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From Africa to Israel to Nowhere

Thousands of Undocumented Africans in Israel Have Ignited Heated Local Responses, Presenting the Jewish-majority State with an Existential Question: How Open Is Israel— Originally a Safe Haven for Displaced Jews— to Newly-arrived non-Jewish Migrants?

By Mike Wagenheim

In February, Israel's Population and Immigration Authority suddenly relocated its office from south Tel Aviv, a working-class neighborhood heavily inhabited by African asylum seekers, to the city of Bnei Brak. Longtime residents of south Tel Aviv had begun to complain: lines of foreign workers waiting to extend their visas formed a full sixteen hours before the office opened each day, leading to scuffles, people urinating in the streets, and increased police patrols. The move, the authority claimed, would facilitate a more orderly application process.

It has not. Hundreds still queue under the scorching Israeli sun, deluged by the smell of urine and trash. They are economic migrants, many from African countries, in search of work, and asylum seekers fearing persecution back home, who are required to get their temporary visas renewed every three to six months, or face jail time and possible deportation. The legal status they are granted temporarily saves them from deportation, until the government can find a way to legally force them out of Israel.

About sixty thousand Africans, most of them from Eritrea and Sudan, entered Israel illegally through the Sinai desert between 2006 and 2012, according to estimates made by human rights organizations, when security on the border with Egypt was absent. Today, only thirty-six thousand remain (half of whom are women, children, or men with families), the majority having been expelled by the government. Israelis who want them to leave say that the migrants have made the journey merely for economic opportunity, but migrants claim that they are fleeing persecution.

The right wing ruling coalition led by Prime Minister Benjamin Netanyahu calls these migrants "infiltrators," and has taken measures to expel them—even frequently promising the public mass deportations. In 2013, Israel built Holot, a men's-only

◁ African migrants protest their deportation by the Israeli state in front of Rwanda embassy in Herzliya, Israel, Feb. 7, 2018. *Ariel Schalit/ Associated Press*

open-air detention center deep in the southern Negev desert to hold illegal migrants and asylum seekers, where many sought imprisonment to evade deportation. But since the facility was shut down in March, the government has stepped up a deportation plan for the remaining migrants.

Trying a different approach in 2017, Israel sent away four thousand migrants, giving them a choice between a plane ticket to an unknown third country (thought to be Rwanda, though denied by its government) and a small cash sum, or prison. Migrant activists say those who took the ticket faced perilous conditions upon arrival in their new country, and that the official entry forms the Israeli government gave them turned out to be invalid. The government called the claims a "smear campaign."

In a state of eight million people, why do thirty-six thousand migrants pose such an immense threat? What accounts for the backlash against African migrants? At the core of the migration crisis is the question of Jewish identity: with Israel, as a whole, drifting toward embracing a right wing, nationalist identity, it has developed a narrow perception of who belongs. Although a signatory to the 1951 Convention Relating to the Status of Refugees, and its protocol—obliging Israel to consider all asylum requests from foreign nationals, whether they entered the country legally or not—Israel has refused to expand its definition of a refugee beyond that required by international law and accept African refugees. Between 2013 and 2017, only ten Eritreans and one Sudanese national have been granted refugee status. Approximately 1,100 Sudanese have obtained the A5 humanitarian visa, which enables holders to obtain driver's licenses, travel documents, and work permits. The reasoning behind all that is quite blunt: according to Population Immigration and Borders Authority Director Shlomo Mor-Yosef, Israel has refused to revise its laws because "we don't encourage immigration of non-Jews."

In terms of policy, Israeli leadership has made no concerted effort to facilitate the processing of asylum applications (only a handful are reviewed each day) or to protect the socioeconomic rights of migrants, for which it was excoriated in a recent scathing report by Israel's state comptroller. The May 2018 report flagged the government for lagging in the processing of asylum applications, having arbitrary and unfair application procedures, and for not formulating a developed position on the status of Darfuris who have fled armed conflict in western Sudan and ended up in Israel. It also criticized Israel for preventing the United Nations High Commissioner for Refugees from participating in meetings of the advisory committee on refugees, and for generally providing only one asylum processing office, despite there being thirty-two Population Bureau registry centers throughout Israel.

Security is another major reason why anti-immigration policies targeting Africans are so prominent. The Israeli electorate consistently lists security as its number one

concern and priority at the voting booth. Israel survived several intifadas, and nations like Iran call for its destruction on a regular basis. Terrorism is a daily threat, and Israelis see global anti-Semitism rising at an alarming rate. The prospect of tens of thousands of people, who do not have much in common with Israelis and do not share their Jewish values and religion, crossing from unknown parts of the world into their backyard is not a welcome one. Should this small nation, perennially under threat and troubled by terrorism, welcome these migrants, even if they arrived illegally?

Should Israel, founded in part as a refuge for persecuted Jews after WWII, open its doors to others facing similar tragic circumstances? This has been the cause alternatively taken up by advocates of liberal Jewish values, along with an unlikely coalition of select rabbis, business leaders, and human rights activists. Motivated by different factors, they are intent on making their case that an anti-migrant position might gain Israel security, but cause it to lose its soul in the process.

Seeing the Writing on the Wall

Israel, which compares itself to other Western democracies, has witnessed the political costs of migrant crises. In less than two years, Europe's social democratic parties have suffered historic losses in France, the Netherlands, Germany, and Italy, enabling the rise of right wing, populist, anti-immigration governments. Voters made it clear that they don't trust the left to limit migration, and the myriad troubles it has brought to European shores.

According to a recent Eurobarometer poll, 38 percent of European Union (EU) residents cited "immigration" as one of their top two concerns. Although that is down from 58 percent at the height of the migrant crisis in 2015, it still ranks as a top issue in twenty-one out of twenty-eight member states—up from fourteen states just six months prior.

As a result of their loss of power, center-left parties across Europe have begun to change course, with social democrats in several key countries deviating from long-held positions on migration. Even the government of long-standing German Chancellor Angela Merkel could be brought down by her coalition partner and interior minister, Horst Seehofer, who has threatened to bypass her on implementing a policy of turning away all migrants who have already registered elsewhere in the European Union.

However, Israel is dealing with far fewer asylum seekers than European countries. As such, the Israeli left says that makes any fears of the country being overrun by migrants baseless. The left, though, holds little sway politically: it has been out of power for the better part of forty years in Israel, and polling consistently shows it has no chance to win the next election, even if Netanyahu is forced out of office by his

numerous legal scandals. Moreover, the pro-migrant community is also swimming against the tide of public opinion. According to polls, as many as two-thirds of Israeli Jews support the government's deportation efforts.

Israeli officials note that the state is far from indifferent to the suffering of Africans, having maintained a policy of group protection to citizens of Sierra Leone, Liberia, the Ivory Coast, and South Sudan when violence wracked those countries. This designation provided blanket but short-term refuge to citizens of those countries without the Israeli government needing to review individual asylum claims. (However, in all of these cases, when the civil war or state of emergency in those countries ended, group protection went with it, and the citizens of these nations were asked to leave Israel. Those who didn't willingly were detained and deported.)

Neither is rejection of African migrants about racism, according to the government. It has cited the fact that a large majority of Eritrean migrants are single men. The argument made is that if these men's families' lives were truly in danger, they all would have fled together. This plays into Israeli fears motivated by the perceived links between masculinity/virility and terrorism: it is easier to accept a man as harmless if he has his wife and children, but the face of danger—and terror—meanwhile, is most often one of a radicalized, male youth.

Then, what is at the root of Israeli rejection of African migrants? The anti-migrant camp points to the concern that giving benefits such as citizenship or residency status to people who illegally crossed into Israel would be seen as a reward for such activities and encourage more of it. Those with anti-migrant sentiment also point out that just a small portion—around 25 percent—of African migrants apply for asylum, which is evidence that they are in Israel for economic reasons. Indeed, Israeli Justice Minister Ayelet Shaked wrote on her Facebook page, "The state of Israel is too small and has its own problems. It cannot be used as the employment office of the African continent."

The Opposition: The Protesters and the Rabbis

The main opposition to the anti-migrant drive in Israel consists of street protests and a rising rabbi movement. Street protests have lately been successful in slightly moving the political needle. Protesters were able to thwart draft legislation that would have protected Netanyahu to some degree from public accusations by the police. However, there is little evidence to show that public protests in Israel have made any meaningful impact on the migrant situation. In fact, the best hope for the migrant community thus far was shattered by an uproar from the right.

Netanyahu surprisingly announced a deal with the UN Refugee Agency (UNHCR) in early April. The agreement, coming on the heels of multiple failures to forcibly deport migrants in large numbers and with the impending court-ordered

closure of migrant prisons in the Negev desert, would have seen half of the migrants relocated and the other half given temporary residency status and dispersed throughout the country. But the deal collapsed within a day. Netanyahu took immediate flak from the political right for rewarding migrants' illegal entry into the country and from residents of the working-class south Tel Aviv neighborhood, which had become ground zero for the migrant community.

In January, before the UN deal broke down, thousands descended on the Rwandan embassy when reports swirled that the Rwandan government would be accepting forced deportees. Some pilots for Israel's national airline, El Al, announced they'd refuse to fly migrants out of the country against their will. But the protests have not been successful in pressuring Netanyahu to soften his stand.

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If street mobilization is futile, what about the synagogues? Many, especially on the left and particularly in the diaspora, took up the migrant issue under the mantle of "Jewish values." Their reasoning is that Judaism, and by default the state of Israel, are based on a set of guiding principles and values, the basis for which are found in the Book of Genesis. One frequently cited story from scripture is that of Abraham, who was sitting at the opening of his tent one day when he saw three strangers drawing near him. He rushed to greet them, offering them a feast of food. Abraham bowed before them, addressing them as, "My lords." The lesson of welcoming the stranger and providing hospitality (*hachnasat orchim*) is also evoked extensively in the Talmud.

The outspoken rabbis have largely come from the non-Orthodox Reform and Conservative strains. Jerusalem rabbi Susan Silverman, the sister of comedienne Sarah Silverman, initiated an Anne Frank-inspired program for rabbis to hide migrants in imminent danger of deportation. It is no surprise that those rabbis of the Western left—the same ones leading protests in the United States against President Donald Trump's migrant family separation policy—have taken charge in Israel.

Other religious communities are also springing to action. After Israel's immigration office was relocated to Bnei Brak and problems persisted, rather than attempt

to force a change of location again, a small group of around twenty Haredi (ultra-Orthodox) residents of the neighborhood organized chairs for the waiting refugees, shaded areas for them, and makeshift restrooms. Haredim have even painted over racist graffiti left on the aluminum fencing that makes up the migrant compound outside the office, where some applicants spend days waiting in line. Phillipa Friedland, the deputy director of the Jerusalem-based Interfaith Center for Sustainable Development, for example, helped raise more than $3,000 to procure portable toilets. She has also cleaned the toilets herself.

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On the political front, the Religious Zionist rabbinic community that holds sway within the governing coalition has mostly stayed away from the controversy. But some, such as the chief rabbi of the Ofra settlement in the West Bank, said that the migrants' presence constitutes an ethical, constitutional, and humanitarian challenge for the Jewish and democratic state.

Rabbi Avidan Freedman, a Religious Zionist educator and activist, said he believed large parts of his community were duped into believing the migrants constituted a demographic threat to the Jewish nature of Israel. Freedman and others are of the notion that the government blew the migrant problem out of proportion for political benefit. It has been a charge levied against Prime Minister Netanyahu on more than one occasion: that he stokes fear of the "other" in order to play on voters' often-reasonable anxieties.

The public outcry from those few Religious Zionist rabbis has, in part, inspired the revival of the Meimad party, a long-dormant religious Zionist organization known for its more dovish, left wing leanings. Party leaders are preparing to test the waters to see if they can siphon votes from disenfranchised supporters of the National Religious camp, who may feel their representatives have drifted too far to the right. This could be a victory for the migrant movement after all.

A Calculable Cost

The crisis also has an economic component to it, one that may appeal to those who don't have moral qualms about the migrant issue. For example, Israel's Restaurants and Bars Association said its 800-member businesses employ around ten thousand African migrant workers. They wash dishes, clean, and cook, filling jobs that Israeli citizens are unwilling to do. Restaurant owners have lobbied the government against recent deportation, claiming they cannot run their businesses without the migrants.

In May, over sixty leading Israeli businesspeople submitted a proposal to the government that would relieve the heavy concentration of migrants in south Tel Aviv, and provide funding to rehabilitate the neighborhood. The plan encouraged Netanyahu to accept the UN deal again, but with a tweak. Remaining migrants would be scattered throughout Israel so that they wouldn't account for more than one percent of the population of any community in which they are resettled. It would also urge the migrants to pursue employment in industries facing staffing shortages. The group estimates the latter measure would generate over $920 million per year, drawing increased income tax revenues of $45 million.

Some members of the pro-migrant community say this is a good step, but business shouldn't be what drives a political decision.

Running Out of Options

Indeed, the Israeli government is running out of options and time. Under pressure, Netanyahu's two biggest coalition parties, the Jewish Home and Kulanu parties, announced in mid-June that they would advance legislation that would allow the parliament to override the Supreme Court on the issue of forced deportation with a simple majority vote. The attorney general previously declared he would not support such legislation.

Interior Minister Aryeh Deri told the press in May that Netanyahu's office had re-engaged with the UN in an effort to sweeten the terms of the original deal. Ever the pragmatist, Netanyahu realizes that while challenging the Supreme Court may appeal to his base, ultimately, forcible deportation of tens of thousands of migrants isn't feasible from a logistical standpoint, or good for the state's international standing. A more favorable deal with the UN might allow him to save face, but he'll have to convince his coalition partners that there are no other viable options remaining.

Ironically, when Netanyahu announced the original UN deal, he said that migrants would be sent to developed countries, such as "Canada, Germany, and Italy." Those countries afterward denied they were part of any resettlement scheme. Netanyahu's office later said he mentioned those nations simply as examples of Western countries. Based on recent events, it's highly unlikely that Germany and Italy will have any part

of such a deal, and few Western nations are likely to step up to the plate in such a volatile political environment.

In fact, the most likely scenario is a centerpiece of Israeli politics: talk tough, develop a piece of legislation that won't pass, watch it get rejected with an accompanying time limit to submit a better law, and repeat all that over again. Nonetheless, perhaps in a bid to buy more time, the Israeli government notified the High Court of Justice in late May that it will grant humanitarian status to three hundred Sudanese refugees from the war-torn Nuba Mountains, Blue Nile, and Darfur regions of Sudan. However, the only Sudan native to receive refugee status to date is a law student named Mutasim Ali. After hearing word of the latest news, he posted on his Facebook page, "One more step forward— we shall overcome!"

Overcoming, however, seems unlikely. The polls say the right wing government is staying in power, even if the prime minister himself falls. Political expediency conquers all in Israel, and there is no indication that any tangible pressure will be brought by the political base to keep the migrants in the country. This issue cannot be won by the migrants or their supporters by playing the morality card. Rather than complain, the pro-migrant community will have to provide a viable solution that is convincing and aligned with the interests of a nationalist government.

Netanyahu has struggled mightily in maintaining good relations with the more liberal Jewish diaspora. He was humiliated in late June when the Jewish world's cornerstone non-profit organization, the Jewish Agency, selected Netanyahu's political rival, Isaac Herzog, as its new chairman. It was a signal that the diaspora had enough of Netanyahu and his political games. The agency's board of governors called on the government in February to grant legal status to more than five hundred minor asylum seekers who received education from Jewish Agency and state-run programs, and to ensure that all migrants are afforded a transparent asylum application process.

Perhaps the migrant issue is one that could restart a dialogue between Netanyahu and world Jewry—one that could lead to a better understanding about what it means to be Jewish and why diaspora Jews should still fight for what they view as proper Israeli values. Instead of spending tens of millions of dollars on desert prisons and endless bureaucracy, the government can partner with the Jewish Agency and other Jewish nonprofits throughout the world to develop a resettlement fund for these migrants. As a hub of the high-tech world, Israel could invest in these migrants through training programs.

The migrant crisis gives Israel an opportunity to be a "light unto the nations"— to take those who say they were forced to flee from their homes, to give them the skills that only a place like Israel can, and to pass along skilled professionals to do good things around the world. It is a politically acceptable plan, which involves a joint collaboration

between all strains of Judaism and with Jews in the world; it is financially sensible; and it fulfills a cornerstone of Jewish identity. Before the migrants can truly "overcome," the Israeli right wing government and the Jewish left will need to work out and overcome their own conflicts. This seems a good place to start resolving differences.