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African Asylum Seekers in Israel: Between Jewish Historic Obligation and Political Zionist Militancy

By Barak Kalir

Since 2005, an estimated 40,000 asylum seekers from sub-Saharan Africa, mostly from Eritrea and Sudan, have entered Israel by crossing the border from Egypt. Escaping their countries, they arrived in Israel after a lengthy journey by land, mostly operated by smuggling networks of Bedouins. Although paying their smugglers thousands of dollars, many African asylum seekers, once in Israel, have been raped, tortured into sex slaves, kidnapped for ransom, or even killed for the purposes of their traffickers or origin.

In Israel, the presence of African asylum seekers has become a major political issue in recent years. Although a majority in the 1951 UN Refugee Convention and its 1967 Optional Protocol, Israel systematically refuses to grant a refugee status to African asylum seekers. In fact, the Israeli government has been doing its utmost to reject the claims of asylum seekers under the pretense of them being economic migrants. At the same time, in January 2013, Israel completed a multi-million dollar project of erecting a border with Egypt to prevent the entry of more asylum seekers. Since the completion of the fence, the number of asylum seekers who manage to cross the border has plummeted from a few thousand per month to less than a hundred in the entire year of 2013.

In 2012, the antigenic Israeli treatment of asylum seekers has reached new heights. Formally, the government passed the "Prevention of Infiltration Law" that allows for the administrative detention of up to three years for those who cross the border from Egypt. Publicly, several politicians have unleashed a veritable rhetorical assault against asylum seekers, referring to them as "criminals, health hazards, security risks and, in the words of one MP from the ruling Likud party, "a cancer in our body." This hostile approach has set the stage for an increasing number of violent attacks and racist incidents in which Israeli citizens beat up African asylum seekers on the street, throw bricks into shops and homes that are associated with asylum seekers, and at one point, even set fire to a truck bearing asylum seekers' belongings in South Tel Aviv that was functioning as a de facto asylum seekers' children's welfare office.

Civil and humanitarian activists have been relentlessly trying to challenge the antigenic Israeli treatment of asylum seekers. NGOs, together with some academic scholars and private lawyers, carry the flag when it comes to fighting for an Israeli asylum policy that is in line with human rights standards and international conventions. For example, in 2013 several class-action lawsuits appealed to the Israeli High Court against the legality of the "Prevention of Infiltration Law," which was then revoked by the court as "unconstitutional" and in violation of Israel's Basic Law: Human Dignity and Freedom. In addition, NGOs have been mobilizing a public campaign for raising awareness on the dramatic situation of asylum seekers through street demonstrations, newspaper articles, cultural events and public debates.

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The most striking incident in Israel is over the rights of asylum seekers and the way in which the Jewishness of the Israeli state has been used for warring both against and for in favor of asylum seekers. In an attempt to generate humanitarian compassion among politicians and to mobilize public opinion, Israeli civil-society activists regularly evoke the Jewish history of persecution and the Holocaust in particular, as well as at times, the Jewishness of the universal moral obligation to combat all forms of ethnic and religious persecution. "Never Again!" The same time, many Israeli politicians repeatedly rehearse the Zionist-Zionist narrative that claims, in the absence of "infiltrators," food, clothes, social rights, linguistic training, and many more services that the state fails to secure for them.

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