

THE AUTHENTIC ORTHODOX ORGANIZATION IN THE HOLY LAND

Friday 5th of Av, 5767
July 22, 2007

Mr. Ban Ki-Moon
Secretary General of the United Nations
Jerusalem, the Holy City

Regarding: **Persecution of Religion and Oppression of
Orthodox Jewry in the Holy Land**

We Orthodox Jews, the veteran residents of the Holy City of Jerusalem and residents of the city of Beit Shemesh, turn to you with this letter, as the representative of the United Nations, whose banner is inscribed with the defense of the rights and freedom of nationality and religion for every man, wherever he may be, as announced by an assembly of the United Nations on December 10, 1948.

We appeal to you regarding the denial of our rights as Torah-observing Jews by the regime and the rule of the Israel Police, and the severe persecutions which have recently intensified against the Jewish religion and its guardians, in a terrifying manner. Our appeal to you—for the first time in decades—testifies to the severity of the situation and our sense of inordinate difficulty at this time, to such an extent that we feel that if, G-d forbid, the situation persists, we doubt if we can continue to stand firm and live in this country as religiously observant Jews.

In order that you understand the matter under discussion, we must present some of the ideological background about the relations between the State of Israel and Orthodox Jewry.

As religious Jews, we believe that the Jewish people were exiled from its land due to their sins against the Creator of the world. From when the Jewish people were exiled, we are commanded to pledge allegiance to the nations and governments under whose authority we reside. It is forbidden for the Jewish people to rebel against these nations or to set up an independent state, prior to the coming of the Messiah, who will illuminate the eyes of the entire world to recognize the Kingdom of G-d.

Our forefathers came to the Holy Land more than two hundred years ago—before the Zionist movement even began—with a single and solitary aim: To serve G-d in this sacred place. Our forefathers had no political or governmental motive, and they did not concern themselves with rulership of the land. Peace and quiet reigned between our forefathers and the Arabs who resided in the land, and these relations were fruitful and useful for both nations.

This peace and quiet reigned in the land—until the Zionist movement arose. The Zionists abandoned the Jewish religion and completely denied it, swept away in the spirit of nationalism then powerful among the other nations of the world. The Zionists wanted rule over the Holy Land and took actions in order to receive it, to the great displeasure of the Arab residents, who of course opposed this. In this way, the Zionists aroused Arab fury, causing hate and controversy between the two nations.

Orthodox Jewry expressed its stance then of opposition to the Zionist movement in general and to the State of Israel, the legal child of the Zionist movement, in particular. Orthodox Jewry repeated over and again at every opportunity that the very existence of the State of Israel is opposed to the Torah and to the Jewish religion.

When the land was partitioned (which caused us great bitterness), considering the special complexity of Jerusalem in which people of all religions dwelled, the United Nations—represented by His Honor—decided to leave Jerusalem an international city. This was also the demand of Orthodox Jewry in Jerusalem, headed by its Chief Rabbi, Rav Yoseph Zvi Dushinsky, of righteous and blessed memory, who sent at that time a letter to the United Nations about the matter (attached is the Rav's letter).

For Orthodox Jewry, who then lived primarily in Jerusalem, this was a slight relief, because we hoped that we would not become subject to the Israeli government which opposed religion, and whose very existence represents a rebellion against the Creator, Who forbade its establishment. But to our great sorrow, in practice, the matter did not come about. The State of Israel did not fulfill the United Nations' decision, not in this matter, and not in any map of the partition organized by the United Nations. And thus, against our will, we were forced to accept Israeli citizenship.

Our fear of this government (separate from our opposition to the very fact of the state's existence) was well founded. From the day that the

government became theirs, the government persecuted religion, coerced hundreds of thousands Jews to abandon the Jewish religion, also through force, and oppressed with force every attempt to oppose the secular coercion.

It is our human right not to be discriminated against because of our views which are derived from the Jewish religion. This is according to the second article of the United Nations' declaration, which states:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status."

We must emphasize that Orthodox Jewry's methods of opposition are not according to conventionally accepted concepts. We are not equipped with weapons of any sort, and all our opposition is primarily expressed through assemblies or street marches bearing placards, expressing our outcry and stance, nothing more. This is our international right, as is written in article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

As noted above, a huge gap exists between the ways of life of secular and Orthodox Jews. We have always tried to live in separate neighborhoods, in order to minimize as much as possible the frictions between the two sides.

Several examples follow:

1. Sabbath observance, a Divine commandment which is one of the pillars of the Jewish religion. Therefore, the violation of the Sabbath, especially openly and in public, greatly pains and angers those who observe the Sabbath.
2. Modesty—women and girls of Orthodox Jewry are very careful to wear modest clothing, not wearing exposed and short garments. This commandment, too, is among the pillars of the religion, and violation of modest dress harms us greatly. Thus, for example, when female domestic workers come to our home, they know that they must dress suitably.

For these reasons as well as others, Orthodox Jews try to live only in separate neighborhoods, even if due to this, the price of apartments is

much higher than in other areas. The Orthodox atmosphere of holiness and modesty in our neighborhoods is extremely important to us.

For women who are not chareidi or who are not Jewish, unaware of the importance of holiness and modesty in our neighborhoods, it has become the practice for decades to hang signs at the entranceways to chareidi neighborhoods. In these signs, women are requested to honor the feelings of the residents and to enter wearing modest dress (the signs give details as to what meets the description "modest"). These signs have been accepted with satisfaction by most secular Jews, who did not wish to hurt the Orthodox. In this way, unnecessary misunderstandings and frictions were avoided.

Over the past fifteen years, Orthodox Jews have settled in the city of Beit Shemesh as well. There, too, signs were hung, just as these signs were hung in Jerusalem. These signs were accepted as a matter of course and became an essential part of the chareidi neighborhoods. Thus, the sign stood in its place for many years without disturbing by anyone—until one day, a crane from the Beit Shemesh Municipality arrived to remove the sign, escorted by a powerful force of Israel Police.

The neighborhood residents came out in large numbers to prevent the sign's removal. But they were received with a violent, extremely harsh police attack. Policemen wielding clubs beat the quiet, defenseless group with great cruelty. The police forcefully threw one of the Rabbis present in the area, as a result, breaking his leg. This Rabbi, who required a complicated operation with the placement of fourteen screws in his leg, is still lying in the hospital suffering severe pains and anguish.

In addition, five Torah scholars, neighborhood residents, were arrested, and their arrest was extended until the completion of due legal process, though they are utterly innocent. These Torah scholars were beaten also after they were already under arrest by the police commander in Beit Shemesh (see the attached document of the testimony of the prisoner Yoel Rothschild). The Torah scholars were transferred to one of the most difficult prisons in the country, where they are imprisoned till this very hour.

In this, the Israeli government violated article 5 in the above-mentioned Declaration of the United Nations: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

This incident which we have described is not an unusual occurrence. Rather, it is a continuation of the brutal maltreatment of chareidi Jewry over the course of many years, and we need only recall an additional

incident which took place a number of months ago of a Torah scholar who was badly injured in his hand by an Israel Police "informer." Instead of the attacker being blamed, the victim was himself incriminated, a criminal file against him was fabricated, and a ruling of "Protective Nondisclosure" was released against him. A concealed case is being conducted against him behind closed doors, allowing no possibility for defense, a matter which goes against the declaration of Human Rights of the United Nations (see the attached letter of the Orthodox Beth Din regarding this matter). This matter contradicts article 10 in the above-mentioned Declaration: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal (and continues in Article 11)...Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence."

In this short letter, we cannot describe the hundreds of matters which have come before us in the course of decades of the existence of the State of Israel, and even in the years which preceded the state's establishment. We need only note the murder of Dr. Yisroel Dehan by the Zionists, because he represented the stance of Orthodox Jewry before the nations of the world.

In the light of this, we the Orthodox Jews (who do not recognize the State of Israel) appeal here to you, the distinguished Mr. Ban Ki-Moon, representative in the Holy Land of the organization of the United Nations, which demands and requests human rights throughout the world—Please do not ignore this humanitarian demand to defend a minority which is persecuted for its religion and belief, one of the United Nations' principles. We ask that you meet with the heads and leaders of our community to determine the methods of establishing an international force for our legal protection.

It saddens us that Mr. Kevin Kennedy refused our request for personal admittance of a delegation of fifty Rabbis to his office in Jerusalem for a face-to-face meeting. Therefore, with no alternative, we are sending this letter, in the hope that after reading about these matters, the Honorable Mr. Ban Ki-Moon will understand the significance of the issue and the severity of the situation, and that he will be in touch with us for further details.

Signed in the name of 200,000 Jews of Jerusalem and Beit Shemesh.