African asylum seekers in Israel

between Jewish historic obligation and political Zionist militancy

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

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Since 2005, an estimated 60,000 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 en route to Israel have been raped, turned into sex slaves, kidnapped for ransom, or even killed for the purposes of their traffickers or organs.

In Israel, the presence of African asylum seekers has become a major political issue in recent years. Although a minority 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. As the same time, in January 2015, Israel completed a multi-million dollar project of building its 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.

As for those who managed to enter Israel, the government has devised a number of measures against asylum seekers, referring to them as criminals, health hazards, security risks and, in the words of one MP from the ruling Likud party, “aliens,” as a cancer in our body.” This hostile approach has set the stage for an increasing number of violations 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 with Molotov cocktails to asylum seekers’ homes in South Tel Aviv that was functioning as a creche for asylum seekers’ children.

Office for the Protection of Asylum Seekers and other NGOs have been relentlessly trying to challenge the Israeli government’s 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 2015 several court decisions appealed to the Israeli High Court against the legality of the “Prevention of Terrorism” (2003) law, which was then revoked by the recent “unconstitutional” and in violation of Israel’s Basic Law: Human Dignity and Freedom. In addition, NGOs have been mobilizing a public campaign to raise awareness of the dramatic situation of asylum seekers through street demonstrations, newspaper articles, cultural events and public debates.

“(…) several politicians have unleashed a veritable rhetorical attack against asylum seekers, referring to them as criminals, health hazards, security risks and, in the words of one MP from the ruling Likud party, ‘aliens,’ as a cancer in our body.”

The most striking societal debate in Israel is over the rights of asylum seekers and the way in which the Jewishness of the Israeli state has been used for warranting both opposing stands. 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 exemplifying on Israel the universal moral obligation to combat all forms of ethnic and religious persecution (“Never Again”). At the same time, many Israeli politicians apparently espouse the Zionist-Israeli narrative that claims, in the shadow of the Holocaust, that only a formidable Jewish state can secure the rights of Jews in the world. It is for this historical truth, to give the narrative, that Israel is morally justified to grant asylum seekers, refusing to be swayed by a human rights discourse and UN Conventions that demand a more inclusive approach towards non-Jewish migrants and asylum seekers.

While there have been some strategic gains in pressing the moral obligation of Israel, and by extension the Jewish state, towards those who escape persecution, it is important to note the overall failure of a human rights discourse and humanitarian compassion to resolve the crisis of asylum seekers in Israel. It is certain that in the Israeli dominant narrative, a global human rights regime is considered to be mutually exclusive with the Zionist concept of an ethnic-national state whose values and aims are to secure the rights of Jewish-Israeli citizens.

Since December 2013, thousands of African asylum seekers have taken to the main square in Tel-Aviv and Jerusalem to protest their inhumane treatment by the government. Their demonstrations of political consciousness and activism are a powerful message that comes mostly out of despair and disillusion with the failure of human rights law to resolve their humanitarian crisis.

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