The Constructed Threat of Infiltration:

Reconciling the Jewish State and Anti-Asylum Seeker Narratives

Yotam Fisher-Pinsker
**Introduction**

The motivation for this paper began in the summer of 2016 after volunteering with *Elifelet*, a small NGO located in South Tel Aviv providing daycare for the young children of African asylum seekers. Although I had lived in Tel Aviv sporadically throughout my childhood, I was unaware, as many Israelis are, of the situation of the African asylum seeker population in Israel. At present, there are over 40,000 African asylum seekers in Israel who suffer from a severe lack of legal protection, social services, and discrimination from host communities. I experienced this first hand in the summer of 2019 after working as a caseworker for another small NGO in South Tel Aviv to provide educational and relocation assistance to African asylum seekers. It was here that I began to understand the marginalization faced by this community and wondered what factors made Israeli society so unreceptive to this group of “others.”

During my time as a caseworker, I acquired knowledge of many of the policies within the Israeli immigration system and realized how convoluted and exclusionary this system truly is to non-Jewish migrants. However; beyond the surface level, I did not understand the historical and societal contexts which enabled this system. This research seeks to contextualize the position of African asylum seekers and non-Jewish others within the framework of Israeli society and analyze how the creation (and deterioration) of a collective Israeli identity resulted in an environment hostile to outsiders. The state of Israel was created as an ethno-religious project meant to provide refuge to Jews who had suffered persecution throughout the diaspora. The Zionist nation-building project was successful in mobilizing mass Jewish migration to the state of Palestine and eventually established the Jewish state of Israel. In doing so, the Zionist project placed a great deal of emphasis on creating a new Jewish and Israeli identity to differentiate itself from the dated image of the weak European Jew. Naturally, Israeli society encouraged increased
Jewish immigration and inherently discriminated against non-Jewish “others” to develop its character as a Jewish nation-state.

In this paper, I argue that African asylum seekers do not inherently present a threat to the composition of Israeli society nor do they pose a danger to collective Israeli identity. This argument is based on the restrictive and convoluted immigration policies the Israeli government has established to deter its asylum system from functioning in accordance with international law. Government officials strategically use harmful rhetoric to induce xenophobia and recall memories of threats to the Jewish state to create a negative public perception of asylum seekers. The negative public perception fueled by inflammatory rhetoric allows the Israeli Government to maintain a status quo of inaction and discriminatory asylum policies, leaving asylum seekers to live under a perpetually ambiguous legal status with few rights.

**Existing Literature on Israeli Identity Formation and Immigration**

Israel as a nation-state is predicated on the unification and preservation of the Jewish people. The Jewish Diaspora alienated Jews for millennia and spread the population from the far reaches of Western Europe through the Middle East and Iran. The Zionist movement sought to unite this diverse population through secular means and create a Jewish nationalist movement which would ultimately lead to the establishment of a Jewish majority state. This movement resulted in a fractured identity with internal conflict along both religious and ethnic lines, as well as a fear of non-Jewish “others” who are ostensibly perceived to be a threat to the composition and overall existence of the Jewish Israeli State. This paper will seek to expand on previous research regarding Israeli Identity formation and collective memory and whether populations of non-Jewish “others,” specifically African asylum seekers, can exist as a part of a society dominated by a Jewish Israeli identity.
Yedida Stern argues that initially, the Zionist movement and prominent leaders such as David Ben-Gurion sought to differentiate their culture and create a new Israeli identity in the Yishuv. To do this, leaders worked hard to relinquish the perception of the weak European Jew and create the image of the powerful “New Jew” or “Sabra.” The Sabra would represent a strong, self-reliant, economically stable, and secular identity which would be inclusive of Jews from Arab states who had not experienced the tragedy of the Holocaust.¹ She argues that while this worked initially, cleavages along ethnic lines and competing levels of religiosity between all levels of society have gradually emerged to challenge the collective identity.

Israeli identity is a dynamic one that has been constructed and eroded by an amalgamation of competing ideologies and values. Most scholars argue that Israeli identity was formed and originally bound together by a Jewish ethos which formed collective societal beliefs strong enough to create and sustain a successful nation building project, thus permeating every aspect of Israeli society. Neta Oren uses Bar-Tal’s definition of ethos as “a particular configuration of societal beliefs that are enduring and shared by most members of society”² to argue that these shared societal beliefs at the conception of the State were predicated upon Jewish values which evolved with waves of Jewish immigration to the State. While this may have been successful at the outset, there is an overwhelming consensus that the evolution of the Israeli State has been accompanied by a decline in collective Israeli identity. In his seminal work, The Invention and Decline of Israeliness, Baruch Kimmerling argues that “Israeliness” was created through the lens of the Ashkenazi Zionist movement prioritizing a secular ideology. He claims that Israel is a settler immigrant state which was created through non-consensual waves of immigration into the

land of Palestine. While Zionist leaders maintained secular values, they often used religious themes and myths to mobilize the diverse Jewish population around the Zionist project. While effective at first, the ideology afforded little room for “Jewish others,” including Mizrahi Jews from the Middle East, it has created tensions within Israeli society over the past four decades that have fragmented the envisioned identity.

Roselle Tekiner introduces the aspect of race to the formation of Israeli identity. She argues Zionist leaders were successful in transcending differences in race between Jews and prioritizing a national Jewish consciousness. However, as Haim Yacobi and other scholars have noted, race represents a lacuna in the existing scholarship on Israeli social sciences which must be addressed when analyzing the presence of African asylum seekers in modern Israeli society. While a shared Israeli identity may have been successful at the outset, differences in cultures and competing levels of religiosity accompanied by waves of Soviet, Ethiopian, and Mizrahi Jews have derailed the national Jewish consciousness into one of pluralism. Additionally, Stern analyses the tension between attempting to function as a Western democracy while simultaneously acting as a Jewish majority state. Stern argues that Israeli cannot truly be a democracy because the 20% of Israel that is non-Jewish is inherently discriminated against.

An important analysis of Israeli identity formation has been that of the monolithic approach—positioning the “self” in contradiction to the “other.” Dan Bar-On provides a sociopsychological analysis of Israeli identity and claims it was predicated on rallying against

gentile enemies who provided a necessary contrast to define Israel’s own “superior monolith.” The enemy has shifted over time from Nazis to Palestinians, to now arguably: African asylum seekers— all groups who whether realistically or not, pose a threat to the composition of a Jewish nation. However, as is the current consensus, the unified Jewish Zionist monolith has declined over the past four decades and revealed vast internal conflicts within the monolith between competing ethnicities, collective memories, and religious factions.

The collective memory of historical events plays a central role in Israeli identity and is inherently exclusionary. The Holocaust is the “chosen trauma” around which Israeli identity was constructed and manifests itself through institutions such as the military and education system as well as commemorative events such as national Holocaust Memorial Day. Although the Holocaust is undoubtedly a horrific tragedy, it alienates non-European Jews who have not experienced this collective history. Palestinians are often viewed through a similar lens as the gentile enemy trying to destroy the Jewish nation. By identifying the Palestinian “other” from the outset, this enabled both Ashkenazi and “Jewish others” to unite themselves against a common “other” and delegitimize their rivals. Yael Zerubavel uses an in depth analysis of three mythological events in Jewish history as a way to demonstrate how the commemoration and narrativization of memorialized events have restructured history to form a narrative conducive to a Jewish-Israeli identity. These events demonstrate a narrative of exile to persecution to statehood which is commonly used in Israeli society alienating those who do not fit into the

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9 Oren, Israel’s National Identity, 4.
10 Kimmerling, The Invention and Decline of Israeliness, 3.
Zionist collective memory and narrative. As Israeli society has become more pluralistic, reliance on these myths as well as the Holocaust have remained a central pillar of Israeli identity.

As Israeli society has become more fractured and affords more room for individualism, it has become difficult to analyze how “others” can fit in. Feinstein and Bonikowski expand on this research by arguing that a population’s receptiveness to nationalist and collective narratives shape their perception of stigmatized groups. The narrative of the Jews being historically persecuted against and portraying the Palestinians as a constant threat drives xenophobia towards “other” non-Jewish groups. They found that the more people center around an ethnoreligious identity that embraces Jewish victimhood, the more likely they are to have anti non-Jewish immigrant attitudes.\(^4\) Haim Yacobi supports this narrative by claiming that Israel is an ethnocracy in which ethnicity rather than citizenship is the major consideration for the distribution of power and resources. He argues ethnocratic regimes combine a level of democratic-openness and formal-democratic representation while “the dominant group appropriates the state apparatus and control over capital flows and marginalizes peripheral ethnic and national minorities.”\(^5\) This analysis supports the Jewish ethnicity-centered criteria for belonging in Israeli society and proves that the democratic nature of the state only extends so far.

Barak Kalir argues that Israel is plagued by an underlying sense of anxiety and fear that non-Jewish others inherently pose an existential threat to a Jewish State. He points to the growing trend worldwide of anxiety and alienation of others such as the xenophobia towards Muslims in the U.S after 9/11,\(^6\) resulting in discriminatory practices in both society and policy.

Continual government rhetoric labeling these asylum seekers “infiltrators” contributes to a negative image of them throughout the Israeli public. Referring to this population as purely economically motivated migrants or infiltrators instead of “refugees” or “asylum seekers” gives the public a sense that their claims are illegitimate and neglects their persecution. Kalir argues that even though asylum seekers have never carried out a terrorist attack in Israel nor take lucrative jobs from Israeli citizens, they have been framed as a security threat and thus feared.

NGOs and activists have continually appealed to the ethos of the public as well as policy makers relying on the collective history of persecution of the Jewish people and using it as a justification to welcome other refugees using slogans such as “you can call your grandfather an infiltrator.” Yacobi argues that initially, this strategy was somewhat successful when a limited number of African asylum seekers were present, with leading figures such as the chairman of Yad Vashem, Israel’s official memorial to the victims of the Holocaust, stating “We cannot stand by as refugees from genocide in Darfur are knocking on our doors.” While this did initially garner some sympathy towards the asylum seeker community, Kalir claims it is harmful to conflate the victimhood of African asylum seekers with that of the Holocaust because it creates unnecessary competition and “debunks” their plight. Continual efforts made by government officials to delegitimize the persecution asylum seekers have led many Israelis to question this.

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21 Yacobi, “Let Me Go to the City,” 55.
narrative is and believe their suffering does not compare to that of the Jews nor does it warrant risking the Jewish nature of the state to protect them.

Israeli identity formation, whether as a monolith against a perceived enemy, or through a unified secular Zionist movement has weakened considerably throughout the evolution of the state. While the original “New Jew” narrative may have succeeded in unifying the Jewish nation in the pursuit of a state, the recent disintegration of a unified Israeli identity has led to the emergence of a more pluralistic culture with Israelis identifying along religious, secular, and ethnic lines; however, Israeli society has still not afforded a space for non-Jewish “others.” The ethnoreligious narrative coupled with the Jewish collective memory has created a hostile environment for African asylum seekers who fit into none of the categories that have traditionally been qualifiers for Israeli identity.

**Methodology**

To carry out this analysis, I will be relying on mainly on qualitative and theoretical data regarding Israeli identity formation and the concept of non-Jewish “otherness” in Israel. To analyze the Israeli asylum system, I examine official state laws and policies as well as quotes from government officials. Additionally, I rely on personal empirical observations to assess the public perception of African asylum seekers within Israeli society.

**Data Analysis**

The Creation and Development of Israeli Identity

Since the outset of the Zionist movement, Israeli identity has been a dynamic one characterized by heterogeneity. However, a constant has been the dominant Jewish aspect of Israeliness enabled by the Zionist movement. Israel is unique in that the advent of its identity was formed outside of a state by an ideology of a people in geographically separated diaspora.
This community was bound together by shared suffering and forged the idea of nationhood out of persecution. The Zionist movement was founded by secular leaders who mobilized collective memory and religious myths to encourage mass Jewish immigration to the holy land.\textsuperscript{23} The formation of Israel was always intended to be a Jewish state and was inherently exclusionary. Early leaders such as Ben-Gurion and the others in the Labor Party were able to mobilize immigrants to adopt the ideology of the Sabra and unite the heterogeneous population enough to form a successful nation building project. This ideology was purposefully meant to distance itself from the image of the weak European Jew who had suffered persecution for centuries. The strong independent image of the Sabra drew Mizrahi Jews from Arab countries to attempt to assimilate even though they were plagued by their ethnic differences to the Ashkenazi Labor establishment.\textsuperscript{24} However, since the fall of the Labor party in 1970’s and the rise of a right-wing government accompanied by increasingly neoliberal policies which stray away from the welfare state, Israeli society has become much more pluralistic. Cleavages along ethnic, secular, and religious lines have manifested themselves throughout social and political movements.\textsuperscript{25} However, while there are growing rifts within society, it is still a self-declared Jewish democratic state whose national symbols all revolve around Jewishness. Collective memory of events such as the Holocaust and national military service unite the majority or Israel’s Jewish citizens affording little room for acceptance towards those who did not participate in this shared history.

\textbf{Analysis of Israeli Immigration and Asylum Systems}

Israel’s immigration system is characterized by an ambiguous and convoluted set of laws designed to encourage Jewish immigration. This system began in the pre-state era as the Zionist

\textsuperscript{24} Dan Bar-On, \textit{The Others within Us}.
\textsuperscript{25} Stern, \textit{The State of Israel and National Identity}. 
movement and various parties encouraged hundreds of thousands of diasporic Jews, initially from Europe, to migrate to the holy land. As the state gained independence, the government wished to solidify its status as a Jewish state and enacted the Law of Return in 1950. This law decrees that every Jew in the world has the right to immigrate to Israel and acquire citizenship as long they possess at least one Jewish grandparent. The law created a clear path for millions of Jews, especially from the Middle East, North Africa, and later, thousands of Soviet Jews, to immigrate to Israel through the 21st century. Various other laws such as the 1952 Entry into Israel Law and Nationality Law stipulate that entry to Israel must be by an Israeli national, an oleh (a Jew who has expressed his desire to settle in Israel), or one who is granted a temporary visa. The Entry into Israel Law outlines the duration of visas and temporary permits of residence for non-Israelis with no path to citizenship afforded to non-Jewish immigrants.

Notably, another pivotal immigration law was passed in 1954— the Prevention of Infiltration Law. This law was initially enacted to deter Palestinians from returning to their homes after Israel declared independence and labeled citizens of enemy states who had entered Israel unlawfully as “infiltrators.” Based on these laws, Israel has established its entire immigration system on the criteria of Jewishness making it very difficult if not impossible for non-Jewish foreigners, especially those of Arab descent, to immigrate to Israel.

Israel’s asylum system reflects its immigration system in giving preference to those who are not a perceived threat to the composition of the Jewish State. The state is party to the 1951 Refugee Convention but has adopted a very narrow reading of its commitment to the convention.

26 Yaron, Hashimshony-Yaffe, and Campbell, “‘Infiltrators’ or Refugees?” 2.
and international asylum law in general.\textsuperscript{29} The Convention defines a refugee as any person outside of the country of his nationality due to a well-founded fear of persecution due to race, religion, nationality, membership of a social group or political opinion and is unwilling to avail himself to the protection of that country or return to it.\textsuperscript{30} Although they signed the Convention, Israel never adopted a formal Refugee Status Determination (RSD) system and failed to translate the Convention into Hebrew leaving many officials blissfully ignorant of their duties.\textsuperscript{31} All parties to the Refugee Convention bear a commitment to refugees and “must expend resources to process their asylum requests and ensure their assimilation and protection by providing refugees with housing, jobs, and education, and so on.”\textsuperscript{32} By having a disjointed asylum system that does not mirror the protocols set out in the convention, Israel cannot adhere to these commitments.

Until the First Intifada, a Palestinian uprising, Israel relied largely on cheap Palestinian labor for economic growth and function across various industries. However, since 1987 there has been a steep rejection of cheap Palestinian laborers which led Israel to supplement the shortage with migrant workers, mainly from South East Asia and the former Soviet Union.\textsuperscript{33} These migrant workers were recruited during the early 1990’s to work in fields such as agriculture, caregiving, construction, and hospitality. Israel began to authorize the recruitment of tens of thousands of workers granting them work permits. The number of migrant workers in the country reaching a zenith of approximately 250,000 in 2001.\textsuperscript{34} This forced Israel to confront its lack of official migration policy for the first time setting the standard for continual reliance on

\textsuperscript{30} Ben-Dor, Israel, a Safe Haven? Problems in the Treatment Offered by the State of Israel to Refugees and Asylum Seekers : Report and Position Paper, 14.
\textsuperscript{31} Yaron, Hashimshony-Yaffe, and Campbell, “‘Infiltrators’ or Refugees?” 2.
\textsuperscript{32} Kritzman, “Responsibility Sharing and the Rights of Refugees,” 5.
\textsuperscript{33} Refugees, “Ordered Disorder.” 11.
temporary ad-hoc judicial rulings determining the status of migrant workers suiting the country’s needs at the time.

Before 2002, the status of migrant workers in Israel was regarded with a “stance of willful ignorance” which then turned into a campaign of “criminalization and aggressive expulsion.” The government began instituting policies making the status of migrant workers illegal—deporting and encouraging the voluntary exit of tens of thousands of migrant workers. Migrant workers received visas with the names of their employers stamped on their passport by the Ministry of Interior which enabled the State to implement a “Binding Arrangement.” This agreement declared that if a migrant worker left his employer for any reason, his visa would become immediately invalid thus classifying him as an illegal resident. The government did not enforce this policy until 2002, as it relied on the labor of these migrants and used them to replace the perceived demographic and security threats posed by Palestinians. However, once the number of migrant workers began to constitute a sizable population, they were portrayed by officials as a cause of unemployment and a perceived threat to the composition of Israel—triggering the policy to be used to forcefully remove a sizable percentage of the population.

Before the turn of the millennium, Israel received very few asylum applications, with only 286 in 2000. Of these applications, only eight were granted refugee status. This informal system was exposed in the early 2000s when the number of African asylum seekers rose into the thousands with no sufficient mechanisms in place to absorb them and review their asylum claims. Until 2002, the RSD system was handled by a UNHCR correspondent in Israel in tandem

36 Sarah S. Willen, “Citizens, ‘Real’ Others, and ‘Other’ Others,” 263.
38 Ben-Dor, Israel, a Safe Haven” 8.
with the main office in Geneva resulting in long waiting periods. In response to the swell in applications in 2002 along with asylum seekers petitioning the Supreme Court, Israel created a policy requiring the UNHCR to register all asylum applications and recommendations to an Israeli ministry known as the National Status Granting Body for a final decision. This procedure entailed multiple steps such as filing an application, an interview, a hearing with an advisory board, the UNHCR gathering information on the applicant, and final approval by a minister. Applicants were typically given temporary residence cards and no work permit with the slim number of successful applicants receiving one year of temporary refuge. This RSD system was incredibly inefficient with only 170 individuals granted refugee status between 2002-2005.39

Between 2006 and 2012, a total of 59,634 African asylum seekers arrived in Israel after being dangerously smuggled through the Sinai Peninsula across the Egyptian border, forcing the Israeli asylum system to further adapt into a system which Paz labels “ordered disorder.”40 Egypt holds a large population of Eritrean and Sudanese asylum seekers, crossed the Israeli border after protests outside the Sudanese Embassy in Cairo turned violent in 2005.41 In 2007, due to a lack of clear policy, former Prime Minister Ehud Olmert arbitrarily gave temporary residence to 500 Darfuri asylum seekers and work permits to 2000 Eritrean asylum seekers.42 This decision, along with fear-inducing rhetoric made the Israeli public aware of the presence of African asylum seekers in Israel. The growing population drove the Israeli government to radically change its asylum policies and expend massive sums on strategically halting migration instead of upholding its commitments to international law. Israel instituted a policy of “hot returns” from 2007-2011 where asylum seekers caught by military patrols crossing the border would be returned to Egypt.

39 Ben Dor, 20-25.
41 Duman, “Infiltrators Go Home! Explaining Xenophobic Mobilization Against Asylum Seekers in Israel,” 1238.
42 Yaron, Hashimshony-Yaffe, and Campbell, “‘Infiltrators’ or Refugees?” 5.
a blatant violation of the non-refoulement policy in Article 33 of the Refugee Convention. Article 33 states: “No State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

In 2010, Israel began construction of a border fence between Egypt and Israel as well as Holot, the largest open air detention facility in the Western world in the Negev Desert. Holot can hold up to 2,000 asylum seekers and was completed in 2012 along with the border fence in 2013. Both projects totaled around $450 million plus and a yearly $70 million to operate the Holot facility. The Israeli Government expanded on the 1954 Prevention of Infiltration Law in 2008 and enacted it into law in 2012 with the “Amendment to the Anti-Infiltration Law.” This amendment demanded authorities detain all irregular border-crossers, including women and children for a minimum of three years until their status was determined or they were deported. Additionally, this officially labeled all irregular border-crossers and asylum seekers as infiltrators which became crucial to the government’s campaign to justify its treatment of asylum seekers.

In conjunction with the new policy of detention, the Israeli government took full control of the RSD system and introduced a new application process in 2009. This system has proved to be incredibly inefficient and has only assessed about 15% of asylum claims and between 2009-2013 granted asylum to 22 out of the 14,000 applications received. Since 2013, Israel has had a 0.15% refugee recognition rate, making it the country with lowest such rate in the Western

world.\textsuperscript{48} According to Israeli NGO Hotline, “In 2012, 81.9\% of Eritreans whose asylum claims were examined worldwide received refugee status” while “In Israel, only three Eritrean asylum-seekers out of a community of 35,000 received refugee status to date”.\textsuperscript{49} Additionally, in 2012, 68.2\% of Sudanese asylum seekers worldwide were granted refugee status while Israel has granted zero Sudanese asylum seekers refugee status.\textsuperscript{50} The state has given the rest of the African asylum seekers a status of “temporary collective protection” issuing Conditional Release Visas (CRV) which must be renewed every three months. Those caught without or with an expired CRV face heavy fines or detention. The CRV also technically bars holders from exiting and reentering the country legally and allows Israel to deport asylum seekers back to their home countries (which is illegal under international law). The CRV contains a stamp from the Ministry of Interior explicitly stating “This permit is not a work visa”\textsuperscript{51} forcing thousands of asylum seekers with the visa to live precariously, working temporary jobs without long-term stability. Issuing the CRV allows Israel to be the only country in the world to use the “temporary collective protection” status for a large group over multiple years. By using this method, Israel does not deport asylum seekers while simultaneously not assessing their asylum claims or giving them rights to work or social welfare.\textsuperscript{52} Doing so avoids explicitly violating the non-refoulement principle in the 1951 Refugee Convention while enabling Israel to allocate few resources towards asylum seekers and continue to grant few rights to the population as a whole. Thus, Israel places no obligation upon itself to afford these asylum seekers official refugee status or further absorb them into Israeli society while absolving the State of long-term responsibilities.\textsuperscript{53}

\textsuperscript{49} “Hotline for Refugees and Migrants | Countries of Origin.”
\textsuperscript{50} “Hotline, Countries of Origin.”
\textsuperscript{52} “Hotline for Refugees and Migrants | Temporary Protection.”
\textsuperscript{53} Yacobi, “Let Me Go to the City,” 50.
Since the completion of the border wall in 2013, no new African asylum seekers have entered Israel; however, there remains a population of about 40,000 throughout the country. The 2012 Anti-Infiltration Law Amendment has been challenged multiple times by local NGOs and several versions have been overturned by the Israeli High Court of Justice. In 2013, the Court ruled that after being detained for a year without trial, asylum seekers would be transferred to an “open” detention facility where they could leave during the day for a duration of 20 months. These laws were created in an effort to encourage asylum seekers to return to their home countries. While Israel cannot legally forcibly deport them, they gave asylum seekers the option to “voluntarily” return to their home countries or face detention. In 2015, a court ruling ordered that asylum seekers could not be held in Holot for more than 12 months allowing many asylum seekers to return to their homes around Israel. Those who didn’t leave for their home country or a third country and were not detained existed in a strange legal purgatory living in crowded neighborhoods while working illegal, low-paying jobs with no social services, healthcare, or education and in constant fear of detention.

In 2017, the Israeli Court of High Justice ruled the indefinite detention of asylum seekers illegal and closed the Holot detention facility forcing the Israeli government to find a new solution. Israel covertly attempted to deport asylum seekers to “third party” countries in Africa such as Rwanda and Uganda, where upon arrival, they would meet a government official who would give them a visa, $3500, and a hotel room until they found a residence. As the operation was exposed, Prime Minister Benjamin Netanyahu attempted to negotiate a formal deal with Rwanda to deport tens of thousands of asylum seekers; however, Rwanda backed out

54 “Hotline for Refugees and Migrants | Refugees.”
of the deal following mounting international pressure. After multiple failed negotiations with the EU to relocate the “infiltrators”, the majority of asylum seekers remain in Israel facing increased hostility and a dubious legal status. The policies of inaction followed by the attempted forced expulsion of asylum seekers closely mirrors the situation of migrant workers only a few years earlier thus revealing the centrality of Israel’s Jewish ethnocratic nature within the state’s immigration system.

Perception and Integration of African Asylum Seekers in Israel

Israeli officials have deliberately utilized divisive rhetoric to as well as ambiguous policies to induce fear and xenophobia throughout the Israeli public towards non-Jewish migrants and African asylum seekers. After granting temporary residence to 500 Darfuri asylum seekers, in 2008 Prime Minister Olmert referenced the group of asylum seekers as “a tsunami that can grow and we need to take every measure to stop it.” Anxiety generating comments such as this one have become commonplace with other members of parliament declaring that “The Sudanese are a cancer in our body”. Using such rhetoric has painted African asylum seekers as an issue whose mere presence in Israel has become an existential threat to the composition of Israeli society. Israeli officials used this strategy to reduce the number of migrant workers it recruited from South East Asia and other regions during the early 2000’s. Once this population was no longer conducive to the State, it criminalized them and turned public perception against them.

While the population of asylum seekers in Israel is relatively small compared to many of its Middle Eastern neighbors, Israel is exceptional in its unwillingness to absorb refugees in society. Government officials claim Israel is the only Western democracy in the region and therefore must present itself as a nation which values and upholds human rights to maintain any international legitimacy. This presents a tension with the notion that it must also protect its ethnic character by limiting “a tsunami of infiltrators”.59 Israeli identity is bound together in large part by shared persecution and memories which are often a qualifier for participation in Israeli society. Basing identity off these criteria inherently produces anti-immigrant sentiments towards “others” who do not fit these characters. According to a survey by Bonikowski and Feinstein, 92% of Israelis agree or strongly agree that the Jewish people have suffered persecution throughout history and that is central to Israeli identity. Additionally, 16% strongly agreed and 28% agreed that the Jewish character of Israel is at risk.60 However, these anti-immigrant attitudes are not produced exclusively by a collective Jewish identity but rather galvanized by public narratives and the language and rhetoric employed to describe asylum seekers and non-Jewish immigrants. Bonikowski and Feinstein’s study found that Israelis have not always believed that their existence is threatened by non-Jewish immigrants, but rather, anti-immigrant sentiments rise and fall over time based on how discourse is represented by politicians.61 For example, Vietnamese refugees in the 1970’s and the 500 Darfuri asylum seekers which were absorbed in 2007 weren’t perceived as a threat because the government portrayed them as refugees with legitimate claims to asylum. Duman notes that their presence never incited severe protests or racism until official discourse began portraying them as a threat.62

59 Yacobi, “Let Me Go to the City,” 62.
60 Feinstein and Bonikowski, “Nationalist Narratives and Anti-Immigrant Attitudes,” 10.
61 Feinstein and Bonikowski, 15.
62 Duman, “Infiltrators Go Home!” 1235.
As the presence of African asylum seekers swelled in numbers, so did politicians efforts to delegitimize their claims to asylum. The Israeli government will not acknowledge Eritrean or Sudanese claims to refuge and refers to them as migrant workers trying to leech off the Israeli economy. With statements such as “Infiltrators cause cultural, social and economic damage, and pull us towards the Third World” Netanyahu invokes the belief that asylum seekers are competing for jobs with Israelis. A common driver for xenophobic attitudes towards immigrants is the narrative of competition for resources. In reality, the vast majority of asylum seekers are unable to obtain a B-1 work visa and typically work in sanitation or the food and hospitality industry and do not pose any material threats to Israelis. They are not eligible for any of the benefits provided by the welfare state and rely on wages from low-skilled jobs, thus, not deterring from the resources provisioned by the state. A significant number of African asylum seekers I interacted with as a caseworker held high school, university, and even graduate degrees; however, most do not have certification after quickly fleeing their home countries. Even if they acquire documents or retake exams, most universities in Israel require a visa or residency to apply and the CRV which asylum seekers hold generally does not qualify. The lack of accessibility to higher education and financial constraints makes upward economic mobility for asylum seekers virtually impossible regardless of their immigration status. By maintaining purposefully ambiguous asylum policies, limiting access to the labor market, and excluding asylum seekers from the education system, the government places stress on local host communities to absorb communities of asylum seekers who are systemically disadvantaged. Combined with inflammatory rhetoric, the Israeli government has created the necessary conditions to induce xenophobic responses from the Israeli public.  

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63 Feinstein and Bonikowski, “Nationalist Narratives and Anti-Immigrant Attitudes.” 11.
64 Duman, “Infiltrators Go Home!” 1237.
In addition to portraying asylum seekers as an economic threat, officials portray African asylum seekers as a threat to Israeli sovereignty and a security threat. Since Israel declared independence in 1948, Jewish Israelis have felt threatened by Palestinian populations in the occupied territories who have typically been the targets of xenophobic attacks. Waves of Jewish immigrants did not experience this same level of xenophobia until the government began officially labeling all African asylum seekers infiltrators, thus pitting them as Israel’s perceived enemy.\textsuperscript{65} Labeling asylum seekers infiltrators (as they did Palestinians in 1954) is a clever strategy which garners memories of Palestinians returning to Israel to reclaim land and territory. By likening this “other” group to the Palestinians, officials mobilize anti-Palestinian sentiments against asylum seekers even though most have no ethnic, racial, or religious affiliation with the Palestinians. Indeed, Paz notes that “The state fears that recognizing African asylum seekers as refugees will open the Pandora’s Box of Palestinian refugees’ claims for territory, compensation and most importantly, right of return.”\textsuperscript{66} This rhetoric conflates asylum seekers with security threats stemming from the Israeli Palestinian conflict to which they have no relation.

Furthermore, officials such as Yaakov Neeman, former Minister of Justice have sought to induce fear by equating African asylum seekers with theft and crime stating that “most African infiltrators are criminals”.\textsuperscript{67} In fact, the crime rate of foreigners in Israel is 2.04\%, much lower than the 4.99\% among Israelis.\textsuperscript{68} As a caseworker in Tel Aviv, I often heard Israelis accusing African asylum seekers of petty crimes such as stealing bicycles or phones. Others such as Shmulik Riffman, Chairman of the Ramat Negev Regional Committee, take their accusations a step further by stating “The feeling is that these are Darfuri refugees, but this is not the real

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\textsuperscript{65} Duman, 1232.
\textsuperscript{67} Kalir, “The Jewish State of Anxiety,” 591.
\textsuperscript{68} Kalir, 592.
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story… their infiltration is even more dangerous than the infiltration of terrorists.”\(^{69}\) Narratives surrounding the criminality of African asylum seekers are based both on their otherness, as well as their race. Many Israelis I interacted with assumed that all asylum seekers were poor and desperate and had no moral qualms about stealing from hard-working Israelis. These accusations were often accompanied with racial slurs demeaning the population.

As with many countries, the majority of asylum seekers reside in dense urban centers such as South Tel Aviv with accessible public transportation, more potential job opportunities, and proximity to local humanitarian NGOs.\(^{70}\) The reasoning behind this however, extends beyond the appeal of urban opportunities. Upon being released from the Holot detention facility, asylum seekers are given one-way bus tickets to the Tel Aviv or Be’er Sheba central bus stations, located in the poorest parts of the city, with no contacts or further instruction.\(^{71}\) As a result, large populations of asylum seekers have developed around the bus stations creating their own insular communities and absorbing new arrivals. By purposefully sending asylum seekers to poor urban centers, Israel encourages asylum seekers to remain there while relying on local businesses and NGOs to provide employment and provisions to this vulnerable population while simultaneously making claims such as “an enemy state of infiltrators was established in Israel, and its capital is south Tel Aviv”\(^{72}\) to demonize asylum seekers and turn local Israeli communities against them.

Media trends are also highly influential in the perception of African asylum seekers. Noam Tirosh’s study surveyed 180 Israeli news articles covering the asylum seeker’s daily protests between 2013-2014.\(^{73}\) The study focused on the role of asylum seekers in Israeli

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69 Yacobi, “Let Me Go to the City,” 62.
70 Yacobi, “Let Me Go to the City,” 62.
71 Yaron, Hashimshony-Yaffe, and Campbell, “‘Infiltrators’ or Refugees?” 6.
memory contestation and how perceptions of refugees change when they construct their own narrative as opposed to when it is constructed for them. When newspapers covered the protests, and used the term “refugees” the pieces were often long and personal focusing on singular identities, allowing asylum seekers to tell their narrative and validate their asylum claims. The term “infiltrator” was used often when quoting official state actors to try and portray the asylum seekers as an illegal group threatening the composition of the Jewish state. Tirosh claims that they use this as “a memory-driven term” as a strategic way to garner anti-asylum seeker sentiment. Tirosh’s study found that out of 180 times, newspapers used the term “refugees” only 9 times, and never on the front page. Out of the four newspapers analyzed, the term “infiltrators” was used most commonly, followed by “asylum seekers” and “migrants” with “refugees” being in last place.

The disparity in newspaper coverage highlights a larger global issue relating to the agency of refugees and asylum seekers. As a marginalized group, they are often stripped of their voice and receive few opportunities to represent themselves as individuals who have just claims to asylum. As this study showed, newspaper coverage allows state officials and media to dictate the rhetoric surrounding asylum seekers thus manipulating public perception and portraying them as an existential threat by covering protests as an attack on Israel with headlines such as “Infiltrators Occupied Rabin Square” and that “their welcoming by Israeli society is presented as ‘national suicide’”. From personal observation, media coverage of asylum seekers plays a powerful role in shaping the public narrative and opinion of asylum seekers. By echoing the

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75 Ibid, 414.
76 Ibid, 417.
rhetoric of state officials rather than giving voice to the asylum seekers, many Israelis only associate them with illegal infiltration and threats rather than refugees with legitimate claims.

**Conclusion**

Israeli society has evolved dynamically since before the state was established. Zionist leaders were successful enough in creating a unified Israeli identity to ideologically consolidate the Jewish population and establish a Jewish state. The identity of the “New Jew” brought together a diverse population comprised of varying ethnicities and geographic origins with one main common qualifier: Jewishness. Leaders used shared memory, persecution, trauma, and religious myths as powerful tools to unite Jewish immigrants from around the world in their pursuit of a secure Jewish homeland. From the outset, Israeli identity centered around a Jewish national identity and create a unified monolith structured against a non-Jewish other. The Israeli regime has kept the importance of maintaining a Jewish state central to its policy since it declared independence. From the 1948 Arab-Israeli War, policies were put in place to enact an exclusively Jewish immigration system and restrict Palestinian and Arab immigration to Israel in order to preserve Jewish hegemony. Therefore, it is no surprise that Israeli officials have portrayed the arrival of African asylum seekers as an existential threat to the State.

However, African asylum seekers do not present an inherent security threat to Israeli society nor the composition of the Jewish state. While Israel is relatively small, the number of African asylum seekers does not represent a demographic challenge to Jewish hegemony within Israel. They make up a negligible percentage of the Israeli population (.5%)\(^77\) and tend to live in insular communities throughout the country. Although Israel is party to the 1951 Refugee Convention, it never adopted the Convention into domestic law, and prior to 2000, did not have a

\(^{77}\) Refugees, “Hotline for Refugees and Migrants”.

formal system to address the growing populations of migrant workers and African asylum seekers resulting in an immigration crisis the state was not equipped to handle. Israel has strategically relied on immigration policies of inaction to restrict both asylum seekers and migrant workers of various from accessing social services and systemically marginalize them. In addition to its ambiguous immigration and asylum systems, officials have successfully waged campaigns towards asylum seekers and non-Jewish migrant workers portraying them as security threats. These campaigns have successfully incited xenophobia and a fear of “otherness” throughout the Israeli population, promoting the narrative that non-Jewish others, not just asylum seekers, are inherently a threat to the Jewish state. The racial identity of African asylum seekers also plays an important role and allows officials and popular media to differentiate African asylum seekers as a clear “other” group who does not belong. More research must to be done on the perception of African asylum seekers as a racial group as well as how they are able to integrate into society. With few educational and professional opportunities, African asylum seekers are afforded no room for upward mobility, and therefore represent no threat to the Israeli workforce. By creating negative narratives and portraying African asylum seekers as illegal “others”, the Israeli government legitimizes its oppressive immigration and asylum policies, detracts from the valid refugee claims made by asylum seekers, and instills xenophobia throughout Israeli society towards a population which presents no existential threat to the Jewish state.