

“Strangers in a Strange Land”: The Ethical Debate of African Refugees in Israel

The Elie Wiesel Foundation for Humanity

Prize in Ethics

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*You shall not wrong a stranger or oppress him,
for you were strangers in the land of Egypt – Exodus 22:21*

Last Passover, as I was walking in Jaffa, I passed a theatrical demonstration against the government's treatment of *plitim*. Intrigued and confused about the meaning of the word, I walked through the demonstration to observe the actors in their different stations convey messages about protecting the rights of these *plitim*. At each station the actors expressed the struggles and hardships that the *plitim* faced. At one of the stations, a few actors wearily dragged themselves through a large pile of sand. They did not say anything but next to the station there was a plaque reading, "You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt. – Exodus 22:21." I recognized the quote from *seder* the night before and suddenly remembered the word *plitim* from Hebrew class— refugees.

For better or worse, the way I choose to live my life in America in the beginning of the 21st century is dictated by what happened in Eastern Europe in the 1940s. My grandparents are Holocaust survivors and I feel a certain responsibility to not only keep their memory alive, but also to help those seeking refuge from dangers in their home countries. During my year studying abroad in Tel Aviv, the ethical debate regarding the treatment of asylum seekers from Eritrea and Darfur has been constantly in the news. Because of this sense of responsibility, I started volunteering at the Elie Wiesel Foundation's Darfurian Refugee Program tutoring and playing with the kids. This is where I first met the *plitim* that came to Israel through Egypt only a few years ago.

The first time I went to the after-school center, a flood of emotions ran through my head. Although these kids come from a wildly different background than myself, I felt a strong

connection to them. I saw the face of my grandma, who did not get to finish the fifth grade because of the war, in some of the young girls I tutor. I feel that I owe these kids something because that is how I would have wanted my grandparents to be treated when they were in displaced persons camps after the Holocaust— strangers in a strange land. As a grandchild of survivors of genocide who managed to succeed in their new country, I have a responsibility to help these kids from Sudan adjust to their new country. Because I am part of the third generation, I am in a position where I can volunteer my time to help other victims of genocide and, therefore, I feel a certain ethical obligation to do so.

When I met Naom, a quiet boy from Eritrea, I began to understand the hardships these children have gone through and the difficulties of being a refugee. My first day volunteering was his first day of school in Israel. He spoke little English, even less Hebrew and had just been released from a detention center with his mom. Also, he is eight-years old and loves to play soccer. When I changed schools in the fourth grade I thought it was the worst time in my life having to make new friends and get used to the new building. Then I met Naom and realized how much he had to overcome as a fourth-grader not knowing the language or any of the kids in the school and above that, carrying a difficult past along with him. His future in Israel is uncertain, but for now he comes to the after-school center every day and diligently tries to learn the Hebrew alphabet.

Naom's story is typical of asylum seekers coming to Israel as they arrive not knowing the language and are quickly thrown into an unfamiliar life. Since 2006, roughly 27,000 asylum seekers have entered Israel through the Egyptian border, mainly coming from Eritrea and Sudan (IRIN). Currently, Israel gives asylum seekers collective "temporary protection" and, for the most part, refuses to individually examine asylum requests. This way, the Israeli government has

only given 190 asylum seekers refugee status. Still, asylum seekers continue risking their lives to come to Israel and the government has recognized the recent influx as a demographic and security threat to the state, but has failed to adequately address human rights issues (Peratis). The government must revise its current refugee policies according to ethics that will protect both the international human rights of the asylum seekers and the rights of its citizens.

From an ethical standpoint, many Jews believe that because of their history of being refugees and being unwelcomed – in both biblical and recent times – they have a special responsibility to help those in need. In echoing sentiments of the Jaffa protesters, Interior Minister Sheetrit claimed, “Because of the history of the Jewish people, Israel cannot ignore the refugees fate” (Mualem). The Torah teaches this concept of ethical responsibility as we remember our struggles in Egypt and are told that because of our past we are not allowed to mistreat other “strangers.” This value has been displayed at the forefront of Jewish activism against the genocide in Darfur as activists drew parallels between the modern genocide and the Holocaust. However, recently proposed refugee policies in Israel could jeopardize the fate of these refugees. With 1,200 refugees entering the country each month, the Israeli government has proposed drastic solutions (Branovsky). However, these proposals are guided more by fear than by ethics.

In an effort to reduce the number of asylum seekers in Israel, Prime Minister Benjamin Netanyahu has made strides to expel those currently offered “temporary protection” back to Africa and restrict further entrance into Israel. The Knesset recently passed legislation to build a 60-kilometer wall on the Egyptian border to keep asylum seekers from entering Israel illegally (IRIN). Netanyahu is also considering paying African countries to take refugees in, because he fears that the influx of people crossing the border will pose a demographic threat to the Jewish

state. In a recent YNET news article, Ibrahim Saad al-Din, a refugee from Darfur, criticized Netanyahu's policies stating, "It's difficult to hear this proposal, because it's as though we're being sold. We were always in Africa, so why did we come now and not a decade ago? Because there is a problem and people flee due to fear, not economic troubles" (Branovsky). Saad al-Din continued that he has nowhere to go back to, as his village was burned down four years ago. Netanyahu's efforts to return these asylum seekers back to Africa could endanger their lives and go against the United Nations Refugee Convention.

The legality and ethics of Israel's refugee policies is beginning to concern the United Nations. The United Nations High Commission on Refugees condemned the Israeli government for its mistreatment of refugees. In its position paper to the Israeli Supreme Court, the commission said Israel might be violating international law by its "hot return" policy. This policy allows soldiers to stop asylum seekers on the border and send them back to Egypt within 24 hours of their entry if they are still within 50 km of the border (Weiler-Polak). During this process, the government denies them access to a hearing or an interpreter ("The Infiltration Prevention Bill Lies and Reality" 5). In her opinion-piece "On the Egypt-Israel Border, a Modern Exodus," Kathleen Peratis criticizes this policy, "To engage in 'hot returns' that fail to examine the pleas of such asylum seekers is not only to forget what it was like to be slaves in Egypt, but also what it might have been like to be trudging through the Sea of Reeds, anxious and fearful that the escape might fail and all would be lost." Once in Egypt, there have been many instances of Egyptian border guards shooting at the migrants or returning them to their countries of origin (Peratis). Last year alone, the Israeli government deported over 200 asylum seekers attempting to cross the Egyptian border and it does not have plans to discontinue this policy.

The most frightening effort to reduce the number of asylum seekers, however, is “The Infiltration Prevention Bill” currently in the Knesset, which would affirm the “hot return” policy amongst instituting other barriers. According to the UN Office for the Coordination of Humanitarian Affairs:

The bill empowers border guards to immediately deport ‘infiltrators’ who are citizens of an enemy country, which includes Sudan, before they can file for asylum. It also allows for stiff terms of imprisonment for infiltrators, and could criminalize the work of NGOs which help them.

This bill would allow Israel to ignore the statutes of the UN Refugee Convention that the government signed in 1951, and in turn, deport anyone who enters Israel illegally, including those fleeing a genocide. Refugees, including children, could be imprisoned for up to seven years without proper legal proceedings and any person attempting to assist refugees could also be imprisoned for criminal activity (“The Infiltration Prevention Bill Lies and Reality” 2). Non-government organizations are lobbying to get this bill out of the Knesset as they deem it a violation of refugee rights that the State worked so hard to establish with the UN in 1951, only a few years after the Holocaust.

While the government has focused on how to keep the refugee population from expanding dramatically, an equally important issue involves the ethical treatment of those who have already arrived. As we learn from the Book of Exodus, we should welcome the refugees as we as Jews were once “strangers in the land of Egypt.” While the government has been neglectful in establishing programs to ease the integration process, many private organizations such as the Elie Wiesel Foundation have instituted programs to assist refugees. According to Mark Hetfield, Vice President of Policy and Programs for the Hebrew Immigrant Aid Society, even though Israel has received fewer refugees than other countries in the region, “no country in the neighborhood – and maybe no country anywhere else in the world – has seen civil society and volunteers come together so quickly to assist and advocate on their behalf.” The

government's policies should better reflect the compassionate views of its citizens. Instead of passing legislation that could harm the lives of these asylum seekers, the Israeli government must enact policies that reflect the Jewish values to help strangers.

Supporters of Netanyahu's policies argue that it is not Israel's responsibility to protect these asylum seekers, as many are migrant workers and the government does not have the resources to absorb them. The government must be mindful that Israel should remain both a Jewish and democratic state and protect its citizens. Therefore, critics of absorbing refugees insist that, ethically, Israel's immigration policies must place its citizens' needs over the needs of any other group. Political ethics, which in this case is protecting citizens, would clash with religious ethics of helping strangers. Moshe Feiglin, head of the Jewish Leadership faction of the Likud party expresses this dichotomy and explains why Israel cannot be responsible for these asylum-seekers:

A person who identifies first and foremost as a Jew understands that Israel must present its moral stand on ethical questions that arise throughout the world. As such, Israel must be involved in a solution for the Darfur refugees. The solution cannot be inside Israel's borders, because Israel is a nation-state, not a state of all its citizens.

Feiglin argues that this is a case of illegal immigration that is putting a drain on the economy, not a case of refugees. By international law Israel does not share a border with Sudan, so by absolute definition these asylum seekers are not considered refugees (Feiglin). Netanyahu's policies treat these refugees as infiltrators as he deems them a threat to the democratic and demographic nature of Israel without instituting proper ways to determine their status.

If these refugees pose a real threat to Israel, then ethically Netanyahu has every right to take measures, as Feiglin encourages, to protect Israeli citizens. When African refugees first arrived in Israel in 2006, the government placed them in extended detention for this reason, but already in 2007 Israel stopped this policy because no proof of security threats ever surfaced.

There has been no evidence that asylum seekers from African countries have threatened the security of Israel in any way, making it unethical for the Israeli government to take measures such as passing the Infiltration Bill or allowing “hot returns” in order to keep refugees out of the country. According to the United Nations High Commissioner for Refugees, 90.4% of Eritrean and Sudanese asylum seekers are refugees. This statistic is based on information that the Israeli government supplied to the UN, but tells the Israeli public that these people are not refugees (“The Infiltration Prevention Bill Lies and Reality” 5). That way, they do not have to admit unethical treatment of deporting or detaining refugees.

The Israeli government cannot become overly concerned about the potential adverse impact and not be mindful of its obligations to treat these refugees ethically. Indeed, if the government had policies to educate and assist them as they do for new immigrants, then these asylum seekers might become productive members of Israeli society. According to “The Infiltration Prevention Bill Lies and Reality,” “Contrary to the image of the needy refugee, the status of most refugees is very different. These are young, healthy, resourceful people, and if given the chance they can support themselves and become constructive members of the community” (8). Many refugees have already started their own businesses and employ other refugees. Instead of viewing these asylum seekers as a drain on the economy and a threat to the State, a new attitude must be adopted. They should be viewed as a source of human capital that if properly nurtured, could in turn, help build and strengthen the State of Israel.

According to a recent article in the Jerusalem Post, within the next few years the number of African asylum seekers in Israel could reach 100,000 (Friedman). These dramatic numbers have led the government to consider drastic laws that instead of protecting the rights of these asylum-seekers, could jeopardize their lives. These proposals are similar to America’s

isolationist policies in the 1930s and 1940s where President Roosevelt instituted strict quotas limiting the number of Jewish refugees from entering the country. Assumptions that these populations will harm Israel's security cannot be Netanyahu's excuse for acting in accordance to Roosevelt's ill-advised approach. The government must look at these rising numbers and create a sustainable infrastructure that would both protect the rights Israeli citizens and treat asylum seekers compassionately.

The Israeli government fears that if it gives African asylum seekers refugee status, the numbers would become virtually impossible for such a small country to handle. However, according to "The Infiltration Prevention Bill Lies and Reality" report, "By refusing to review asylum requests by Eritrean and Sudanese refugees, Israel is withholding their chance to emigrate to another country, where many of their relatives have already settled" (9). Most of the asylum seekers to whom Israel granted refugee status have since immigrated to other Western countries more open to taking in refugees (ibid). Feiglin may be right in his assertion that the solution cannot be entirely within Israel's borders, but ironically, the government may be aggravating the problem by refusing to give refugee status. With its current policies, the government is essentially trapping these asylum seekers in Israel without offering them proper rights and a chance to immigrate outside of Israel.

As Jews we say "never again," but a genocide happened again and instead of treating others in an ethical manner, Netanyahu is proposing inhumane policies that are an embarrassment to the State of Israel. It seems almost hypocritical for a country built by refugees to turn away refugees. Rather than jumping to conclusions, the Israeli government must set up a better process to determine the status of those crossing the borders. The government must decide if they are refugees fleeing genocide because that fact determines the ethics of how Israel should

treat them. By assuming that these asylum seekers are migrant workers and defining them as infiltrators, not only is the Israeli government treating people in an unethical manner, but it could be in violation of international human rights. We, as the Jewish people, have known suffering and now we are in a position to help those who are in need. Therefore, this is not only the proper way to treat others, but ignoring their needs would be unethical. As a Jewish state, Israel must promote immigration policies that reflect ethical responsibility not just of other Jews, but of any strangers needing to escape their home.

While looking around the room at each child's face at the after-school center, I cannot help but think how these pending government policies could affect them. Will they have a chance to stay in Israel and build a new life? Or will they be deported to Africa under Netanyahu's new proposal? Writing this essay forced me to reflect on my own ethics in forming my opinion of the refugee problem in Israel. There is no simple solution, but I have hope after reading about civil society's efforts to give assistance to asylum seekers coming from Africa and felt inspired. I believe that there are enough people in Israel who uphold Jewish ethics so that the lives of the children at the Bialik-Rogozin School will not be in danger.

Because of my family's history, I believe strongly in the need for a Jewish state. Throughout my research I began to question my views on the refugee problem as it could potentially pose a threat to the demographics of the state. However, my work with the kids at the Bialik-Rogozin School forced me to view the Jewish state in a different way. I asked a few kids if they knew the name Elie Wiesel, pointing to the sign outside their classroom and they stared at me blankly. They had no idea. There was some beauty in this ignorance, that they were completely unaware of why their after school program was established. All of the programs that assist these refugees make reference to the history of the Jewish people being a dispersed nation.

We cannot forget this identity and must extend our hands to those in need of refuge. These kids are learning to read and write along with Israelis at the school. They have all the potential in the world and the Jewish state must recognize this and treat these people like human beings, not as a threat. We of all people should know better because we too were strangers in a strange land.

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