maintained a very strong emotional connection for no reason whatsoever, considering they were kicked out of the country. Most of them have had a very difficult time for centuries, and yet they continue to consider that their homeland is Spain, and they want to maintain that connection” (Interview with Elorriaga Pissarik, 2023).

The perhaps most present trope is that of the Sephardic Jew as loyal, loving and forgiving. We see it in the very first sentences of the preamble of the law: “The memory and fidelity have remained throughout times in a large community that deserved the honour of receiving its recognition” (12/2015 law). Loyalty to Spain, as well as the memorialisation of its history, become prerequisites for the honour of esteemed recognition. Sephardic Jews are idealised as loyal to Spain, feeling and expressing exuberant affection for the past and present Spanish state: “The extraordinary example of fidelity to a language, to certain customs and to the memory of the country from which the Spanish Jews were expelled in detriment of the edict of March 31, 1492, is surely unique in our history and also unique in the dark history of peoples expelled from their lands. It is because of its centenary character, it is because of its emotional intensity, and it is also because of the way in which the Sephardim have known how to reconcile different identities without ever renouncing any of them” (Catala Polo, 2014, p.59). While loyalty is, at first impression, just a defining feature of Sephardic Jews, it also allows the Spanish nation-state to make distinctions within the community. If a Sephardic Jew

is a Jew who loves Spain unconditionally, is a Jew of Sephardic ancestry who does not feel that way a Sephardic Jew?

Furthermore, the emphasis posed by Catala Polo on the singularity of Jewish loyalty is intriguing. As we saw in the previous section, this was one of the points that the government and the opposition parties contested. Politicians such as Catala Polo and Gallardon emphasised the uniqueness of Sephardic loyalty to Spain. The counterargument against those pushing for similar legislation for, e.g. descendants of *Moriscos*, is that they have been less loyal and loving of Spain since their expulsion. The proof of this loyalty is stated in the law and by the lawmakers in the upholding of certain traditions, such as the use of Ladino and Haketía.

In this imagination of the 12/2015 law, the loyalty of Jews is a central theme. This expectation is interesting as Jewish loyalty, or the alleged lack thereof, has been a central anti-Semitic trope for centuries. The anti-Semitic trope of Jewish disloyalty gained significant traction during the late 19th and early 20th centuries, with the infamous Dreyfus Affair serving as perhaps the starkest example. In the context of emerging nation-states in the 19th Century, questions about Jewish loyalties became a contentious issue influenced by political, social, and cultural transformations. As nations sought to consolidate their identities, Jews often found themselves at the intersection of evolving nationalisms. Accusations of dual loyalty were frequently levied against Jewish communities, reflecting both longstanding prejudices and anxieties related to the changing political landscape. In many cases, Jews faced the challenge of navigating their allegiance to the state while maintaining their distinct religious and cultural identities.

Perhaps unsurprisingly, the topic of changing Sephardic loyalties has been part of Spanish historiography before the publication of the law in 2015. Historical claims suggesting that Jews in Spain played a role in both the Muslim conquest of the Iberian Peninsula in the 8th Century and later aided the Christian *Reconquista* are complex and contentious. The idea of Jewish collaboration with Muslim conquerors during the early years of Islamic rule in Spain is rooted in historical narratives that depict Jews as intermediaries between the Muslim rulers and the Visigoth Christian population. However, here too it is crucial to approach such claims critically, recognising that historical accounts often vary, and interpretations are influenced by different perspectives. Similarly, allegations of Jewish collaboration with

Christian forces during the *Reconquista* have been asserted. However, historians emphasise the need for a nuanced understanding of the historical context and the diverse roles that individuals and communities played during these periods.

Connected to the idea of loyalty, we have the claim that the Jews who were expelled and their descendants to this date do not feel resentment: “They maintained the customs, respected the names that so often invoked the form of their origin, and accepted without resentment the silence of Spain stepped in oblivion” (12/2015 law). This passage gives information on how the state views Sephardim but also how the state believes or wants to be seen by Sephardim. In this light, the citizenship law becomes a reward instead of an act of reparation: “[...] the Jews of Spanish origin have carried their homeland in their hearts, with true affection, with immense nostalgia, and without any resentment. Sephardic Jews have been for more than five centuries—and are today—authentic ambassadors of Spain, of Sepharad, and they are in all parts of the world, and with this law, this historical reality is recognised” (Elorriaga Pissarik, 20.11.2014, p.72).

Criticism of the idea of almost naive Sephardic forgiveness came from the opposition parties: “They [Sephardim] accepted the silence of Spain that placed them in this situation of oblivion without resentment. I am not so sure, Mr Minister, that the acceptance of this expulsion of the Sephardim was done without resentment. I don’t know if there is empirical evidence that makes you think that they did it without resentment, nor if the nostalgia and the identity link with Spain then has gone away without any feeling of spite with an expulsion as brutal as this. But you say it in the preamble, and we are going to leave it that way as a purely ontological or literary reflection” (Olabarria Muñoz, 20.11.2014, p.66).

Sephardic Jews as Weak and Victims

“Furthermore, it was very clear where the [Sephardic] communities were. [...] Well, there are those in Turkey. In Venezuela, there was a community also with many problems that they [the government] wanted to protect, so to speak. And then smaller communities, some very marginal ones, that still remain in some Arab countries” (Interview with Elorriaga Pissarik, 2023).

Within the textual narrative on Sephardic-Jewish identity in the 12/2015 law, there is furthermore an emphasis on the historical vulnerability and victimhood of the Jewish people. As we will see further on, this emphasis on Jewish victimhood and vulnerability is necessary for a narrative in which Sephardim are meant to regain entrance into the national Spanish collective, in which case it helps to portray them as a non-threatening group to the majority. It is also a necessary portrayal for the representation of Spain as a saviour.

Tarda I Coma, for example, notes, “The Jewish people have been, perhaps, one of the peoples that have suffered the most from all types of persecutions” (Tarda I Coma, 20.11.2014, p.62), underscoring the collective suffering of the Jewish people throughout history. This portrayal often integrates Sephardic Jews into a broader Jewish narrative of persecution, potentially overshadowing distinctive experiences. The language used in the legislation itself adds a layer of complexity to this narrative. The statement: “The brutal sacrifice of thousands of Sephardim is the enduring link that unites Spain with the memory of the Holocaust” (12/2015 law) introduces a bitter undertone, raising questions about the intention behind describing the hardships faced by Sephardic Jews as a “sacrifice.” This term carries connotations of involuntary suffering and prompts reflection on the cause and agents of such “sacrifices”, inviting interpretations that extend beyond mere historical acknowledgement.

In a different context, Margallo’s reference to his experiences in Mauthausen and the acknowledgement of the martyrdom of both Spanish Republicans and Jews adds another layer to the narrative of victimhood. The inclusion of Jewish suffering alongside the plight of Spanish Republicans underscores the interconnectedness of these histories, positioning Sephardic Jews as victims within the broader context of 20th-century atrocities. Moving into the 21st Century, the narrative shifts to the contemporary challenges faced by Sephardic communities worldwide. The mention of facing “new challenges” and some communities being “battered under the fury of totalitarianism” prompts questions about specific instances, such as whether the reference to “totalitarianism” alludes to situations in Venezuela and Turkey or, for example, France or Ukraine. This reference underscores the ongoing struggles and vulnerabilities experienced by Sephardic communities in different geopolitical contexts, but it also raises the question of what the lawmaker considers “new challenges”. Is it anti-Semitism or economic and political hardship in general? Lastly, it points at another aspect of

the law, which is that it raises the question of whether Spain is making the claim of being a competing safe haven for Jews.⁶⁹

Sephardic Jews as Home- and Timeless

The depiction of Sephardic Jews within the context of the 12/2015 citizenship law often casts them as cosmopolitan, homeless, and timeless, creating a narrative that serves as a bridge to the past. This characterisation raises questions about subtle anti-Semitic undertones and the old imagery of the wandering Jew. The language employed in the law further complicates the narrative. In its preamble, the law aspires to be the “meeting point between today’s Spaniards and the descendants of those unjustly expelled from 1492” (12/2015 law). However, a noteworthy choice of words arises – while it is “los descendientes de quienes fueron injustamente expulsados a partir de 1492”, meaning the descendants of the Sephardic Jews who were expelled, instead of the “Sephardim of today”, the author of the law writes “los españoles de hoy” instead of “los descendientes de los españoles de ayer”.⁷⁰ This linguistic nuance, intentional or not, skirts direct acknowledgement and responsibility, potentially absolving the present generation from a more direct connection to the historical injustice. The use of the passive voice when referencing Spain’s historical actions subtly distances the nation from culpability, reinforcing a narrative that veers away from acknowledging Spain as the perpetrator and the Sephardim as its victims.

Furthermore, Sephardim are described as “españoles sin patria”, meaning “Spaniards without a homeland”, in one of the earlier drafts of the law (Congress of Deputies, 23.06.2014). In order to understand the reason why this direct quote from Angel Pulido’s book title is being used, it is worthwhile reading its use by one of the proponents of the law

⁶⁹ Various interviewees admitted that there had been slight tensions between Israel and Spain regarding the 12/2015 law: “The State of Israel has always viewed it with certain reservations. The point is that they were very, very elegant, to put it mildly. They did not interfere in the process and when it was finally approved on the day the law was approved, finally by Parliament, the government of Israel issued a very brief note, congratulating Spain for the approval of the law and thanking it for the law. And it was very good, and I think they did very well doing it. But it is true. In fact, there are some statements by Netanyahu that always come out that have a lot to do with the logically original Zionist vision. That is, the Jewish national home since it is Israel, not Spain” (Interview with Elorriaga Pissarik, 2023).

⁷⁰ Author’s translation: “today’s Spaniards” and “descendants of yesterday’s Spaniards.”

from the PP, Elorriaga Pissarik: “Surprised, (the Spanish soldiers) were received with cheers by citizens who spoke to them in Spanish and welcomed them as true liberators. [...] was a progressive senator, Ángel Pulido, who, in 1903, for the first time, brought the reality of Sephardic Jews to the Spanish Senate. These Spaniards without a country- as Pulido rightly said- felt and still feel Spanish” (Elorriaga Pissarik, 20.11.2014, p.73). Here, we see two important narrative points: the idea of Spain as the liberator of Sephardim and the idea of the ambiguous belonging of Sephardim. While the use of the phrase “españoles sin patria” therefore echoes sentiments from 19th-Century Philo-Sephardism, it is at odds with the reality of 2015, where the majority of Sephardic Jews are integrated into modern nation-states and likely identify with their respective nationalities. Sephardim are, therefore, constructed as being without a home (see Kläger 2015) while being emotionally tethered to Spain. This narrative challenges the general notions of national identity and belonging while reinforcing the idea of “Jewish homelessness”. This idea was questioned and criticised by an amendment proposed by the Basque Parliamentary Group (EAJ-PNV), urging the removal of the phrase “españoles sin patria” from the draft- a request that seemed to have been fruitful, as this phrase disappeared from the final draft (Congress of Deputies, 19.02.2015, p.16).

Sephardic Jews as Intelligent, Influential and Rich

One prominent aspect of the discourse surrounding the legislation on Sephardic-Jewish citizenship revolves around mostly Philo-Semitic perceptions of their intelligence, wealth, and influence. Catala Polo emphasised the contributions of Sephardic Jews to various fields, including philosophy, literature, art, and politics. This positive acknowledgement aligns with a Philo-Semitic perspective, singling out/overemphasising the rich cultural and intellectual heritage brought by Sephardic Jews: “Our country has remained estranged- in our opinion for too long- to a part of our own culture, our own legacy, the human heritage that one day shaped the reality of Spain [...] thus giving the world some names without which would not be understood, for example, the history of philosophy, Maimonides or Spinoza” (Catala Polo, 20.11.2014, p.61).

Criticism was raised by the opposition, questioning whether the legislation was genuinely inclusive to all Sephardim (and their descendants) or if it catered primarily to those who could afford the expensive and intricate application process. Jane I Guasch, in a session of the Congress of Deputies, emphasised concerns about the legislation’s potential exclusivity

based on economic criteria, raising the question of whether the process acts as a barrier that inadvertently creates a distinction favouring wealthier individuals: “Is this legislation that really wants to address everyone or only those who can afford this costly, cumbersome procedure that requires mandatory travel?” (Jane I Guasch, 23.03.2015, p.9). Various opposition speakers alleged that the government intended to limit the number of applicants through an economic filter, ensuring that only those with significant financial means could pursue citizenship: “How much will this entire procedure cost each of the applicants? You will see that it will range, at least, between 4,000 and 6,000 Euros for each of the members” (Iñarritu García, 11.06.2015, p.11).⁷¹

This economic filter, as suggested by Iñarritu García, might unintentionally contribute to the perception of Sephardic Jews as affluent and influential individuals, creating a connection between financial standing and eligibility. Some opposition critics went further (and figuratively backwards), implying a conspiracy by asserting that the legislation exclusively serves the interests of the Sephardic-Jewish lobby: “The bill is exclusive, making it clear that the only objective of the reform is to satisfy the demands of the lobby of the Sephardic Jewish community” (Jordi Guillot Miravet, 24.04.2015, p.8-9).⁷² Accusations of the law being designed to satisfy the demands of this alleged “Jewish lobby” evoke historical antisemitic tropes regarding Jewish influence and control, adding a concerning layer to the overall discourse. This reference becomes especially ridiculous in hindsight, as many applicants were, in fact, not Jewish.

However, amidst these critiques, there is a typical Philo-Sephardic- and Philo-Semitic acknowledgement of the historical resilience and achievements of Sephardic-Jewish communities: “Despite Catholic anti-Semitism and legal discrimination under many different forms, the Spanish Jewish community—the Sephardim—became one of the largest, most influential and active in Western Europe” (Díez Gonzalez, 11.06.2015, p.13). This recognition, expressed by Díez González, reflects a more positive, Philo-Semitic portrayal of Sephardic Jews, highlighting their historical significance and contributions.

⁷¹ Jose Iñarritu García is a Basque politician and a member of the Congress of Deputies of Spain. He was also a member of the Senate of Spain. EH Bildu, short for Euskal Herria Bildu (Basque Country Unite), is a left-wing party in support of Basque independence.

⁷² Jordi Guillot I Miravet is a former Catalan deputy and senator from the Unified Socialist Party of Catalonia.

The Spanish lawmakers, through the imposition of economic and bureaucratic hurdles in the application process for citizenship under Law 12/2015, may have inadvertently set the stage for a self-fulfilling prophecy. In the course of this research, various interlocutors have consistently reported that a significant proportion of the applicants were from higher socioeconomic backgrounds, especially in the case of Colombian applicants. Conversely, many Sephardic Jews with more limited economic means refrained from applying due to the financial burdens associated with legal representation, travel to Spain, language courses, and the required fees and donations. These economic challenges have an unintended consequence: a disproportionate number of those who have received citizenship are affluent individuals. Given that the law specifically addresses Sephardim, this unintentional bias towards wealthier applicants has the potential to reinforce the stereotype of wealthy Jews, further contributing to a perception that may not accurately represent the diverse economic backgrounds within the Sephardic Jewish community.

The In-Group: What Spain Sees through its Sephardic Reflection

The 12/2015 citizenship law allows us to explore the notion of the *Spanish in-group* about itself and how it wishes to be perceived. This part delves into Spain's multifaceted reflection through its Sephardic lens. This lens serves as a mirror reflecting not only the historical narrative of Sephardic Jews but, more significantly, Spain's identity and self-perception.

Olabarria Muñoz, in a parliamentary session, questioned the connection between Sephardim and contemporary Spain, saying: "Because the language they know is ancient Castilian, it is not the Spanish language spoken in the Spanish state today [...]. What is the linking element? How is it measured? It is a question that I ask myself and that I want to share with the members of this commission regarding the connection to Spanish culture. How is it done? By getting a certificate of having participated in a 'sevillanas course' or having participated in a Spanish tortilla-making course?" (Olabarría Muñoz, 25.03.2015, p.6). The interrogation is, therefore, about a fundamental question: What is Spanish identity or *Hispanidad* in this context? What are these Spanish cultural elements that bind Sephardim to Spain today?

Drawing from David Lowenthal's insights in *The Heritage Crusade and the Spoils of History*, this section explores how heritage alters history and, in the case of the 12/2015 law, manipulates the portrayal of past actors. Franco, diplomats, King Juan Carlos I, Pulido, and Isabella II are presented in quasi-liberal humanitarian roles, shaping a narrative that aligns

with contemporary perspectives.⁷³ In these accounts, stories of the Sephardic community being helped by past actors from Spanish history are highlighted. The stories that do not gel with this positive portrayal are omitted. This simultaneous referencing and omitting demonstrates the concurrent process of celebrating and forgetting selectively. In this section, I will scrutinise this vague and passive language, together with the omission of Spain's actions in the law. To do this, I will make use of Lowenthal's concept of updating the past by garbing it in present-day guise. The lacuna where accounts of Spain's historical persecution and persecutors should be found is suggestive: it shows the effort to create a unilateral narrative of forgiveness, reflecting Spain's approach to dealing with its complex historical legacy. The section further explores the intricate dance between memory and forgetting in the formation of national identity, drawing parallels between Spain's handling of Sephardic history and its efforts to reconcile with Francoist Spain. By examining how Spain navigates the legacy of Sephardic persecution and expulsion, the chapter sheds light on the complex interplay between heritage, historical revisionism, and the construction of national narratives.

Spain as its "Old Self"

The law harkens back to a Spain reminiscent of its *old self*, invoking a romanticised past: "We are here repairing a historical debt, a historical debt with Jewish communities that had been in Spain for almost two thousand years, which probably started in the most brilliant periods of coexistence in our history at that time when Spain was Roman and Gothic Hispania, Al - Andalus for those of the Muslim religion and Sepharad for our Jews, and who have known, after the Diaspora, in five hundred years, to maintain the love, traditions and language—Ladino—that unite them to Spain" (García Margallo y Marfil, 11.06.2015, p.20).⁷⁴

The further reference to the *Real Decreto* of December 20, 1924, exemplifies this sentiment, emphasising the exceptional circumstances under which Sephardim acquired Spanish nationality already before 2015. This historical reference creates a positive echo of the dictatorial Spain under Primo de Rivera without mentioning it as such.⁷⁵ Additionally, the formation of a favourable opinion toward Sephardim, dating back to the times of Isabel II, introduces the idea of a centuries-old Spanish openness towards Jews. Rather than anchoring

⁷³ Isabella II was Queen of Spain from 1833 until her deposition in 1868.

⁷⁴ José Manuel García-Margallo y Marfil, a member of the People's Party, served as Minister of Foreign Affairs and Cooperation from 2011 to 2016.

⁷⁵ Miguel Primo de Rivera y Orbaneja was the Spanish dictator who ruled as prime minister of Spain from 1923 to 1930 during the last years of the Bourbon Restoration.

this sentiment in a specific historical event, the law links it to a person—Isabel II. There is an inherent irony in this association. Isabel II's namesake, Isabel I, was the monarch who expelled the community from the peninsula in 1492. Shifting the attention to Isabel II could be read as an effort to re-brand the negative associations with the name. An effort to disassociate the Spanish royal family from the persecution of Jews. The text adopts a clear nation branding strategy through overt Philo-Semitism, positioning Spain as the benevolent entity that extends a hand to Sephardim. The phrase, "Spain that has not stopped longing for that lost part [Sephardim] of itself since 1492" (Catala Polo, 20.11.2014, p.61), depicts Spain as a state that has somehow remained unflinchingly loyal to Jews, skirting the very fact of their maltreatment and expulsion. As far as is possible, the persecution of the Sephardic community is kept at arm's length from the state and figures who personify Spanish institutions.

The law, furthermore, creates an image, portraying the cultural elements retained by Sephardim after their expulsion over five centuries ago as living proof of Spanish history and identity. Silva Rego's statement underscores how these elements become a testament to a shared Spanish existence: "More than five hundred years ago, the Sephardim were forced to abandon their homes, but it is true—and it has been repeated here—that this expulsion could not take away their connection with our State, their Spanish identity; They maintained their customs and customs—as everyone here has said—the traditions, their language, marriage according to the regime and traditions of Castile, as well as the names that invoked their origin" (Silva Rego, 20.11.2014, p.70).

The law positions itself as a culmination of a lengthy trajectory of reunion and reconciliation between Spain and Sephardim: "The bill that we are now debating cannot be understood without remembering all the historical, political and legislative antecedents that have brought us here because this bill is only understood as the culmination of a long history of reunion and reconciliation between Spaniards" (Elorriaga Pissarik, 20.11.2014, p.72). This statement echoes Spain's attempt to remind itself and the world of an idealised historical era—an *old Spain* that stretches beyond the Golden Age, reaching into the 19th and 20th centuries.

As we navigate this exploration, it is crucial to consider the diverse audiences for this law. Beyond the direct beneficiaries, the law seems to address internal and external audiences.

Some statements resonate with the party's voters, while others aim to evoke a sense of Spanishness among the general population. Simultaneously, certain elements may be strategically crafted to communicate Spain's values and historical reconciliation to a broader international audience, such as the European Union.⁷⁶

The Liberal and Open Spain

One of the strongest elements of self-portrayal of Spain within the framework of the 12/2015 law is probably its re-imagination as an open, liberal, pluralistic, and moral entity. The decision is presented as a desire for a benevolent reencounter: "It was a decision motivated by the desire to contribute, after almost five centuries of distance" (12/2015 Law), where the use of words such as "contribution" seems to reference the voluntary character of the law, while the word "alejamiento" in this context, is both descriptive but also a tool to blur the cause for the state of distance.⁷⁷

Special acknowledgement is given to historical initiatives put in place by figures such as Fernando de los Rios and Senator Ángel Pulido, presenting Spain as a supporter of the Sephardic cause: "Minister of State Fernando de los Ríos, the Presidency of the Government studied the possibility of granting, in a general way, Spanish nationality to the Sephardic Jews of Morocco, but the idea was abandoned due to the opposition found in some Maghreb circles" (12/2015 law). The establishment of institutions such as the Alianza Hispano-Hebrea en Madrid in 1910 and the Casa Universal de los Sefardíes in 1920 further reinforced the idea of the outstretched Spanish hand. However, the repeated reference to doors being opened "forever" contrasts with the temporal limitations set by the law, emphasising a continuous narrative of inclusivity (12/2015 law). The government at the time studied the possibility of granting Spanish nationality to the Sephardic Jews of Morocco indiscriminately, but the idea was abandoned due to the opposition found in some Maghreb circles. The 2015 law, therefore, presented itself as a long-awaited and planned idea: "[...] in the face of the intolerance of past times, a new space of coexistence and harmony, which forever reopens the doors of their former country to the communities expelled from Spain" (12/2015 law).

⁷⁶ The European Union has increasingly fashioned itself as a moral union in addition to an economic and, to some extent, cultural union. In its legislation, it has enshrined moral values such as solidarity, pluralism and tolerance, which mean the protection of democratic procedures and human rights- and especially the protection of minorities (Lecaj, 2021; Olsen, 2023).

⁷⁷ Author's translation of "alejamiento": "distancing".

The law highlights Spain's efforts to communicate the values for which it wishes to be known internationally through initiatives such as the visit to a Madrid synagogue by King Juan Carlos, underscoring a narrative of an open, diverse, and tolerant Spain- including its monarchy: "This law that will be approved today says a lot, without a doubt, about what we were in the past but also about what we Spaniards are today and what we want to be in the future, because open Spain, diverse Spain, tolerant Spain of Felipe VI today is the one that has culminated a long process of reunion with those who for more than half a millennium have carried the language, culture and memory of Spain with them [...] Why has this issue mattered to me, have I been very active and I am still active in the Middle East peace process? The position of this Government, as you know, is an unalterable position, coherent and consistent with what our doctrine is, which is that we are for the two-state solution: a secure Israel with a Palestine at peace" (Elorriaga Pisarik, 11.06.2015, p. 20).

In essence, the law is portrayed not only as a reflection of Spain's nation-branded past but also as a statement about how the state wishes for its present and future to be perceived: "[...] consensus that does not go against anyone but in favour of our own identity as a tolerant and plural country" (Catalá Polo, 20.11.2014, p.61). The law, therefore, serves as a powerful tool in nation branding, shaping a narrative of Spain as a nation committed to tolerance, diversity, and historical reconciliation.

Spain as Saviour

The 12/2015 law furthermore draws an image of the Spanish nation-state as not only benevolent towards Jews but as their saviour and protector. It highlights contested legislative actions and diplomatic gestures by oversimplifying the narrative and presenting the law without complete contextualisation; an image of *knightly Spain* is cultivated. The Royal Decree of December 20, 1924, which was not just aimed at Jewish immigrants but at other minorities as well, is now presented as the state's deliberate and intentional attempt to protect Sephardim (and Jews more broadly), without differentiation: "The Royal Decree of December 20, 1924 had an unexpected utility that its drafters probably did not think of: it was the legal framework that allowed the Spanish diplomatic legations, during the Second World War, to provide consular protection to those Sephardim who had obtained the Spanish nationality under that decree. The humanitarian spirit of these diplomats extended consular protection to non-naturalised Sephardim and, ultimately, to many other Jews" (12/2015 law). Some

Spanish diplomat's efforts to protect Jews during World War II are highlighted. These stories of humanitarian efforts, dissident at the time, were emphasised in order to rewrite the history of Spanish attitudes and actions during the war. While the courage of the various diplomats is indeed commendable, this narrative selectively omits the state's involvement with Nazi Germany.⁷⁸ Moreover, it is, at best, a selective and, at worst, an outright dismissive telling. This narrative, therefore, does not only conveniently sidestep the historical persecution of Jews by the state but also the way those *worthy of saving* were chosen.

The explicit acknowledgement and condemnation of the persecution of Jews during WW II by Nazi Germany contrasts with the absence of naming and condemning those who persecuted Jews on the peninsula.⁷⁹ The focus seems almost to shift from the expulsion in 1492 to the persecution of Jews during the Holocaust by Nazi Germany and their alleged rescue by Spain. This idea was presented by prominent figures such as the then Minister of Exterior, García Margallo y Marfil, in speeches such as the following: “[...] We held an exhibition at the Ministry of Foreign Affairs, [...] to pay tribute to the figures of the Spanish foreign service who, in hard and difficult times, risking their careers and prestige, helped many of the Jews to evade persecution. I have been to Yad Vashem, where I was lucky enough to honour two new righteous among the nations, and we continue to investigate because there are many more righteous among the nations of Spanish nationality” (García Margallo y Marfil, 11.06.2015, p.21). The idea of the Spanish saviour as the polar opposite to the atrocities of Nazi Germany finds itself towards the end of the preamble: “The course of World War II placed approximately two hundred thousand Sephardim under German administration. Flourishing communities in Western Europe and, above all, in the Balkans and Greece suffered from Nazi barbarism with shocking figures such as the more than fifty thousand deaths in Thessaloniki, a city with deep Sephardic roots. The brutal sacrifice of thousands of Sephardim is the enduring link that unites Spain with the memory of the Holocaust. [...] was the legal framework that allowed the Spanish diplomatic legations during the Second World War to provide consular protection to those Sephardim [...]. Thousands of Jews thus escaped the Holocaust and were able to rebuild their lives” (12/2015 law).

⁷⁸ One part of the law goes even as far as to suggest Spain as a victim by proximity: “The brutal sacrifice of thousands of Sephardim is the imperishable link that unites Spain with the memory of the Holocaust” (12/2015 law).

⁷⁹ On September 10, 1952, Konrad Adenauer, the German chancellor of the Federal Republic of Germany at the time, officially apologised for the German crimes committed against Jews during the Holocaust. He and Mosche Scharett, the Israeli Foreign Minister, signed the “Luxembourg Agreement”, in which the German state committed itself to providing financial support for the settlement of Jewish victims of Nazi persecution in Israel (Bundesarchiv, 12.02.2024).

The Absentee Spain

The last characteristic of Spanish self-representation is its absence in certain parts of the text. In the case of negative actions perpetrated by the Spanish state and nation- e.g. the 1492 expulsion, persecution of Jews before- and converts after, the discrimination and geopolitically driven acceptance of only a few- is not mentioned as such. Instead, the lawmaker obscures the state's (or the nation's) responsibility through the use of the passive voice, e.g. "[...] the expulsion [...] represented one of the greatest intellectual, cultural and plurality losses that have impoverished the State in all these areas" (Iñárritu García, 11.06.2015, p.11), or "By the imperative of history, the Jews once again embarked on the paths of the Diaspora" (12/2015 law).

The criticism of Spain's actions only arises in commentaries by mostly left-wing and separatist parties: "Spain had some of the oldest anti-Semitic laws in the West, such as the law of the Visigoth Sisebut in the year 612; a law that limited the right of property to Jews and provided for the death sentence of any Jew who converted a Christian. I think these things are worth remembering. As you know, the convert, in turn, was sold as a slave. These are our antecedents, the antecedents that today we want to repair" (Diéz González, 11.06.2015, p.13). This criticism even led the Basque party EAJ-PNV to demand for an official apology to be included in the law: "The Explanatory Memorandum of the Bill must explain in greater depth the historical arguments that justify the approval of the law, as well as include an apology to the Jewish people, as Portugal has done, for the historical error that led to the expulsion of the Sephardim in 1492" (Congress of Deputies, 19.02.2015, p.16-17).

Conclusion

In this chapter, we have explored the intricate relationship between Spain's nation branding strategy and its portrayal of Sephardic and Jewish identities in the case of the Spanish citizenship law 12/2015. The lens of a *Philo-Sephardic Spain* has been a crucial element in

the benevolent narrative that seeks to recreate the Spanish past beyond the *siglo de oro*.⁸⁰ This diplomatic nation branding strategy has employed various methods, including the instrumentalisation of Philo-Semitism and Philo-Sephardism. Philo-Semitism emerged as a powerful tool for nation branding, framing Jews as a lost community that could have been beneficial for Spain- were it not for the Expulsion. The depiction of Jewish identity, both past and present, is a central theme, emphasising the (imagined) thankful, forgiving, and loyal nature of Sephardim specifically and Jews more broadly. This portrayal, however, depicts Jews as a weak and victimised group, as it constructs them as lacking agency in major events pertaining to their history, such as the Expulsion and the Shoah. The event of publication and promotion of the law further highlights today's near absence of the local Jewish community in controlling the Jewish narrative- the representation of Jewish history, culture, and emotions. The state's narrative constructs a perception of Spain as open and liberal, echoing Germany's past efforts and current success in nation branding.

The comparison with Germany, particularly the case of the *Kontingentflüchtlinge*, provides a backdrop for understanding Spain's approach to nation branding through citizenship laws. This law, presented as a continuation of a long-standing discourse, raises questions about its intended audience- whether it aims to appeal to Jews and Sephardim or the international public. Drawing on Thomas Altfelix's concept of the "Post-Holocaust Jew", this research analysed Spain's efforts in light of its 2015 citizenship law, demonstrating how it fits into a broader discourse that has spanned decades. The chapter questioned whether Spain's motivation was to attract Jews or to appeal to an international audience by adopting a Philo-Semitic stance, mirroring strategies employed by other countries. The synthesis of theory and fieldwork material reveals that, similar to Germany, the Sephardic Jewish communities desired a law, yet they were not the architects of its design. Instead, the law serves as a nation branding tool, where Jews are expected to play a specific role in the narrative. The Sephardic community must be thankful and loyal. The agency they are given is as compliant beneficiaries; in a more pessimistic reading, they are entirely passive.

Despite similarities with Germany, differences emerge in the objectives of the nation branding strategies. Germany aims to increase its Jewish communities and their visibility, while Spain's law suggests a lack of intent to grow this minority. This distinction becomes apparent in the effects of the law and its impact on the political and religious dynamics within each country. One notable difference lies in the emphasis on Sephardim as witnesses of

⁸⁰ The years 1492-1659 are often referred to as the "golden Century" in terms of prosperity and advancement.

Spanish history, which accentuates the 15th Century as the beginning of the Spanish nation-state. This narrative contributes to the construction of a distinctly new Sephardic identity, separate from the broader Jewish in-group definition. Spain's adoption of Philo-Sephardism as a nation branding strategy has created a parallel identity, Sephardism, positioning it as a subgroup of Spanishness or *Hispanidad*. The research raises questions about the long-term consequences of this constructed identity and its impact on individuals' perceptions of Sephardic history and heritage. As we see in Kandiyoti's chapter on *reparative citizenship*, there are already descendants who identify as Sephardic but do not wish to link it to any concept of contemporary Jewish identity. The question arises whether Spain might be, albeit unintentionally, proselytising among non-Jews for Judaism. While we have seen similar instances in, e.g., Israel with immigrants from the Former Soviet Union, in the Spanish case it remains to be seen how many people will have adopted this alternative idea of Sephardic identity.⁸¹

As we move forward, the evolving dynamics between Spain, its Jewish communities, and the international community might continue to shape the narrative of Philo-Sephardism and its role in Spain's nation branding efforts. The similarity between the German and Spanish cases suggests a possible broader emerging pattern in the use of Philo-Semitism as a nation branding tool in recent decades. Other countries, too, such as Portugal and even China, have been described by researchers as using national Philo-Semitism as a soft power to improve diplomatic and economic relations.⁸² While this case study only includes a partial comparison with Germany, considering the scholarly work which has been done on the diplomatic use of Philo-Semitism in China and Portugal, but also the use of the *convivencia* in Morocco and Spain, we might be at the beginning of a trend to use and shape Jews and Jewish history as a nation branding tool.⁸³

⁸¹ The Israeli scholar Kravel Tovi researches the history of immigrants from the FSU in Israel, how the state apparatus attempts to integrate them into its notion of Jewish identity and the response of these immigrants to the pressure exerted on them (Kravel Tovi, 2018).

⁸² Since 2000, Israel and Jews have gained visibility and popularity in China, which is expressed through memorials for the local historical Jewish communities and the investment in research projects and centres and activities such as the 'Israeli Culture Week' in 2017. Mary Ainslie suggests that the increased positive notion of Jews and Israel (brave, strong national identity, advanced and innovative) is connected to similar notions in what she calls the "British Imperial world" (Ainslie, 2024).

⁸³ Author's translation: "coexistence".

Conclusion

“We are here at Gate B1, and they are saying that they will send us back. [...] I know that they are not Jews- I mean- one thing is clear that there are Israelis and Jews, you know? Because of the religious question and all that. And I know that they are simply Israelis. But as human beings, one should treat their fellow human better. [...] No, no, no. They did not let us go with decency, not in the least” (Interview with Isska in Torah Tropical 2024).

In Torah Tropical, a documentary about converts to Judaism in Colombia, one of the perhaps most striking moments is that of a couple, Isska and Menachem and their two daughters, attempting to enter Israel and being deported back to Colombia in 2022.¹ Isska and Menachem had converted to Judaism years earlier and lived an Orthodox Jewish life in Cali, Colombia. Menachem was the baker of the local emerging Jewish community, of which they were active members. Like many emergentes, their dream was to live in Israel. They closed up shop and sold their property and, with a loan from the bank, which they interpreted as a sign from the divine, bought their flight tickets. However, their dream of building a new home in Israel, based on their plan to enter the country as tourists to then apply for conversion and subsequent Aliyah, was discovered by the security personnel at Ben Gurion Airport.

This dissertation hopefully contributed to the understanding of how this situation came about and what compels the State of Israel to reject certain types of converts, as well as the difficulty the State of Israel faces in addressing both an internal and external demographic question. This dissertation also offers insights into the situation of contested Jews and the complex power dynamics between emerging- and traditional communities. However, it additionally dealt with the larger question of how Jewish identity is being challenged worldwide by Jews- and non-Jews and how the pressure to maintain boundaries has contributed to the reshaping of these very boundaries.

This research project set out to show new shifts in the Jewish world and the conversations on Jewish identity taking place separate from and influenced by each other. It asked about new developments and challenges in the Jewish world today and how they can be used to learn about Jewish identity more broadly. It furthermore had the goal of linking questions about Jewish identity with Israeli and non-Israeli citizenship. By focusing on how

¹ See Torah Tropical (2024) <https://www.torahtropical.com/>.

Jewish in-group identity is being challenged by cases of individuals and groups in the liminal space of Jewish belonging and how liminality improves our understanding of contemporary Jewish boundary maintenance and in-group cohesion, it lays bare how flexible this identity is.

² It shows how the contested boundaries of Jewish belonging refract and reflect back into the way Jewish identity is perceived and shaped today. Instead of offering the answer to the long-awaited question of the meaning of Jewish identity, I argue that, by being a constructed social identity, the meaning of Jewishness is changed not only through the way it is challenged from within mutually recognised Jewish in-group members but also from the margins and outsiders. I argue that it is partly in the reaction to outside pressure, as shown in the Colombia chapter, that Jewish self-perception delineates itself. I further argue that the reaction to ambiguous groups (e.g. new Jews or non-Jews) exemplifies the desirable traits for the conceptualisation of Jewishness by Jewish and non-Jewish actors.³ This conceptualisation becomes apparent in two ways: First, when Jewishness is imagined inwardly (if the in-group is Jewish or not), as seen in the three case studies. In the Israeli and Colombian cases, it reflects on the perception of the Jewish in-group, while it reflects on the Spanish in-group in the Spanish case. Second, when Jewishness is being imagined outwardly, for the purpose of, e.g., international nation branding as seen in the example of Spain, or negotiating one's position as a community with local social stratification as seen in Colombia.

Given the various new developments in the contemporary Jewish landscape, this research project attempted to understand how Jewish in-group identity is being challenged by individuals and groups in the margins of Jewish belonging and to what extent the reaction to this contestation can enhance our understanding of Jewish boundary maintenance and in-group cohesion. These two overarching questions branched out into further questions according to the three case studies, Israel, Colombia and Spain, which focused on different forms of participation in the discourse on Jewish identity and the reaction and use of liminality for boundary maintenance.

² All three chapters have in common the fact that the liminal group is Latin American (Colombian) in the case studies. At the same time, many of those people might position themselves in relation to the in-group based on a believed Sephardic Jewish ancestry. This is not necessarily how they are perceived by the Jewish in-group. In the Colombian and Israeli cases, they are simply viewed as individuals who want to convert. In the case of Spain, on the other side, they are viewed as having a Jewish Sephardic ancestry, even if this fact might be contested by the local Jewish community today.

³ One of the differences between the chapters is that in the case of Israel and Colombia, the individuals and groups in the liminal space are not desired by the in-group; the case of Spain turns the elements in this Venn diagram around. Now, it is Spain, which, as an out-group (in relation to the Jewish in-group), desires some of those (imagined) liminal Jews.

Colombia

This dissertation has demonstrated how Jewish identity is being both challenged and reshaped through a conversation with and reaction to the margins. The example of the traditional Jewish Communities in Colombia, which have suddenly been faced with a new and growing phenomenon of individuals and communities of people who wish to be Jewish, demonstrates which elements beyond Halakha matter to delineate Jewish belonging and how this delineation is practised. This research shows that, at least in the case of the traditional Jewish communities in Colombia, social networks, class, race, and only, to a limited extent, religious observance seem to matter for community members regarding the acceptance of newcomers. Many studies concentrating on more contemporary cases of assimilation into Jewish collectives focus either on the Israeli state context or intermarriage, both cases which could be read as a person entering *the Jewish fold* through an intermediary. The Colombian case forces us to confront the social dynamics within the Jewish community, as well as the permeability and adoption of values and social language from the non-Jewish surroundings. While it might be difficult for people to be accepted into the small Jewish communities in, e.g., Bogota or Cali, the importance of hierarchisation according to racial and class background- two essential determinants of Colombian society more broadly, seem to have penetrated and influenced the functioning of Jewish communities in Colombia.

On the other side, we also saw how the fostering of in-group cohesion and identity delineation for Jewish individuals and their communities was determined by networks, both spatial and temporal. Childhood socialisation was another significant factor. The importance of temporal social networks seems to be a reflection of the importance of family ties within Judaism, as well as memory, more broadly. In the case of Colombia, it is the cumulative aggregation of individual members of the small Jewish communities that maintains the in-group identity for upcoming generations. This dynamic also erects gates and boundaries that exclude non-Jews. Practically, the Jewish identity of the community seems to rely heavily on its boundaries, although this perspective might be overrepresented due to the focus of this project on boundaries.

Israel

While the question of gatekeeping could be answered almost intuitively in the case of the traditional Jewish communities in Colombia (it seems to lay with the community as a whole

and less with specific rabbis), in the case of the State of Israel, it was more challenging to determine the gatekeeper. In the Israeli case, various interlocutors initially insisted on the Rabbinate's importance. However, as we have seen, this analysis would fall short of acknowledging the multidimensionality of Jewish identity and belonging in Israel today. As seen in the work by Yaacov Yadgar, reducing Jewish identity to a question of spirituality and religion falls too short, as it is the state as a whole that is interested and actively involved in the shaping and determination of Jewish belonging. Here, too, the focus on the liminality of belonging and the reaction to the liminal in-and outsider proved fruitful. The research showed how various state actors have been involved in drawing certain liminal groups closer to or distancing them from the physical manifestation of the state, such as immigration rights.

While the Israeli Chief Rabbinate seems to have played a more significant role in the acceptance of groups such as Ethiopian Jews, the Bnei Menashe, or Trujillo Jews, this openness and power seem to have been reduced in more recent years while the Ministry of Interior has become perhaps the most important gatekeeper for those "stuck" in the liminal space. This shift is not only a change of gatekeepers but demonstrates a change of internal interests, away from accepting *others* for geopolitical purposes (e.g. Westbank settlement), and a renewed emphasis on racialised desirability. It should be noted that this does not necessarily reflect on how these gatekeepers perceive the makeup of the Jewish in-group in Israel but demonstrates how Israel, similarly to other nation-states, is preoccupied with shaping the national body. The increased hostility towards liminal groups might furthermore be an indicator of an increased problematisation of the composition of the in-group itself- and here especially the problem of "non-Jewish Jewish immigrants" from the Former Soviet Union.

Spain

The case of the Spanish state and the Spanish citizenship law for descendants of Sephardic Jews from 2015 brings in a second dimension- that of the outsider. Or, to be perhaps even more accurate, it provides an example of how Jewish identity is challenged and used when the board is turned around: when we are able to look at it not as Jews constituting the in-group but rather as an out-group. The premise behind that is that groups tend to view themselves as in-groups in relation to other groups. However, this case, too, is one in which the interaction with liminality can offer valuable information about how Jewish identity is understood. In the case of Spain, this occurs through the framework of nation branding. As I argue in this

chapter, the 2015 citizenship law is a nation branding tool. Through this legislation, Jewish identity is distorted through the use of a Philo-Semitic and Philo-Sephardic narrative. In the case of the law, we see that the Spanish state does not conceptualise Jews according to the ideals of the Jewish community itself but based on the state's past perception and use of certain narratives and tropes pertaining to Jews in general and Sephardic Jews in particular. However, by having this *insider perspective of the outsider*, the Spanish state has, in effect, created yet another liminal group.

Just like in the Colombian and Israeli cases, where the groups and individuals wanting to join the Jewish in-group had not become interested in Jewish belonging through Jewish or Israeli proselytism, this is the case of an outsider promoting Jewish belonging. In the case of the Colombian case study, the liminal group, the convert communities, had gotten infatuated with Judaism within a mostly evangelical context. The Israeli case can be understood in similar terms as the effect of the growing ethnic and religious seeking process all over the world. In the Spanish case, then, we see how a liminal group has been quasi-created through the offer of Spanish and, in effect, European citizenship. The liminal group of thousands of neither halakhically nor culturally Jewish applicants reflects both on Spain's idea of Jewishness, which is in effect becoming a viable option of identification (*Sephardic*, but not *Jewish*) and Spanishness. It, therefore, supports the thesis that group identities often rely on a rejection of *otherness* to define their own identity.

Tying the chapters together

The three chapters, therefore, argue in conjunction that group identity does not only rely on positioning itself in relation to *the other* but also *the liminal*. The findings, therefore, reject ideas of clear-cut in-and outsider identity. It further suggests that we can receive information on the changes in social identities by analysing the texture, thickness, and mechanism of the “in-between” area. Who receives entrance into the group? Why, when, for how long and where can all give us information on the content, similar to a matrix calculus.

Each chapter of this dissertation has provided valuable insights into the complexities of Jewish identity within distinct socio-cultural contexts. The examination of Israel's approach to Jewish identity highlights the ongoing struggle to define and maintain a cohesive sense of Jewishness within the framework of modern nation-states. Israel's reliance on demographic ethnonationalism and its control over conversion processes underscore the

tension between religious and secular conceptions of Jewish identity. Moreover, the hesitance to provide a clear definition of Jewishness has led to demographic discrepancies and inconsistencies in immigration policies, reflecting the ongoing debate over who belongs to the Jewish collective. Similarly, the analysis of Spain's Citizenship Law reveals the interplay between nation branding strategies and the construction of Sephardic identity. By offering citizenship to descendants of Sephardic Jews, Spain seeks to portray itself as open and inclusive while simultaneously reinforcing narratives of a nostalgic *Hispanidad*. However, the unintended consequences of this policy, including the search for Jewish ancestry among non-Jews and the potential proselytising effect, highlight the complexities of identity construction in response to state-driven initiatives.

In contrast, the exploration of Jewish identity within Colombia's traditional Jewish communities exemplifies the role of social dynamics, class, and race in shaping Jewish communal boundaries. Despite encountering societal divisions, Colombia's Jewish communities have maintained a cohesive identity through active participation in communal institutions and networks. The exclusionary practices towards emergentes reflect a desire to preserve social status and racial identity, underscoring the subjective nature of identity markers within localised contexts.

The observations and findings of this research contribute not only to the field of Jewish Studies but to the perhaps wider disciplines of sociology, anthropology, and international relations by offering insights into identity formation, citizenship dynamics, and transnational relations.

From a sociological perspective, this study delves into the intricate processes of identity formation within social and historical groups, shedding light on the complex interplay between individual perceptions of self and communal boundary-setting mechanisms. By unravelling the socio-cultural dynamics at play, particularly concerning class, race, and religious observance, it provides valuable insights into the fluid and multifaceted nature of contemporary identity. Moreover, it highlights the role of gatekeepers within communities—religious authorities, communal institutions, and social networks—that influence collective identity formation. In the realm of citizenship studies, the exploration of state-driven initiatives such as citizenship laws and immigration policies provides a nuanced understanding of how states shape notions of belonging and identity. This research enriches discussions on citizenship, multiculturalism, and migration by examining the intersection of legal frameworks with cultural and social dynamics. It offers valuable insights into how

citizenship is not merely a legal status but a complex interplay of individual identity, state policies, and communal affiliations. In anthropology, this research contributes to understanding how cultural practices and narratives of belonging are transmitted and negotiated within Diaspora communities and between states. The examination of transnational flows of information sheds light on the dissemination of ideas and identities across geographical and cultural boundaries. By uncovering the mechanisms through which cultural practices are maintained, transformed, or contested, this research enriches anthropological discussions on identity, belonging, and cultural diffusion. Furthermore, in the realm of international relations, this research offers insights into how states engage with Diaspora communities and employ citizenship policies as tools of diplomacy and soft power. By analysing the motivations behind state-driven initiatives and their impact on transnational relations, it provides valuable perspectives for understanding the intersection of identity politics, diplomacy, and global migration patterns.

As elaborated throughout this dissertation, this research builds on the theories of mostly sociologists such as Barth, Bourdieu, Coleman, Tajfel, Merton, and Chin. In light of Barth's theoretical framework on ethnic groups, this dissertation's conclusion engages in a dialogue that underscores the subjective nature of ethnic identity and the autonomy of communities in delineating their collective boundaries. The analysis presented here resonates with Barth's notion that ethnic groups sustain their existence through shared cultural values and familial bonds, emphasising the importance of self-ascription and recognition by others within the community. This emphasis on mutual recognition has been evident in the case of the local Colombian Jewish communities and their response to those interested in joining their communities. Central to Barth's framework is the idea that ethnic identity is dynamic and subject to evolution over time, a concept that aligns with the findings of this study regarding Jewish identity (Barth, 1969). The examination of contested boundaries within Jewish in-groups highlights the fluidity of Jewish identity formation, shaped not only by internal dynamics but also by external pressures and interactions with liminal groups (Coleman, 1994).

The idea that Jewish identity is dynamic in how its boundaries shift, but also in its interactions with others, could be seen consistently in all three chapters. In the case of the Colombian traditional Jewish communities, it became apparent that the understanding of Jewish identity of the local in-group was challenged by demographic changes and pressure stemming from new communities. This notion of pressure and agency of those in the liminal

space conformed to Bourdieu's concept of capital and agency (Bourdieu, 1977, 2021). In the case of the State of Israel, we saw that demographic calculations, too, were a major factor in shifting policies and, therefore, the narrative boundary of belonging to be more exclusionary towards those interested in Judaism, especially from non-Western countries. Also, in the case of Spain, we saw how the narrative of Jewish belonging to a demographic framework was used to actively engage with the perceived challenge of defining Spanishness and, therefore, Jewishness. Barth's theory on ethnic boundaries expresses itself most explicitly through the prevalent demographic shifts exposed in this dissertation. According to Barth's theory, these shifts differ between cases due to the subjective nature of belonging. Across the three chapters, we explored characteristics that shape the perceptions of converts and liminal "others". Concepts like ancestry, history, religious observance, cultural affinity, and desirability allow actors, be they individuals or groups, to wield power and demarcate belonging. These findings align with Barth's assertion that each group has the autonomy to determine which differences are essential to their collective identity.

However, by adding the Spanish case study to the research analysis, the idea of autonomy is weakened in so far as it becomes apparent that Barth's second theorem, "the identification by others" (Barth, 1969, pp. 10-11), can and should not be dismissed when analysing mechanisms of in-and exclusion. The Spanish case highlights the complex situation in which Jewish in-groups shape and reframe their identity boundaries in a socio-political context in which non-Jewish outsiders contest their sovereignty. The chapter showed us that, while the local Jewish communities in Colombia and the State of Israel debate on whether certain converts can or should be allowed to call themselves Jews, the Spanish state participated in the discourse out of a position of power and national Spanish interests. This triangle clearly emphasised the necessity of including third-party perspectives in the analysis of group identities and belonging.

This study delved into the nuanced dynamics of Jewish boundary maintenance by examining the liminal space that separates in-groups from out-groups. The concept of belonging, as articulated by Tajfel and Merton, emphasises cognitive identification, emotional investment, and external recognition within the context of group membership. Converts and applicants for Spanish citizenship, situated in this liminal space, serve as a valuable lens through which to understand the practices of Jewish boundary maintenance and the characteristics of the Jewish in-group. Moreover, the dissertation adopted Chin's approach to conceptualising belonging in both vertical and horizontal dimensions. Vertical belonging

encompasses the relationship between the individual and the state, often manifested through citizenship, while horizontal belonging pertains to identification and recognition within the state. This research attempted to go beyond territorial boundaries, recognising that Jewishness is experienced and contested across various spatial and hierarchical settings, which is why it included the analysis of both horizontal and vertical power structures.

By incorporating diverse case studies, this dissertation enriches the understanding of Jewish identity formation by considering the complexities of belonging within different cultural, social, and political contexts. It underscores the importance of recognising and negotiating identity within and beyond traditional Jewish communities, shedding light on the multifaceted nature of Jewish belonging in contemporary societies.

Prospects

In essence, the dissertation accentuates the fluidity and complexity of identity across diverse socio-cultural landscapes. By acknowledging the dynamic nature of identity construction and negotiation, we gain a deeper understanding of the nuanced processes at play within and outside of Jewish communities today. Future research could explore the implications of state-driven initiatives on identity formation, citizenship, and belonging within Jewish communities, such as Colombia and Spain. Quantitative approaches could provide insights into the statistical significance and impact of various identity markers while comparing narratives within different Diaspora communities, which could enrich our understanding of identity negotiation and boundary-making processes. In addition, it could be helpful to investigate how and to what extent ideas concerning Jewish identity are shared between Diaspora communities, as well as with actors such as the State of Israel and other states. Understanding how cultural and religious practices, as well as narratives of belonging, are shared and negotiated across different geographical and cultural contexts could provide valuable insights into the dynamics of identity construction and maintenance. Such research would perhaps necessitate a more rigorous, multilayered network analysis, examining the connections and interactions between various nodes within the global Jewish community. By mapping out these networks of communication and influence, researchers could gain a deeper understanding of how identities are shaped, contested, and reinforced within and across different Jewish communities.

While this dissertation offers valuable insights into contemporary Jewish identity, demonstrating that contemporary Jewish identity is multifaceted and dynamic and shaped by a combination of historical, cultural, and socio-political factors, it also opens the door to further questions and perspectives on identity and belonging.

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