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Folk taxonomy, prejudice and the human genome: using disease as a Jewish ethnic marker

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ABSTRACT When the Human Genome Project was completed, scientists discovered whole new populations that were at risk of heritable disorders. This revelation entails an obligation to be scientifically accurate and socially responsible in the biological classification, or labelling, of these populations. Neulander will define as unscientific 'folk taxonomy' all biological classification according to cultural commonalities: those traits and characteristics that—like religious affiliation—can only be acquired through learning, and are not biologically heritable. Noting the widespread popularity of sweeping cultural characteristics into biological classification—as in use of the term 'Jewish' for certain heritable diseases—she examines the social consequences of giving religious labels to genetic disorders in multiracial New Mexico, where disease-based claims of 'secret' or crypto-Jewish forebears are being used to assert an overvalued line of white ancestral descent, and where use of the term 'Jewish' to determine who is at risk of heritable diseases is generating, in turn, the use of heritable diseases to determine who is a Jew. The phenomenon will be examined in both folkloric and academic contexts, since locals who seek crypto-Jewish legitimacy thereby striate, into colour-coded levels of human valuation, what is otherwise a cohesive society, bringing their academic enablers into active, legitimating complicity. Neulander's essay seeks to help readers distinguish between folkloric and academic motivations and methods for discerning and describing human differences. Finally, she proposes a more valid and reliable means of classifying populations at risk of heritable disorders, the better to ensure results that are both scientifically accurate and socially responsible.

KEYWORDS biological classification, crypto-Jews, folk taxonomy, genetic disease, heritable disease, human genome, Jewish disease, New Mexican crypto-Jews

The Ariadne thread in botany is classification, without which there is chaos.
—Carl Linnaeus (1707–78)

Efforts to map the human genome require modern taxonomists to define new, and sometimes unanticipated, categories of human variation. But human differences—biological or otherwise—have never been easy to define. Even Linnaeus, master taxonomist and father of modern scientific classification, dropped Ariadne's thread when he entered the maze of human distinctions. Drawing biological boundaries around the cultural

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characteristics of indigenous peoples, he constructed inaccurate, over-inclusive folk categories and, in so doing, reinforced a self-authenticating colonial world-view that justified savagery in the name of civilization. This is not because Linnaeus was an ill-intentioned or inferior scientist. Rather, despite good character and strong intellect, he was a product of his own cultural milieu, and his culturally determined knowledge—like our own—was so deeply entrenched as 'the way things are', he was unable to grasp its arbitrary nature. It follows that, faced with the task of defining newly discovered genetic populations—how to classify different groups at risk of heritable diseases, for example—some of our modern, analytical categories may be nothing more than folk taxonomies in disguise.[1]

To help avoid a modern recycling of colonial folk taxonomy, this essay will distinguish academic logic from folk logic in the context of the human genome. As an example of a modern, genomic folk taxonomy, we will examine New Mexican use of ailments labelled 'Jewish' to classify Spanish Americans as descendants of Jews. As we are about to see, claims of Judaeo-Spanish ancestry are used to assert an overvalued line of white ancestral descent in the American Southwest: a phenotypical line of ancestry regionally assumed for all Jews, but not for all Spanish Americans. Hence, use of a 'Jewish' label for ailments found, or imagined, among Spanish Americans of New Mexico, both reflects and reinforces a regional scale of human valuation, striating into colour-coded degrees of human degradation what is otherwise a socially cohesive community. We will therefore consider an alternative to the use of religious labels for heritable diseases, since it is precisely this academic practice that enables and legitimates the popular recycling of colonial folk taxonomies, like the one that persists in New Mexico.

In defining categories of human variation, the distinction between academic logic and folk logic is straightforward. Academic logic discerns categories by differential, critical thinking; it strives for timeless, global accuracy, no matter what may be discovered. Folk logic, however, has a different purpose than accuracy. To paraphrase Hayden White, folk categories of human distinction are self-authenticating social devices, involving not merely the clarity, but also the self-esteem and perceived entitlements of the group doing the categorizing.[2] As folklorist Dan Ben-Amos puts it:

> Analytical [academic] categories . . . have been developed in the context of scholarship and serve its varied research purposes. Native [folk] taxonomy, on the other hand, has no external objective. The logical principles that underlie its

1 Alan Dundes, 'The number three in American culture', in Alan Dundes (ed.), *Interpreting Folklore* (Bloomington: Indiana University Press 1980), 134–59 (155).

2 Hayden White, *The Tropics of Discourse: Essays in Cultural Criticism* (Baltimore and London: Johns Hopkins University Press 1985), 151.

> categorization . . . are those which are meaningful to the members of the group and can guide them in their personal relationships.[3]

We over-generalize, or create over-inclusive folk categories, when we identify genetically linked populations the same way Linnaeus did: according to non-heritable factors, namely, those particular traits and characteristics (like religious affiliation) that can only be acquired through learning, that may exist only in the eye of the beholder, or—as applies specifically to religion—that involve 'volatile, inward states known subjectively, if at all'.[4] Clearly, the extent, and even the reality, of a group's non-heritable traits and characteristics are at best unstable, if not entirely uncertain, making them essentially untestable. Thus, a heritable disease originating in a geographical area like West Africa will correlate more accurately to persons with ancestral origins in that area than to arbitrary religious categories like 'Christians' or 'Protestants'. Similarly, populations carrying a heritable disease from a French Canadian founder will correlate more accurately to persons of French Canadian descent than to the category 'Catholics', even though most descendants may be Catholic and may no longer live in Canada. It follows that populations carrying a heritable disease from an Eastern European founder will correlate more accurately to persons of Eastern European descent than to the category 'Jews'. But we are conditioned to dispute the last instance, for the category 'Jew' is by definition over-inclusive in our culture, given the widespread Euro-American failure to differentiate between heritable characteristics acquired only through DNA and the cultural characteristics widely attributed to Jews, some of which are wholly imagined and the rest of which are acquired only by learning. Our societal propensity for over-generalization of Cultural Others is hardly limited to Jews, but, as Gordon W. Allport writes:

> The most clear of all is the case of the Jews. While they are primarily a religious group, they are likewise viewed as a race, a nation, a people, a culture. When religious distinctions are made to do double duty, the grounds for prejudice are laid, for prejudice means that inept, over-inclusive categories are employed in place of differential thinking.[5]

3 Dan Ben-Amos, 'Analytic categories and ethnic genres', in Dan Ben-Amos (ed.), *Folklore Genres* (Austin and London: University of Texas Press 1976), 215–42 (225).

4 Roy A. Rapapport, 'Ritual', in Richard Bauman (ed.), *Folklore, Cultural Performances and Popular Entertainments: A Communications-Centered Handbook* (New York and Oxford: Oxford University Press 1992), 253.

5 Gordon W. Allport, *The Nature of Prejudice*, 25th Anniversary edn (Reading, MA: Addison-Wesley Publishing Company 1994), 446.

The 'discovery' of New Mexican crypto-Jews

For a modern instance of genetic over-generalization, involving Jews as well as prejudice, we turn first to the state of New Mexico in the mid-1970s, when longstanding Spanish-American claims of descent from Spanish conquistadors were fully discredited.[6] Regional claims of a prestigious aristocratic (ostensibly monogamous and white) lineage date back to at least the founding of modern New Mexico at the turn of the eighteenth century. By that time the Spanish-American population included African and American Indian admixture, a profile so undervalued by the founding fathers that they institutionalized what Chilean sociologist Alejandro Lipschutz calls a 'pigmentocracy',[7] a formal caste system based on skin colour and phenotype, which in New Mexico was calculated in twenty-two degrees of increasing distance from the ideal of unbroken white European descent.[8] As Ramón Gutiérrez writes of Spain and New Mexico:

> The whiter one's skin, the greater one's claim to the honor and precedence Spaniards expected and received. The darker a person's skin, the closer one was presumed to be to the physical labor of slaves and tributary Indians, and the closer the visual association with the infamy of the conquered. In Spain families guarded their *limpieza de sangre* or blood purity through avoidance of Moors and Jews. In New Mexico, families of aristocratic pretension feared that their bloodlines might be metaphysically polluted by Indians, *mulatos*, and as one man put it, 'castes which are held or reputed as despicable in this kingdom.'[9]

Spanish Jews were undoubtedly among those ranked despicable on the Spanish colonial social scale. So much so that their exclusion from the brutally ostracizing New Mexican caste system is a powerful indicator that none were there to be brutally ostracized. Rather, reflecting the popular colonial conflation of indigenous peoples with the 'lost tribes' of Israel,

6 Nancie L. González, *The Spanish-Americans of New Mexico: A Heritage of Pride* (Albuquerque: University of New Mexico Press 1969), 81; Fr Angelico Chávez, *Origins of New Mexican Families in the Spanish Colonial Period, in Two Parts: The Seventeenth (1598–1693) and the Eighteenth (1693–1821) Centuries* (Santa Fe, NM: William Gannon 1975), xiv, xvi.

7 Alejandro Lipschutz, *El indoamericanismo y el problema racial en las Americas* (Santiago: Nascimento 1944), 75.

8 Ramón A. Gutiérrez, *When Jesus Came the Corn Mothers Went Away: Marriage, Sexuality and Power in New Mexico, 1500–1846* (Stanford, CA: Stanford University Press 1991), 198; Pedro Alonso O'Crouley, *A Description of the Kingdom of New Spain* [1744], trans. from the Spanish by Seán Galvin (San Francisco: John Howell 1972), 19; Adrian H. Bustamante, 'Españoles, castas y labradores: Santa Fe society in the eighteenth century', in David Grant Noble (ed.), *Santa Fe: History of an Ancient City* (Santa Fe, NM: School of American Research Press 1989), 64–77, *passim*.

9 Gutiérrez, *When Jesus Came the Corn Mothers Went Away*, 198–9.

Alejandro Mora, a resident of Bernalillo in 1751, gave what was then a socially acceptable explanation for beating an Indian slave: '"God has given me life," said Mora, "so that I might do to these Jews what they did to our Holiest Lord".'[10] But, by 1975, when Spanish-American claims of aristocratic white descent were finally discredited, the notion of unbroken descent from (ostensibly monogamous and white) Jews, who introduced ostensibly tell-tale folkways into the region, became the best, and perhaps last, means of denying non-white admixture and restoring the local prestige lineage. Thus, almost immediately, ambiguously Jewish artefacts introduced by early twentieth-century Adventist, Apostolic or 'messianic' Protestant experimentation (such as six-pointed stars on cemetery crosses, abstention from pork, Saturday observance of the Sabbath, giving Old Testament names to children etc.) were taken for, and touted as, evidence of Judaeo-Spanish, or colonial 'Sephardi', descent.[11]

Upon careful investigation, there is no evidence from the past nor anything visible in the present to indicate Sephardi descent for the founding fathers of Spanish New Mexico. Rather, the documented historical and cultural records refute any such claim.[12] For an objective research project that draws conclusions based on relevant genetic data, readers should see the study by Wesley Sutton *et al*. at Stanford University.[13] This study found that, for all relevant Y chromosome markers, paternal ancestry of New Mexican Spanish Americans is identical (except for 2.2 per cent American Indian admixture) to that observed in modern, post-exilic Spain, and is significantly different from all Jewish populations, including Iberian Jews. Had crypto-Jewish claims been accurate, there would be a higher rate of Iberian Jewish ancestry in New Mexico, reflecting a component of exiled Iberian Jews among the region's Spanish settlers. But the evidence from New Mexican Spanish-American males is unequivocal: regional claims of crypto-Jewish descent are refuted by the genetic profile of this population. Nevertheless, there is a historical and cultural precedent for claiming Judaeo-Spanish descent throughout the Spanish Americas. As

10 Ibid., 195.

11 Judith S. Neulander, 'The New Mexican crypto-Jewish canon: choosing to be "chosen" in millennial tradition', *Jewish Folklore and Ethnology Review*, vol. 18, nos 1–2, 1996, 19–58; Judith S. Neulander, 'Cannibals, Castes and Crypto-Jews: Premillennial Cosmology in Post Colonial New Mexico', Ph.D. dissertation, Indiana University, 2001; Judith S. Neulander, 'Jews, Crypto-', in Simon J. Bronner (ed.), *Encyclopedia of American Folklife*, 4 vols (Armonk, NY: M. E. Sharpe 2006).

12 Neulander, 'The New Mexican crypto-Jewish canon'.

13 Wesley K. Sutton, Alec Knight, Peter A. Underhill, Judith S. Neulander, Todd R. Disotell and Joanna L. Mountain, 'Toward resolution of the debate regarding purported crypto-Jews in a Spanish-American population: evidence from the Y-chromosome', *Annals of Human Biology*, vol. 33, no. 1, January–February 2006, 100–11.

Raphael Patai wrote on the phenomenon of Spanish-American identity-switching:

> To trace one's ancestry to Spain has meant to establish a claim to high status, to a prestige lineage. It is a frequent phenomenon for an Indian to claim to be a mestizo [of mixed blood] and for a mestizo to claim pure Spanish descent ... Spanish descent, even Spanish-Jewish descent, means a step up on the social scale.[14]

Hence, in 1980, New Mexico hired as its new State Historian Stanley M. Hordes, who had written a doctoral dissertation on secretly professing or 'crypto-Jews' in the Spanish Americas. His arrival provoked a spate of rumours, gossip and hearsay concerning ambiguously Jewish (and, therefore, ostensibly white) regional folkways. Hordes announced to the press and media that a significant component of 'crypto-Jews' were indeed among the region's early Spanish settlers, the Jewish origin of their folkways having been effectively forgotten.[15] Shortly thereafter, a small but vocal group of Spanish Americans, their memories thus 'restored', came forward to claim publicly their new prestige lineage. Undeterred by the indisputably Portuguese origin of colonial America's crypto-Jews,[16] or by the indisputably Spanish origin of modern New Mexico's founding fathers,[17] a similarly small and vocal number of academics—none of whom was a folklore specialist—also came forward to endorse New Mexico's modern, and primarily Protestant, folkways as both colonial and crypto-Jewish.

At this point, the use of heritable disease as a marker for Jewish descent was a topic of local gossip, but no purported instance was recorded in print. That would occur more than a decade later, after all folkloric evidence of New Mexican crypto-Jewish descent had been discredited by my detailed criticism of New Mexican claims, published in 1996.[18] In response, creators and promoters of the popular canon began to seek a legitimating 'scientific' means to strengthen their claims. To popular, pseudo-ethnographic constructions of New Mexican Sephardi folkways they added popular, pseudo-scientific constructions of New Mexican Sephardi diseases. In this way, academic use of the label 'Jewish' to determine who is at risk of heritable

14 Raphael Patai, 'The Jewish Indians of Mexico', in R. Patai, *On Jewish Folklore* (Detroit: Wayne State University Press 1983), 447–75 (461).

15 Stanley M. Hordes, 'The Sephardic legacy in the Southwest: crypto-Jews of New Mexico, historical research project sponsored by the Latin American Institute, University of New Mexico', *Jewish Folklore and Ethnology Review*, vol. 15, no. 2, 1993, 137–8.

16 Seymour B. Liebman, *The Inquisitors and the Jews in the New World: Summaries of Procesos, 1500–1810, and Bibliographic Guide* (Coral Gables, FL: University of Miami Press 1974).

17 Chávez, *Origins of New Mexican Families in the Spanish Colonial Period*.

18 Neulander, 'The New Mexican crypto-Jewish canon'.

diseases paved the way for popular use of heritable diseases to determine who is a Jew.

Accordingly, criticism is due Kristine Bordenave, a dermatologist who conducted a study meant to use pemphigus vulgaris (PV), a globally distributed, autoimmune blister rash, as a Jewish ethnic marker in New Mexico.[19] Bordenave concluded that the high incidence of PV among New Mexican Spanish Americans indicated their descent from Jews, since Jews have a similarly high incidence of PV. The space allotted here will not suffice to criticize the undifferentiated, over-inclusive conflation of Spanish-speaking and Jewish populations required to support Bordenave's conclusion. Suffice it to say that a full year before a reprise of her study was published in Hordes's recent book,[20] Ron Loewenthal and his colleagues found that disease haplotypes for PV are neither of ancient nor of Middle Eastern origin, but are relatively recent and originate with a Mediterranean forebear.[21] Regarding Spaniards and Jews, the Loewenthal *et al*. study found that the 'distance between the two PV cohorts is relatively short, but the distance between Jewish patients and Jewish controls is greater compared to the distance between Spanish patients and Spanish controls'.[22] Hence, the ancestral condition appears to have occurred first in Spaniards and then spread to Jewish populations. Moreover, as Sutton *et al.* showed in 2006, the paternal profile of New Mexican Spanish Americans is highly significantly different from that of all Jews, including Iberian Jews, and at the same time is indistinguishable from Mediterranean Spaniards (except for 2.2 per cent American Indian admixture).[23] Therefore, the more logical conclusion is that high incidence of PV among New Mexican Spanish Americans does not indicate descent from Jews, but reflects instead descent from the same Mediterranean forebears who spread PV to Jews.

19 Kristine K. Bordenave, Jeffrey Griffith, Stanley M. Hordes, Thomas M. Williams and R. Steven Padilla, 'The historical and geomedical immunogenetics of pemphigus among the descendants of Sephardic Jews in New Mexico', *Archives of Dermatology*, vol. 137, no. 6, June 2001, 825–6.

20 Kristine Bordenave and Stanley M. Hordes, 'Pemphigus vulgaris among Hispanos in New Mexico and its possible connection with crypto-Jewish populations', in Stanley M. Hordes, *To the End of the Earth: A History of the Crypto-Jews of New Mexico* (New York: Columbia University Press 2005), 289–95. I have been commissioned to review this book by several journals, including *Shofar,* the *Catholic Historical Review* and the *Journal of American Folklore*; the reviews will appear in late 2006 or early in 2007.

21 Ron Loewenthal, Yelena Slomov, Maria Francisca Gonzalez-Escribano, Ilan Goldberg, Michael Korostishevsky, Sarah Brenner, A. Nuñez-Roldan, Julián Sánchez Conejo-Mir and Ephraim Gazit, 'Common ancestral origin of pemphigus vulgaris in Jews and Spaniards: a study using microsatellite markers', *Tissue Antigens*, vol. 63, no. 4, April 2004, 326–34.

22 Ibid., 326.

23 Sutton *et al.*, 'Toward resolution of the debate regarding purported crypto-Jews in a Spanish-American population'.

Constructing legends

As Mary Louise Pratt writes: 'In any global classificatory project, the observing and cataloging of evidence itself becomes narratable, able to constitute a sequence of events, or even produce a plot . . . [to] form the main storyline of an entire account.'[24] It is therefore revealing that the narrative genre most often employed for reporting disease-based discoveries of crypto-Jews is a traditional folk genre, one that sometimes employs academic formats (footnotes, endnotes etc.), but never reflects academic substance. Such narratives are typically built on urban legends: tales that circulate outward from modern urban centres, typically reflecting local preoccupations and social agendas.

In New Mexico, for example, typical reports of surviving crypto-Jewish customs are described as having been reported to, rather than witnessed by, the person telling us about them. This subtype of legend, from which we never get first-hand or eyewitness information, is classified as a *FOAFtale* in folkloristic scholarship. The acronym stands for 'Friend-of-a-Friend', since the primary source of information in such tales (the friend of a friend, or the friend's friend of a friend . . . etc.) is always anonymous or too far removed to secure or verify the claims being made.

Unlike myths (which fill lacunae in time beyond recall when world and social order were still being formed), and unlike fairytales (which take place in formulaic time, like 'once upon a time' and 'happily ever after'), legends always take place in historical time. Thus, a legend is a story involving a historical person, place or event, but is about something that cannot be secured or verified in history (e.g. an influx of crypto-Jews into colonial New Mexico or sightings of Elvis along the nation's highways). Legends therefore gain credibility through a compelling combination of superficial plausibility and popular appeal. Relying on our propensity to lend credibility to any intrinsically satisfying or otherwise appealing plausibility, legends are always told as true stories.[25]

Thus it was in Santa Fe, in the summer of 1992, when Hordes mentioned to me that he was looking into a disease called 'Niemann-Pick' as confirmation of Spanish-American descent from crypto-Jews. This may not be the first attempt to use heritable disease as a Jewish ethnic marker in New Mexico, but it was the first time I had heard the proposition. The conversation would gain greater folkloristic significance six months later, in a coffee house in Albuquerque, when a young man clearly convinced of his crypto-Jewish origin, informed me that 'a rabbi in Colorado' had

24 Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (London and New York: Routledge 1992), 27–8.

25 Alan Dundes, 'Madness and method plus a plea for protective inversion in myth', in Laurie L. Patton and Wendy Doniger (eds), *Myth and Method* (Charlottesville and London: University Press of Virginia 1996), 147–59 (147).

recognized a Spanish-American woman to be Jewish based on her mother's affliction with a 'Jewish' disease. I could not determine whether the tale came first, and had inspired Hordes's interest in disease-based Judaism, or whether Hordes's interest had come first, generating a self-authenticating tale of disease-based Judaism among would-be descendants of crypto-Jews. But, as we are about to see, the publication of this tale ten years later, as narrated by an anonymous source claiming to be the woman whose mother had the 'Jewish' disease, confirms its ongoing circulation in local oral tradition. By the same token, the publication of this account by an academic, Janet Liebman Jacobs, constitutes yet another telling: one embellished by academic commentary, and endorsed as 'history' by virtue of the authority vested in a university press.[26]

However, had I not heard a variant of the same tale ten years earlier, the repetitions would still allow us to identify the story as a folk narrative, according to Stith Thompson, the grand old man of folktale classification. Thompson defines as a folk 'motif' the smallest element of any tale that is striking or unusual;[27] thus, 'mother' is not a folk motif, but 'wicked stepmother' is. As Thompson notes, the narration of any striking or unusual element, more than once, not only classifies it as a motif, but also indicates its 'power to persist in tradition', adding that striking or unusual *incidents* comprise the vast majority of folk motifs that represent a category of tale, or tale-type.[28] When an unusual incident is (or can be) secured and verified, we automatically classify it as 'history'. But as long as an unusual incident remains unsecured and unverified, no one representing academe is at liberty to misrepresent it as a historical event (even if it reportedly occurred in a particular location and at a specified time). Thus, the unusual 'rabbi in Colorado' incident, which has remained unsecured and unverified for more than ten years, is by definition not history. It persists only as an unsecured, unverified narrative, therefore as a legend, and one that is destined to remain so by virtue of its *FOAFtale* format.

Although we could easily call this narrative the 'rabbi in Colorado' story, there is nothing striking or unusual about a rabbi being in Colorado, in and of itself. Therefore, folkloristic analysis requires parsing the motif—the striking or unusual incident itself—for productive study, in this case, for example: 'individual's hidden identity revealed to an authenticating pundit through relative's heritable disease'. Parsing the unusual incident in this minimalist way allows a given variant to be discerned from other possible variants within the tale-type, each according to its own regional or ethnic specificity. In this case, the Southwestern Spanish-American variant would

26 Janet Liebman Jacobs, *Hidden Heritage: The Legacy of the Crypto-Jews* (Berkeley and Los Angeles: University of California Press 2002).

27 Stith Thompson, *The Folktale* (Los Angeles: University of California Press 1977), 114.

28 Ibid., 115.

be: 'Spanish-American daughter's hidden Jewish identity revealed to Colorado rabbi through mother's heritable Niemann-Pick disease.'

For any folk narrative to persist, however, it must contain a number of negotiable traits: elements that can be modified without changing what the tale is about. This enables the tale to dodge later discreditation, to take on other ethnic identities and/or to enhance its literary impact. Such negotiable traits include names and ages of protagonists, genders, national identities and religious affiliations, and—as would occur in the case of the Niemann-Pick tale—the name of the disease in question. The reason for this latter modification is worth noting, since it does not reflect a change in the spirit or mentality of crypto-Jewish reporting in modern New Mexico.

Jewish by disease

According to the medical literature, the term 'Niemann-Pick' refers to a group of 'storage' disorders in which waste materials build up in human tissue and cause it to deteriorate. Since storage disorders are found among Jews, and also among Spanish Americans of New Mexico (as well as in other populations), the introduction of Niemann-Pick allows for the superficial plausibility of a genetic link between Spanish Jews and Spanish Americans. But in over-inclusive folk logic, the discovery of any plausibility constitutes its full confirmation. Hence, the activity recognized as 'research' by academics—the critical, differential logic required to confirm or deny a given plausibility—is never undertaken. Not surprisingly, even the most rudimentary investigation reveals that Niemann-Pick types A and B, alone, are found among Jews, but only among Ashkenazi (Germanic) Jews. Clearly, a disease not known to occur among Sephardi (Iberian) Jews cannot be used as an ethnic marker for Sephardi descent, as it is in the New Mexican tale of Niemann-Pick. With regard to the Spanish-American population, the tale similarly fails to differentiate Niemann-Pick types A and B from Niemann-Pick type C, which is the only type found among Spanish Americans of New Mexico and is a different disease at both the biochemical and genetic level.[29] Thus, the tale could only retain Niemann-Pick as long as the flaw in its logic went unrecognized. At some point the disease would have to change if the tale was to retain even superficial plausibility.

It was roughly six years after the folkloristic discreditation of 1996 that the crypto-Jewish canon in general, and a variant of the Niemann-Pick legend in particular, first gained academic legitimacy through a university press.[30] In Liebman Jacobs's work on New Mexican folkways, we find the only printed version of the Niemann-Pick legend. Told as a true story, the text retains the

29 Laith F. Gulli and Tanya Bivins, 'Niemann-Pick disease', in Stacey L. Blachford (ed.), *The Gale Encyclopedia of Genetic Disorders*, 2 vols (Detroit: Gale Group 2002), ii.813–16.

30 Liebman Jacobs, *Hidden Heritage*.

daughter with the hidden identity, the rabbi in Colorado and the afflicted mother, but it replaces Niemann-Pick with Creutzfeldt-Jakob Disease (CJD). The substitute illness, known as heritable or 'familial' CJD, is an extremely rare, degenerative disease with a well documented and unusually high incidence among Libyan Jews.[31] The substitution of CJD for Niemann-Pick therefore indicates that those who tell the tale believe Libyan Jews to be of Spanish origin, and also believe that heritable CJD has been found among Southwestern Spanish Americans, although—as we are about to see—both beliefs are incorrect. The timing of the substitution indicates that Niemann-Pick lost credibility some time after 1992, when it was first mentioned to me, and before 2002, when the CJD variant was first published. Alternatively, the substitution may simply represent a literary strategy inspired by the British 'mad cow' epidemic of the late 1990s, which—having been identified as CJD by the media—would have lent CJD greater literary impact than the similarly heritable, but less sensationalized Niemann-Pick disease.

The published narrative is important for understanding how easily an over-inclusive folk category of human genetic identity can be constructed at the academic level. As can be seen in this particular case, the academic mission need only succumb to the thrall of discovering lost/hidden Jews, thus preserving the academic format while building exclusively on classic elements of folk logic: over-generalization of superficially related parallels, facile placement of Jewish labels on persons who otherwise are not identifiable as Jews, use of pseudepigraphy (false ascription of authenticating statements to authorities who never made them), and—with regard to recognizing and interpreting folkloric material—a complete innocence (or wholesale rejection) of all theories, techniques and methods of folkloristic enquiry, classification and interpretation.

The *FOAFtale* and its commentary take up less than a single page in Liebman Jacobs's book, prefaced by a relatively long discussion of matrilineal descent as the traditional, rabbinic means of establishing one's status as a Jew. Thus, the issue of matrilineal descent serves as a distraction from the primary factor that actually impedes Spanish-American claims to Jewish descent: today's most elderly Spanish Americans (like their fathers before them) are professing Christians. This creates a problem for Spanish Americans seeking recognition as Jews, since Jewish status cannot be claimed by persons of non-Jewish descent who cannot document a personal Jewish history, and who themselves profess other religions. Hence, given the talmudic precept that descent from a Jewish mother automatically secures Jewish status, the solution for one non-Jewish individual (rendered anonymous by Liebman Jacobs) was to demonstrate the regionally coveted (white) bloodline through maternal affliction with a fancifully constructed

31 Zeev Meiner, Ruth Gabizon and Stanley B. Prusiner, 'Familial Creutzfeldt-Jakob disease: codon 200 prion disease in Libyan Jews', *Medicine* (Baltimore), vol. 76, no. 4, July 1997, 227–37.

'Sephardi' disease. Interestingly, this congenitally diseased construction of Judaism, emptied of all religious meaning, does indeed trace back to an ancestral Spanish legacy; it reflects the (obviously persistent) Spanish colonial belief that Jews do not constitute a faith community but, instead, belong to a biologically immutable 'race', unaffected by religious affiliation.[32]

As we are about to see, all scientific and religious claims made in this tale are demonstrably unfounded but, as a folktale, it has a different goal than that of accuracy; it exists to enable the Spanish-American narrator to take a desired step-up on the regional Southwestern pigmentocracy by virtue of her mother's 'Sephardi' disease, thereby compelling 'Jewish' recognition according to the same rabbinic law that otherwise impedes it. Liebman Jacobs, who frames the tale as a true story, upholds talmudic protocols regarding matrilineal descent, but subsequently falls from grace by claiming CJD as one of them, informing her readers: '. . . only one descendant in this study was recognized as Jewish through blood ties to the mother' (as was purportedly 'revealed' by heritable CJD).[33]

Notably, before the tale is even begun, the so-called descendant's crypto-Jewish lineage is given as rabbinically 'recognized' (albeit by an anonymous character in a narrative who himself cannot be recognized). The narrator's 'Jewish' identity is additionally confirmed by academic fiat, since the author refers to the narrator as a 'descendant', although the author herself never secured or verified the evidence given for that claim. Moreover, Liebman Jacobs follows the narrator's lead, rendering all primary sources anonymous, thereby making it virtually impossible for anyone else to secure or verify the same information. Clearly, the interview is a violation of scholarly norms, and meets no standards set by any academic discipline. It is instead a garden variety *FOAFtale* in which the author is our academic 'friend', who tells us what she heard from her Spanish-American friend (the FOAF), while the key rabbinical figure—a friend of the author's friend (who could certainly have given both women the credibility they so clearly desire)—is someone both anonymous and too far removed (living 'somewhere' in Colorado) to be reached for verification. Not surprisingly, Liebman Jacobs's preamble mis- and disinforms, biasing her readers instead of enlightening them: 'In this case the descendant's mother suffered from Creutzfeldt-Jacob [*sic*] disease, a degenerative disease of the central nervous system that has been linked specifically to Sephardic ancestry.'[34]

This statement is inaccurate on two counts. First, CJD occurs in more than one form, only one of which is heritable and, as we have seen, is found at much higher frequency among Libyan Jews than in other populations (in

32 Jane Berger, *The Jews of Spain: A History of the Sephardic Experience* (New York: The Free Press 1994), 127.

33 Liebman Jacobs, *Hidden Heritage*, 103.

34 Ibid.

which it also occurs). But Libyan Jews have no Sephardi connection. By the fifth century BCE Libya had a substantial Jewish population, perhaps as many as 30,000 according to the somewhat impressionistic reporting of Pliny and Herodotus.[35] Nonetheless, the Jewish population was clearly large enough to suggest tens of thousands roughly 700 years before the first artefactual evidence of a Jewish presence in Spain, in the third century CE.[36] Moreover, according to documented diasporic patterns, Libya was not among the havens sought by Spanish Jews when they left Spain in 1492; the more attractive North African destinations were Fez and Tlemcen in the nearby Barbary states, as well as Algiers, Tunisia and the city of Alexandria, then part of the Ottoman empire.[37] Hence, while there may have been the odd unrecorded instance of Spanish settlement, Libyan Jews are not a Spanish people; they have no such origin nor any subsequent history. On the other hand, while heritable CJD is well documented among them, there is no documentation of heritable CJD among descendants of Spanish Jews anywhere on the globe. Liebman Jacobs thus confirms, in a work published by a university press, that heritable CJD is a 'Sephardic' disease even though it has never been found in any Sephardi population. Furthermore, since there has also been no recorded instance of heritable CJD among Spanish Americans in the Southwest, the notion of CJD as a genetic link between Spanish Jews and Southwestern Spanish Americans lacks any credibility at all.

Second, the source used by Liebman Jacobs to link CJD with 'specifically Sephardic ancestry' is Richard M. Goodman, a recognized expert on genetic diseases found among different populations of Jews. But the article cited was published by Goodman in 1979, before any form of CJD was recognized as heritable. Hence, Liebman Jacobs resorts to pseudepigraphy, ascribing to Goodman an authenticating link—here between CJD and 'specifically Sephardic ancestry'—that he never made. Thus, we should not be surprised that Goodman, who addressed the question of heritable CJD under the heading 'Misconceptions', stated that CJD was not known to be a heritable disease: exactly the opposite of what Liebman Jacobs attributed to him. Moreover, with regard to the one Libyan outbreak known at the time, he speculated that it may have been caused by eating infected meat; a link to 'specifically Sephardic ancestry' was never mentioned, and was clearly never considered, by Goodman.[38]

35 John Wright, *Libya* (New York and Washington, D.C.: Praeger 1969), 45, 54.

36 Benjamin R. Gampel, 'Jews, Christians and Muslims in medieval Iberia: *convivencia* through the eyes of Sephardic Jews', in Vivian B. Mann, Thomas F. Glick and Jerrilyn D. Dodds (eds), *Convivencia: Jews, Muslims and Christians in Medieval Spain* (New York: George Braziller in association with the Jewish Museum 1992), 2–27 (11).

37 Gérard Chaliand and Jean-Pierre Rageau, *The Penguin Atlas of Diasporas*, trans. from the French by A. M. Berrett (New York and London: Viking Press 1995), 30–1.

38 Richard M. Goodman, *Genetic Disorders among the Jewish People* (Baltimore: Johns Hopkins University Press 1979), 409.

Thus, following a medically untrained informant instead of any easily accessible medical encyclopaedia—or even the outdated reference she cites, which also refutes her claims—Liebman Jacobs informs us that CJD is a recognized 'Sephardic' disease, and states that a Spanish-American woman's search for Jewish roots led her to 'approach a rabbi in Colorado'. On hearing that the woman's mother had CJD (in the informant's own words):

> 'The rabbi said, ''You're Jewish. It doesn't make any difference if you are an atheist, you are Jewish. You don't have to convert. You can just start practicing the laws if that's what you want to do.'''
>
> In recalling this aspect of her search for Jewish roots, she spoke of both the relief and sadness that accompanied her mother's diagnosis and the rabbi's affirmation of her Jewish lineage:
>
> 'It was great to find out positively that I was Jewish. I had already been researching it, so I was pretty sure that we were Jewish. So I was relieved that I didn't have to research my mother's side anymore.'[39]

Here, a modern Spanish-American *FOAFtale* attempts to authenticate religiously empty, disease-based Judaism by appeals to the two most powerfully legitimating contexts of our time: science and religion. However, as we have already seen, both science and religion negate the claims being made. Biogenetic research has unequivocally refuted any influx of exilic crypto-Jews into colonial New Mexico, and there is no CJD-Sephardi link to indicate Jewish descent through an infected mother. Moreover, according to rabbinic law, any individual professing a religion other than Judaism who seeks rabbinic recognition as a Jew must either convert or forego that recognition. Hence, we can see that this tale has a more immediate purpose than mere accuracy. It is more clearly a self-authenticating social device, meant to secure for the would-be descendant public recognition of a higher 'rank' than she could otherwise claim on the regional Spanish-American pigmentocracy: a rank she is determined to make unimpeachable in the face of any and all argument, by means of a rabbinic law on 'blood ties' to a (CJD-infected = Jewish = white) mother.

Although CJD cannot be used as a marker for Sephardi descent, we might find a way to believe this narrator if we were to assume her mother suffered from an undocumented case of heritable CJD, and she was simply misinformed by a rabbi in Colorado. In bringing the narrative to an end, however, her own testimony eliminates this possibility for, if her mother had indeed had heritable CJD, the way in which this disease is diagnosed could not possibly have escaped her:

> We knew my mother was ill. We knew she had a condition that *wasn't getting any better*. You know, it was hard knowing that my mother was ill in the first place.

39 Liebman Jacobs, *Hidden Heritage*, 103.

> That was pretty tough. So the emotions were kind of mixed, because I was relieved that we were Jewish, but, you know, it's heartbreaking to see your mother go through that.[40]

The informant never pays tribute to a mother who passed away before the encounter with the rabbi. Rather, she consistently refers to a *living* mother who *wasn't getting any better* at the time of the encounter. Hence, we learn that the rabbi's recognition evoked, on the one hand, relief that the heritable disease revealed the daughter's hidden identity and, on the other, heartbreak at the sight of the mother's ongoing suffering. Yet, to date, there is only one possible way to diagnose heritable CJD, namely, after death, or postmortem, by brain autopsy.[41] Thus, no one directly or indirectly included in this narrative—not the physician, the mother, the rabbi or the daughter—could possibly have known the patient had heritable CJD within the timeframe of the tale, as told in the daughter's own words.

The pitfalls, and prejudices, of folk taxonomy

Following the tale's apparently fictitious rabbi, Liebman Jacobs recognized the narrator as a 'descendant' based on her mother's 'Sephardi' disease. What she did not recognize was the *FOAFtale* format, the tale's problematic timeframe, the fact that Libyan Jews cannot be swept into an over-inclusive Sephardi category or the fact that heritable CJD cannot be diagnosed before death, and has never been diagnosed among Spanish Americans or among descendants of Spanish Jews. Hence, it is important to stress, again, that when academics step out of their own areas of specialty they cease to be experts and revert to being ordinary folks, enabled and disabled by the same strengths and weaknesses of the universal human condition. In the case we have just seen, the academic author had no apparent training in the academic field she entered, a departure from her own area of specialty, which led her to discover crypto-Jewish 'descendants' wherever she sought them, and to slap 'Jewish' labels on ambiguous cultural paradigms across an entirely non-Jewish landscape.

It is therefore significant that scientists charged with identifying patterns within the human genome are themselves not trained to recognize the negative scientific and social consequences of labelling diseases according to non-heritable, essentially untestable cultural characteristics or according to demonstrably unfounded constructions of disease-based religious descent, as seen in the examples above. Moreover, from a scientific point of view, such folk taxonomies can seriously compromise fact-gathering, as well as

40 Ibid. (emphasis added).

41 Larry J. Lutwick, 'Creutzfeldt-Jakob disease', in Jacqueline L. Longe (ed.), *The Gale Encyclopedia of Medicine*, 2nd edn, 5 vols (Detroit: Gale Group 2002), ii.950–4 (953).

healthcare delivery, since they inevitably result in wishful, impressionistic—or academically misled—self-definition (as 'Jewish') by whole populations selected for genetic screening (or simply seeking it), based on non-heritable (as well as non-Jewish) traits and characteristics.

Yet, in the regional social context, it is clear that New Mexican folk-use of the term 'Jewish' for various and sundry heritable diseases serves only to strengthen a regional colour-coded hierarchy, maintained in perpetuity by ongoing claims of descent that both reflect and reinforce a pseudo-scientific social pathology, in this case, prejudicial, colonial tenets aided and abetted by seemingly 'innocent' academic authority. But the genetic labelling of faith communities can never be innocent, for faith communities are socially, not genetically, constructed and there is no such thing as a culturally constructed, 'congenital' line of religious affiliation that has no consequence in social stratification (for which modern New Mexico may be the best example).

As Mary Louise Pratt observes, it was colonial dominion, not genetic mapping, that first 'exerted the power' to name, or label, newly discovered populations:

> Indeed it was in naming that the religious and geographical projects came together, as emissaries claimed the world by baptizing landmarks and geographical formations with Euro-Christian names. But again, *natural history's naming is more directly transformative. It extracts all the things of the world and redeploys them into a new knowledge* ...[42]

We can see how giving names to categories in the natural world is itself a powerful form of classification, one that brings into being a hegemonic world order: a typically overarching, self-authenticating notion of 'the way things are'. Hence, to name biological groups according to religious affiliation is effectively to follow Linnaeus, not only by drawing genetic boundaries around cultural characteristics but also by transforming mutable religious affiliations into fixed congenital conditions. In this manner, all 'despised' or demonized characteristics assigned to religious Others are cast as biologically immutable, a highly precarious position for any vulnerable minority. In particular, given the over-generalized status of the category 'Jew', and knowing that over-inclusive folk logic is required to generate and sustain prejudice, it seems almost inevitable that academic classifications of heritable diseases as 'Jewish' will fan the flames of popular antisemitism. Moreover, if the label 'Jewish' is to be the only religious term associated with heritable disease, it can only bolster over-inclusive folk constructions of a singularly contaminated, and therefore a singularly contaminating, faith community. Gordon Allport never suggested that all over-inclusive cate-

42 Pratt, *Imperial Eyes*, 33 (emphasis added).

gories are necessarily prejudiced, only that they are undifferentiated and therefore pave the way for prejudice. To avoid paving that way, it may be helpful to distinguish between a mere misconception, and a *bona fide* prejudice. As he explains:

> Not every overblown generalization is a prejudice. Some are merely *misconceptions*, wherein we organize wrong information. . . . Here we have the test to help us distinguish between ordinary errors of prejudgment and prejudice. If a person is capable of rectifying his erroneous judgments in the light of new evidence he is not prejudiced. *Prejudgments become prejudices only if they are not reversible when exposed to new knowledge*. A prejudice, unlike a simple misconception, is actively resistant to all evidence that would unseat it. We tend to grow emotional when a prejudice is threatened with contradiction. Thus the difference between ordinary prejudgments and prejudice is that one can discuss and rectify a prejudgment without emotional resistance.[43]

Like Linnaeus in an earlier age of discovery, we are suddenly called upon to define new categories of human variation and, when we are mistaken, to correct our misconceptions without prejudice. Unlike Linnaeus, we have greater hindsight and voluminous academic enlightenment to guide us. But, as we have seen, in our haste to name heritable disorders according to non-heritable characteristics, we are ourselves at risk of creating inaccurate, over-inclusive folk categories, foregoing academic accuracy and reinforcing our own self-authenticating social devices and/or those of historically prejudiced populations. As previously suggested, use of geographically based variance seems a more valid, reliable and socially responsible way of categorizing heritable differences, since every heritable disease has a founder who can be located in time and place: a testable assumption in every case, which cannot be said for any founder's religious sensibility. As Joseph Graves puts it: 'The practice of building whole theoretical constructs on essentially untestable assumptions is the hallmark of pseudo-science . . . often associated with vested social agendas.'[44] Assuming that one's social agenda is benevolent and entirely well-meaning, there is still no agenda more benevolent than accuracy in distinguishing human populations or in practising health-related science. Therefore, to paraphrase Linneaus, the Ariadne thread in human classification is disciplined, differentiating academic logic, without which only chaos can prevail.

43 Allport, *The Nature of Prejudice*, 9.

44 Joseph L. Graves, Jr., *The Emperor's New Clothes: Biological Theories of Race at the Millennium* (New Brunswick, NJ: Rutgers University Press 2001), 87.

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