

any reservation. Given the absence of any other national political organization run by and for Native Americans, many observers believe that—at least for the moment—pan-Indian nationalism is a dead cause. They may be right; certainly the struggles now taking place among Indian nations themselves suggest that larger alliances are unlikely, as Navajos contend with Hopis over land and grazing rights, as Sioux and Crows recapitulate centuries-old enmities over territorial claims, as Klamaths and Yuroks contest fishing grounds. But small signs like the new Ghost Dance suggest that such a movement, whether led by AIM or not, is only dormant. All that is required for it to awaken is the emergence of a common threat or two.

One possible catalyst is a scientific controversy that, like the Ghost Dance, has received little public attention. In July 1996, two hikers discovered the remains of what appeared to be a white male in a gravel bed along the Columbia River outside of Kennewick, Washington, on land administered by the U.S. Army Corps of Engineers. Forensic scientists judged the well-preserved skeleton to be 9,300 years old, and archaeologists interested in the peopling of the New World set about revising the prehistoric record to accommodate the controversial notion that Caucasoids may have crossed over from Eurasia at the

same time as, or perhaps even earlier than, the descendants of today's Indians, who, the theory goes, made their way over the Bering land bridge from northeastern Asia during the last Ice Age.

The scientists were stymied, however, by the leaders of the Umatilla Indian Nation, under whose tribal jurisdiction the skeleton's provenience fell. Invoking the Native American Graves Protection and Repatriation Act of 1990, which allows Indian tribes to claim the remains of their ancestors, the Umatilla demanded the immediate surrender of the Kennewick skeleton. The scientists argued that they had much work yet to do in conducting tests that would better identify the genetic heritage of Kennewick Man. And, they argued, the tentatively dated remains far predated the Umatilla people, meaning that the Umatilla should have no jurisdiction over the skeleton. They sued to stop the repatriation, and last June the U.S. Federal District Court in Portland agreed with their argument, ordering the Corps of Engineers not to release the skeleton to the Umatilla. The Umatilla are now appealing the decision, and the matter will almost certainly go all the way to the Supreme Court—which will, archaeologists hope, order a redefinition of the act to limit the access of tribes to aboriginal artifacts that predate their cultures.

What does this scientific controversy have to do with the larger issue of pan-Indian nationalism? Only this: in introducing the startling possibility that today's Indians may not be descended from America's first settlers, the scientists may, however unwittingly, open a new debate over Native Americans' moral claim to the ownership of the New World. The facts of the matter are far more complicated, as the scientists are quick to point out. "Caucasoid," for instance, does not mean "Caucasian," but as Douglas Preston explains in a recent article in the *New Yorker*, there is already talk about the emergence of pan-Indian opposition to the scientists' findings, opposition that may take on a we-were-here-first sloganeering around which an AIM-like group could profitably form.

Native American opposition is in fact forming around recent congressional attempts to tax tribal commercial enterprises following the introduction of highly profitable legal gambling on reservations throughout the country. This new, fantastically rich revenue stream caught the attention of two U.S. representatives, Asa Hutchinson (R-AK) and Gerald Solomon (R-NY), who separately introduced legislation to tax such tribal income by as much as 35 percent—a huge hit in the age of welfare reform. Neither bill cleared the House Ways and Means Committee, and neither would likely have survived a constitutional hearing, inasmuch as the Supreme Court and the Internal Revenue Service alike have repeatedly ruled that American Indian tribes are not taxable entities; in the same spirit, the federal government does not tax state revenues from lotteries or gaming. Still, Native American activists with whom I have spoken fear that some form of the Hutchinson-Solomon bills will eventually be passed into law—in which instance national Indian resistance is likely to be spirited.

"As soon as they wake up and recognize the fact that the U.S. government doesn't respect them as sovereign, Indian people will get down to what the real issues are," says University of Arizona law professor Robert Williams. He is certainly right. The real issues are not skeletons, but laws; not death, but taxes; not ancient insults, but modern troubles. The pan-Indian nationalist movement may well only be sleeping. If something rouses it, its Ghost Dance will be heard everywhere.

The Blind

by Timothy Murphy

Gunners a decade dead
wing through my father's mind
as he limps out to the blind
bundled against the wind.

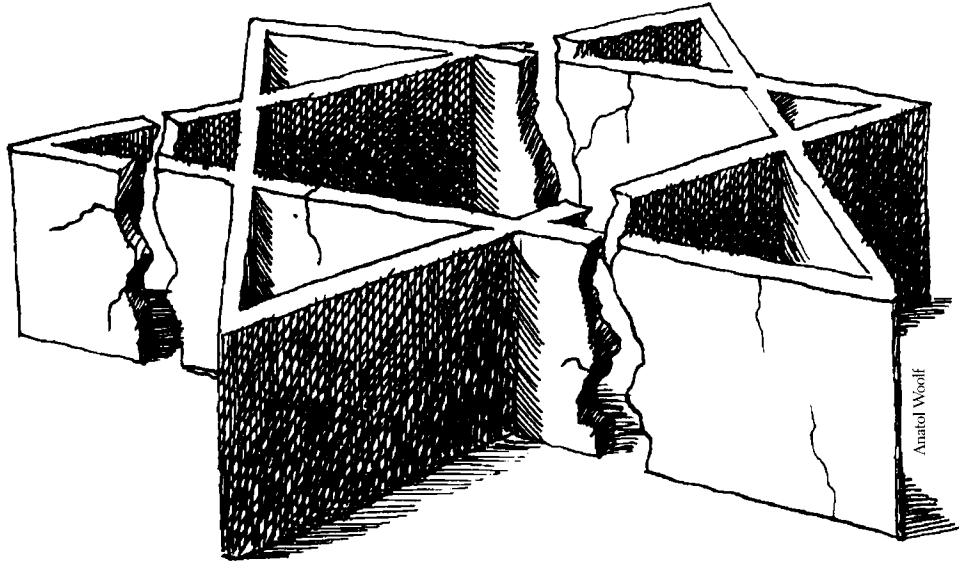
By some ancestral code
fathers and sons don't break,
we each carry a load
of which we cannot speak.

Here we commit our dead
to the unyielding land
where broken windmills creak
and stricken ganders cry.

Father, the dog and I
are learning how to die
with our feet stuck in the muck
and our eyes trained on the sky.

Jews Without Judaism

by Jacob Neusner



Certainly no confusion of the ethnic with the religious presents more anomalies than the mixture of ethnic Jewishness and religious Judaism that American Jews have concocted for themselves. But the brew is fresh, not vintaged. For nearly the entire history of the Jews, to be a Jew meant to practice the religion set forth in the Torah revealed by God to Moses at Sinai, which the world knows as Judaism. A Jew who gave up Judaism adopted some other religion and ceased to identify himself with the Jews as a group. So the religion, Judaism, defined the group at both the entry and the exit points.

For the entire history of Judaism and for most of the history of the Jews, the definition of the Jewish group invoked purely theological categories. In that religion the Jews are called “Israel,” meaning the Israel of which Scriptures speak, the holy social entity (“people,” “nation”) that God called into being through the saints, beginning with Abraham and Sarah. Belonging to Israel imposes divine requirements: a belief in the one God who created Heaven and Earth and made himself known to Abraham, Isaac, and Jacob, then to Moses at Sinai and to prophets thereafter; and commandments that define the holy way of life that marks Israel as God’s people. So “Israel” in Judaism corresponds to the socioreligious entity Christianity calls the “Church” or the “mystical body of Christ.”

In the context of faith, therefore, “Israel” not only *does not* correspond to the state of Israel or to the Holy Land but it also has no relationship to “the Jewish People,” “the Jewish community,” or to any of the other secular formulations that define

what it means to be a Jew today and to belong to the Jewish ethnic group. Above all, no imperative attaches itself to the continuation of the Jewish people, and “Jewish survival” bears no urgency in its own terms. None of the Ten Commandments maintains that God regards as an end in itself the maintenance of the Jews as a distinct social entity.

To illustrate the distinction between the Israel of the Torah and the various secular and cultural definitions of who constitutes a Jew and the Jewish people is easy: until the 17th-century philosopher of Jewish origin, Benedict Spinoza, there is no single instance of a Jew giving up Judaism (the religion of the Torah) and remaining Jewish—adopting no other religion, affiliating with no other social entity; that is, from Abraham to Spinoza, to be Israel meant to practice Judaism, and, more to the point, to cease to practice Judaism marked the end of belonging to Israel. (If for Spinoza, one *could* be a Jew without practicing Judaism, he did not indicate how long secular Jewishness might persist.) This is why historians point to Spinoza as the first secular or “modern” Jew.

But until the middle of the 19th century, Spinoza remained a singular figure. And everyone knew he had been excommunicated! So it was taken as the norm that someone who ceased to practice Judaism also abandoned the Jewish group and presumably entered some other religion and its community. When, in the aftermath of the Enlightenment, Jews thought they were gaining entry into the civil society of Western civilization in Germany, France, Britain, and the United States, some, continuing to see themselves as Israelites in the religious meaning of the word, reformed Judaism to fit the new circumstance; others reaffirmed the received meaning of Israel as a people dwelling apart, in God’s eternal presence. The latter

Jacob Neusner is Distinguished Research Professor of Religious Studies at the University of South Florida and a professor of religion at Bard College.