

REPORT OF THE FIRST FINDINGS

OF THE

DELEGATION TO ISRAEL

OF THE

BLACK AMERICANS TO SUPPORT ISRAEL COMMITTEE

AND THE

A. PHILIP RANDOLPH EDUCATIONAL FUND

REGARDING

HUMAN RIGHTS AS THEY PERTAIN TO THE

ORIGINAL HEBREW ISRAELITE NATION

January 17-28, 1981

-5-

This report has been prepared by an unofficial delegation of U.S. citizens sponsored by Black Americans to Support Israel Committee and by the A. Philip Randolph Educational Fund. The delegation was headed by Bayard Rustin, and a full list of its members, who are the signers of this report, will be found at its conclusion.

We were concerned about the situation of the Original Hebrew Israelite Nation, who are also known as the Black Hebrew Community (BHC). We spent eleven days in Israel researching the problem and its repercussions. Since we are citizens of the United States, we were careful not to become involved in issues such as "Who is a Jew?" or to attempt to influence Israel's immigration laws. Those are the prerogatives solely of the Israeli people and their government. Our concerns were with the human rights afforded the past and present members of the BHC and with the treatment of black Americans at the various points of entry into Israel.

Our studies were obviously limited by the relatively brief period we spent in Israel. But they were helped enormously by the wholehearted cooperation and assistance of a great many people, ranging from major public officials to private citizens. These not only welcomed our inquiry, but universally urged us to help them find a humane solution to this very perplexing problem. Without their assistance our difficult and sensitive mission would have been impossible. We are indebted to them beyond measure and here express our grateful appreciation for their extensive efforts on our behalf. A complete list of the individuals, organizations, and agencies with which we conferred is attached as an appendix to this report.

The difficulties the BHC are presently experiencing in Israel were not present when their first people arrived in 1968. These were welcomed and given temporary legal status and helped to find employment. However, when some two years later it was perceived that the tenets of the BHC could not be defined as Jewish, when the offer of conversion was refused, when the claim was made that the land of Israel rightfully belonged to the BHC and not to its present inhabitants, and when extensive illegal immigration increased their numbers substantially,

the situation deteriorated rapidly. The present population of the BHC is estimated at from 1,200 to 1,500 and, despite their impressive efforts, these people until recently had been living in what can only be described as inhuman and overcrowded conditions, far below any reasonable standards, and this should not be tolerated in any civilized country.

Matters have improved substantially during the past few months, and we are heartened by this evidence that the Israeli government and the BHC are seeking an accommodation. On the other hand, no overarching solution is yet in sight. We therefore offer our findings in the hope that they will help to alleviate the situation.

The Necessity for a Prompt Policy Decision

It is the strong feeling of our delegation that the Israeli government should move expeditiously to establish a clear policy defining the status of members of the BHC currently residing within its borders. We must report that virtually every individual and group with which we met, no matter how divergent their views were on the issues, were in agreement that an immediate decision is imperative. There also appeared to be a general consensus that, in view of the twelve years of residence, a mass deportation is not a viable option.

However, continued inaction creates a condition with serious legal, social, political and human rights implications. Further, it exacerbates intergroup tensions in America and severely damages Israel's well-deserved reputation as a freedom-loving democracy which has been able to accept and absorb a wide variety of different racial, ethnic and religious groups.

Furthermore, as long as this situation is unresolved, important human rights of visitation and freedom of travel are being denied the friends and relatives of those in the BHC.

While not commenting on the Glass Commission report as a whole, our delegation agrees with the Glass Commission in the belief that the status quo cannot be permitted to continue. We recognize that the BHC ideology is perceived as presenting special problems to the Israeli government. Nevertheless, the failure to act now will make even greater problems likely in the future.

Is Official Racism Involved in the Black Hebrew Problem?

The question has arisen as to whether the Israeli government's treatment of the Black Hebrews is or is not the result of racist attitudes on the part of Israeli officials or the Israeli government. In our investigation we were at pains to raise this question with each person or group we met. We spent considerable time with non-white groups which we felt would be most sensitive to any such attitudes.

We asked the American ambassador and senior members of his staff if they had received complaints of official racism from black Americans living in Israel or black Americans visiting Israel. Their answer was that, aside from the entry points, they had not received a single such complaint in the almost four years that the present ambassador has been in Israel.

Ben Ami Carter, leader of the Black Hebrews, told us that he does not consider that his community's problems spring from official racism. He did mention that he felt a few individuals in Arad were indeed prejudiced and exhibited racist attitudes.

In our discussions with former Black Hebrews we were told that their problems are not caused by racism, official or otherwise.

We held discussions with a number of black people, including a prominent basketball player, who are either Israeli citizens, Israeli residents, or visitors to Israel. These people assured us there was no official racism.

Two separate black communities from Ethiopia, the Maronite Christians and the Falasha Jews, stated also that any problems they might have did not arise from official racism, which they agree does not exist.

In our discussions with leaders of Histadrut we were assured that official racism does not exist in this country.

From all the evidence we have heard, including that from the BHC, we conclude that official racism plays no part in this sensitive problem. The initial welcome given to the Black Hebrews and the offer of conversion clearly support that conclusion. The general agreement is that the difficulties stem from deep-seated religious, philosophical and political differences.

Despite this, the Israeli government must be aware that these problems can be, and are, perceived as racism.

Situation at Ben Gurion Airport

The Israeli government is responsible for not permitting the violation of its borders by persons entering the country illegally. Consequently, they have made every effort to prevent all persons, including the Black Hebrews, from smuggling people into Israel.

We are aware, not only from reliable reports, but also from observation, that black Americans are often singled out for discriminatory treatment and delayed on entering Israel. Some have been deported to the United States without access to a telephone or allowed contact with the American consular staff. The provision of such contact is considered by the U.S. government to be normal diplomatic practice.

We are told by Israeli officials that this unusual treatment of black Americans is necessary to identify any black Americans who may be attempting illegal entry in order to join one of the three Black Hebrew communities in Israel.

Many black Americans have complained to the American Embassy and to civil rights groups in the United States. Among those deported have been a number of people who state that they were coming to Israel solely to visit holy sites, or for other purposes totally unrelated to the BHC. This behavior on the part of Israeli officials risks being perceived as racist no matter what explanations are given. Beyond this, such behavior encourages anti-Israel propaganda, and creates conflict between American Jews and American Blacks.

As friends of Israel, we therefore urge the Israeli government seriously to consider the suggestions we now make on this thorny problem. We believe that the problem at the airport is integrally linked to the lack of a basic policy regarding the future status of the Black Hebrews. Nevertheless, we believe that the following steps, if adopted, can go a considerable distance toward alleviating the problems at Ben Gurion Airport and any other Israeli entry point.

At present, police officers are taking some black Americans from the passport control checkpoint line before they reach the immigration officer, simply on the basis of their color. This practice can only be perceived as racial discrimination, whatever the intention. We recommend that questions be raised only by the immigration officer at the passport checkpoint and not before.

We are aware that the Israeli practice of issuing visas at the point of entry places a heavy burden on their immigration officers. However, denial of entry is a sensitive matter. It is therefore suggested that the Israeli Ministry of Interior review its procedures for the training of immigration officers and stress the need for great care and impeccable courtesy in this area, as well as the need for some substantive basis for each specific inquiry.

We have been assured by the Minister of Interior that the U.S. Embassy will be notified of any detention or delay of a U.S. citizen beyond a reasonable time. We have also suggested to the U.S. Ambassador that he might

prepare an instruction sheet for detained U.S. citizens and the Embassy is considering this. If such information sheets are made available they should be given to detained persons immediately. In any case, the immigration officials should be responsible for providing such information. In addition, no U.S. national should be deported until an official from the Embassy or Consular office has been on the scene long enough to determine the reasons for the expulsion and has been able to talk to the person involved.

Also, since such expulsions have an impact abroad, the Foreign Ministry should be informed and involved before any expulsions occur.

Human Rights Concerns

Our delegation is aware of the fact that the BHC has been in Israel since 1969. It is our belief that all governments have the obligation not only to clarify but promptly to implement the legal status of any of its residents. It is not acceptable that the prolonged failure of the Israeli government to carry out its responsibilities should visit undue hardship on any individuals.

We further believe that a democratic government has the responsibility of providing and safeguarding the basic human rights of all persons they permit to remain on their soil. The basic human rights to which we have reference are:

- the right to earn a living
- the right to adequate health care
- the right to adequate housing
- the right to education for children

When BASIC members were here three years ago we understood that there were serious restrictions on all of these rights as they related to the BHC. Since then some significant improvements have been made in some areas, but certain problems still remain.

Earning a Living We are pleased to note that the Histadrut has extended the rights of membership to members of the BHC. We note however, that the continuing refusal of the government to issue work permits makes it virtually impossible for the BHC members to find regular and legitimate employment and makes Histadrut membership of limited value.

It is our recommendation that the government grant temporary work permits to members of the BHC and allow them - pending a definition of status - to enter the labor market on an equal basis with other citizens and long-term residents.

Health We find that the BHC has developed an internal health service in the form of a dispensary which cares for the minor health needs plus prenatal care, delivery and post-natal care. The hospitals are available and are utilized for serious accidents and emergency problems. However, we are aware that we do not possess the competence to assess the adequacy of this dispensary to provide preventative medicine and to meet the wide range of complex medical problems which can arise in a community of more than 1,000 persons.

The BHC believes that the present health care situation is adequate for its needs. Charges of nutritional deficiency have been made and denied. The children we saw appear adequately nourished. We are therefore not, at the present time, making a recommendation on health care.

Housing We are pleased to learn that the severe overcrowding noted earlier at the Dimona community has now been greatly relieved by the joint efforts of the Office of the Mayor of Dimona, the Histadrut, and the BHC itself. Some 23 double apartments in various stages of disrepair and vandalism were made available to the BHC. In less than 90 days the BHC itself has completely rehabilitated these units, establishing living facilities, a dining hall and kitchen, a dispensary, a sewing center, a dance studio, and facilities for crafts and other activities.

We recommend the extension of this program at Dimona and that similar efforts be made in Arad where extreme overcrowding still exists. We were

unable to visit the BHC community at Mitzpeh Ramon, but are advised that serious housing problems exist there as well.

Education There is a widespread impression that the reason the children of the BHC are not in the Israeli schools is that the community prefers to educate them itself. But we learn both from the public officials involved and the BHC that the children were originally in Israeli schools but were withdrawn only in response to a decision from the schools to accept no additional BHC children. It was felt by BHC that it could not permit some of its children to be excluded and some included. It therefore withdrew all its children. We would hope that, pending clarification of their legal status, the Ministry of Education would concern itself with the educational needs of the community.

General Recommendations

In addition to the recommendations offered in connection with the specific topics discussed above, we wish to make the following four General Recommendations which we believe should be acted upon immediately and prior to a basic policy decision as to the future of the BHC in Israel.

1. The Black Hebrew Community should implement its pledge not to permit an increase in its membership except by childbirth, and to cooperate with Israeli authorities by refusing admission to the BHC to any persons who have entered Israel by illegal means.

2. The Black Hebrew Community should continue its cooperation with the Israeli authorities by registering births and deaths, and assisting the government to maintain a complete and current census of the type already developed in Dimona, which will identify each adult by original name as well as by his or her new religious name.

List of Meetings

3. The Israeli government should immediately issue temporary working papers to all persons in the BHC who wish to work.

4. The Israeli government should immediately establish procedures for regularizing the status of those persons who have left the BHC and as a consequence face a variety of new and even more serious problems related to their uncertain legal status.

Bayard Rustin, Chairman
Black Americans to Support Israel Committee

Alexander J. Allen
Vice-President
National Urban League

Charles Bloomstein
A. Philip Randolph Educational Fund

Dr. Archie Buffkins
Task Force on International Higher Education in Israel

Lewis J. Carter III
National Labor Director
National Association for the Advancement of Colored People

Mrs. Arthur C. Logan
National Council of Negro Women

Black Americans to Support Israel Committee
260 Park Avenue South
New York, New York 10010
(212) 533-8000

Government Officials

President Yitzhak Navon

President Ezer Weizman

Dr. Yosef Garti

Minister of Interior

Mrs. Yehudit Hubner

Deputy Director-General

Ministry of Interior

Ms. Shula Fisher

Chief Inspector, Intelligence Division

Israel Police

Mr. Yitzhak Shamir

Minister for Foreign Affairs

Knesset Interior Subcommittee to

study Black Hebrew issue

David Glass, M.K.

Chairman, Knesset Committee on

Constitution and Law

Moshe Dayan, M.K.

Mayor Teddy Kollek

Mayor of Jerusalem

U.S. Embassy Officials

Ambassador Samuel Lewis

U.S. Ambassador to Israel

James Hughes

Counselor for Consular Affairs

Embassy staff

Historic Officials

Yeruhim Meshel, M.K.

Secretary-General

Historic staff

American Jewish Agencies

David Clayman, American Jewish Congress

M. Bernard Resnikoff, American Jewish Committee

Harry Wall, Anti-Defamation League

Jerusalem Post

Erwin Frankel and Ari Ratz, Editors

Other staff, including Joan Borsten

ADDENDUM

At our meetings we heard a number of allegations of criminal activity on the part of members of the BHC. These came not only from the police but also from former members of the BHC. We made no attempt to inquire further into this, since it is obviously a police matter. We would like to say, however, that any criminal activity proven should result in actions against the guilty person or persons and should not affect innocent members of the BHC.

Our concern for human rights extends to those which may be denied to the members of the BHC by its leader. Our agenda for this trip did not permit our going into this, but we do feel that this could be the subject of another inquiry, by us or others.

There have been recent indications of the development of a spirit of cooperation and compromise on the part of the BHC. This is looked upon with some skepticism and there is doubt as to whether this shift is strategic or tactical. We believe that efforts should be made to devise means of testing the sincerity of this change.