Infiltrator’s next of kin
van Reisen, M.E.H.; Borgman, E.P.N.M.

Published in:
Palestinian Identity in relation to Time and Space

Document version:
Publisher's PDF, also known as Version of record

Publication date:
2014

Link to publication

Citation for published version (APA):

General rights
Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.
- Users may download and print one copy of any publication for the purpose of private study or research
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying the publication in the public portal

Take down policy
If you believe that this document breaches copyright, please contact us providing details, and we will remove access to the work immediately and investigate your claim.
1. Bone of my bone, flesh of my flesh

In the opening stories of the Bible exploring what it means that we, along with the rest of the cosmos, are not gods but creatures, the suggestion is that human beings participate in their environment by exchanging gifts. We receive food, shelter and especially company, and in return we name the givers of these gifts. As it is written: ‘whatever Adam called every living creature, that was its name’ (Gn. 2:19). When Adam, as the prototypical human being, finally sees Havva (Eve, the ‘life-giver’), he exclaims: ‘This at last is bone of my bones and flesh of my flesh’ (Gn. 2:22). Here the name expresses the closeness of the relationship: the woman is called isha (אישה) in Hebrew to show her closeness to the man, ish (יש). Clearly, naming
and stories about naming are not simply about identity, but about who we are. They are about relations: who are we in our connections to these others?

This is not to say that naming constitutes the relations. The suggestion in the early stories of the Bible is that to really discover another creature, especially another human being, means meeting ‘a helper as our partner’ with whom we are called to build a community of equals. The question is how we respond to this discovery. The biblical tradition projects that we should allow other human beings to name us as much as we name them. It is written: “You shall love your neighbor as yourself” (Lv. 19:18) not “You can treat your neighbor as you see fit”. In South African culture this idea is expressed as ubuntu: “I exist because of you” or “A person is a person through other persons.” In a process of reciprocal naming of our respective worlds we create a common world in which we live as part of a whole.

However, as we know only too well, human history is in fact full of rivalry and conflict, violence and war. Usually this is not between total strangers, but between next of kin. And this has been so from the beginning: ‘Cain rose up against his brother Abel, and killed him’ (Gen. 4:8). Because of this we know that potential helpers and partners can turn out to be rivals and even enemies. Therefore, when we do recognize a fellow human being, we will be tempted to treat him/her as Adam treated the animals: he gave them names, but he did not find a helper and a partner among those to whom he gave a name. He labeled and he ordered, and thus he controlled and he mastered. It may be the melancholia of the modern human condition: craving for the company of other beings who are our equals and whom we can trust. And whilst we are aware that it is impossible for human beings to be alone (cf. Gen. 2:18), we tend to become afraid once we meet a being that seems to be ‘bone of my bones and flesh of my flesh’. Who
knows what it might imply to depend on him or her and what he or she might do to us?

2. The Anxiety of the Nation State

Modern nation states are founded on the fiction that we are able to solve the question of who is to be trusted, and who does and who does not belong in the community of those with whom we will share our destiny. To fight the existential anxiety that results from recognizing the possibility that others may cause harm, we invent and label enemies so as to define and localize the threat. Safety then becomes synonymous with controlling the enemy, barring him from the neighborhood, even getting rid of him, or at least not allowing his presence to be unobserved and on his own terms. Naturally, this does not provide more safety, as the anxiety routinely returns and even doubles or triples in intensity. Having defined the enemy, there is the uncertainty of being able to control him compounded by the difficulty of recognizing and localizing him/her.

The growing vulnerability of nation states, the increasing permeability of borders and the globalization and integration in economic and financial networks, leads governments to be concerned with the fluidity of citizenship. They focus on migrants, refugees and asylum seekers as a means of sustaining their definition of what a citizen is and hence their long-term survival. Are these migrants really who they claim to be, people under threat, or are they in fact enemies of our prosperity, and of our peace and our culture of freedom and equality? As the nation state seeks to define its community of citizens, it is especially disconcerting and uncomfortable that many refugees by definition do not have a clear identity of their own in the prevailing system of national and racial labels, and it is precisely
this non-identity that may indeed have provoked them into fleeing or moving. In the context of the growing fragility of the current nation state, it is increasingly regarded as imperative that migrants are unequivocally labeled and named. Without such labels they cannot be controlled and distinguished from ‘true’ and ‘normal’ citizens in order to avoid the nation state losing its definition and its ‘raison d’être’ of separating ‘us’ from ‘them’.

In the European Union it is clear that migration and asylum policies are usually not intended to deal with the situation of those seeking a safer home, or a place that seems more promising to facilitate a decent life. These policies first and foremost aim at the proper labeling of migrants and the positions they are entitled to in society, to avoid blurring categories that are supposed to be essential for the definition of the composition of citizenship of the nation state. Hence the issue of ‘foreigners’ is at the basis of the very survival of the state conceptualized as the primary keeper of security for its citizens. Within the context of protection offered by the state, citizens prove to be easily convinced of the need to accept clear categories to determine who belongs and who does not.

Nonetheless, we do not live in a world of merely categories. We know that we cannot live in such a world. Among us there will always be individuals and groups who see the humanity of the people we try to classify in clear-cut categories, thus crossing the abstract delineations that have been invented. In the biblical story at the beginning of Exodus, Moses is rescued by the daughter of the very Pharaoh who had ordered the killing of all newborn Hebrew boys, because she sees in him a human child, not the potential enemy her father projected (Ex. 2:5-10).

How do we in Europe make sense of centuries of colonization and the two world wars in the twentieth century? How do we make
sense of a history in which civilians were excluded from the protec-
tion of their community and country without access to a rule of law?
Millions of Africans were displaced all over the world, sold and kept
in slavery – if not killed. Millions of Jews were excluded from citi-
zenship, a history that finally culminated in the Nazi extermination
camps. But ultimately the dehumanization which is at the basis of
these horrors always crumbles and fails. Anne Frank is a young sister
to all of us when she observes in the midst of misery:

“The best remedy for those who are afraid, lonely or unhappy
is definitely to go outside, somewhere where they can be
alone, alone with the heavens, nature and God. Because just
then, only then does one feel that all is as it should be and
God wants to see human beings happy within the simple, but
beautiful nature.”

Apparently even in the most improbable of circumstances
people can discover that they are provided for and have the task of
providing for others.

Thus Europe’s history brings home the fact that human be-
ings have fundamental rights even when no system or law recog-
nizes them. They are bone of our bones and flesh of our flesh, which
obliges us to treat them as we would desire to be treated ourselves;
with dignity and respect. Each of us knows anxiety, has experienced
what it means to be threatened, has felt how it is to not be toler-
ated, or to be in a position where we cannot make demands. ‘You
shall… love the stranger’, it is said in the Book of Deuteronomy, ‘for
you were strangers in the land of Egypt’ (10:21). Our anxiety, which
may lead us to prosecute others, because we see them as potential
threats, can also bring us to recognize anxiety in others and to act in
their support. Jesus seems to have repeated this command in a dif-
ferent context as he said that we should love our enemies (Mt. 5:44;
Palestinian Identity

Lc. 6:27). We have all been enemies ourselves, or felt that we were treated as such when we in fact needed love and compassion.

It is probably fair to say that Israel is a country born from extreme anxiety. That anxiety did not come out of nowhere. It resulted from the almost successful attempt to exterminate the Jewish population of Europe by the Nazis and its collaborators. Some survivors tried to move as far away geographically as possible from that history of pogroms and persecution, attempting to forget their Jewishness or quietly keeping it in the background of their new lives. Desiring to live safely as modern people in a modern society, many who were able moved to the U.S. Others vowed to themselves and to coming generations that the future would never again be like the recent past. Having experienced that ultimately nobody could be trusted—as seen by the way the Allies had not come to their rescue when the Nazi’s tried to ‘solve’ definitively the question the Jews allegedly embodied, by not even tying to bomb the railroads to and from the gas chambers in the extermination camps—they established Israel as a Jewish state in the country of Palestine in 1948. For them, recent history gave ultimate credibility to the Zionist narrative of the Jewish people, expelled from their homeland and scattered over the Gentile world, waiting for the right moment to return home to their country of origin. Israel should be safely Jewish, imagined as a place where every Jew in the world should be able to flee when in danger, and to be secure against any foreign threat. 

In real life, the establishment of Israel was a much more complicated and paradoxical affair than that for which the Zionist narrative accounted. As a variant of nineteenth century nationalism, Zionism presupposed a homogenous Jewish people as a given. The assumption was that it was somehow unambiguously clear who belonged and who did not. Zionism conceived of a homeland whose people had the moral, if not yet legal right to it. Nevertheless, as the
Israeli historian Shlomo Sand has argued convincingly, the notion of a Jewish people as clearly defined, the claim as a people on Israel as its original inhabitants, the base within a framework of rights of the claim to the land of Israel, and the demarcation of Israel as a land with natural boundaries, inherently lacks the precision that was imagined.  

Once that is clear, once cannot escape dealing with some hard questions. Why would the land not belong to the people who had lived on it and cultivated it for centuries before the State of Israel was established in 1948? What could justify the expulsion of the original Palestinians from their homes and communities through a combination of pressure, intimidation and terrorist violence? What are the foundations for the claim to belong to the Jewish people and to benefit from the right of immigration from every country in the world to Israel? And perhaps the hardest question of all: how can sovereignty be established with so many conflicting claims?

In actual fact, these questions were not answered through philosophical debate, but by concrete praxes of removal and incorporation, inclusion and exclusion, of remembering and forgetting. The Separation Wall for instance literally provides a definition of inclusion and exclusion by creating a fixed frontier separating Israelis and Palestinians. The battles, the injustices and the contestation are made invisible. For instance, the University of Tel Aviv erected four places of memory to commemorate Jewish history. However, the centuries old history of the village al-Shaykh Muwannis, on whose ground the University was built, is not mentioned and thus the history of the expulsion of the villagers, whose homes were torn down and whose land was taken away from them, remains virtually hidden.
3. Infiltrators or Mistanenim

This brings us to the issue we want to explore further in this paper. When Palestinians whose ancestral lands where taken returned to places where they had lived, they were called ‘infiltrators’. Even if they simply returned to collect a few belongings, or visit their fields and perhaps revive some memories.

The Hebrew word ‘mistanenim’ translates as ‘infiltrators’ (one mistanen / mistanenet (pl)), in Hebrew: מסתננים, מסתנן, מסתננת. Based on the Hebrew root “S-N-N,” the words for both “filter” (mas-nen) and “sieve” (mesanenet) are formed. The term ‘infiltrators’ is associated with Palestinian refugees who were driven or fled from their villages during the 1948 Arab – Israeli War and later found themselves on the other side of a hostile border. Israeli actions to establish the State of Israel included the uprooting of 700,000 Palestinians, described by historian Benny Morris as ‘transfers’ without which the establishment of the State of Israel would not have been possible. This is an uncomfortable conclusion as Haaretz interviewer Ari Shavi describes:

“[Morris] gives the observer the feeling that this agitated individual, who with his own hands opened the Zionist Pandora’s box, is still having difficulty coping with what he found in it, still finding it hard to deal with the internal contradictions that are his lot and the lot of us all.”

Today the sons and daughters of the Palestinians who were ‘transfered’ sometimes seek to visit their ancestral homes, but are equally labelled with the term ‘infiltrator’. In an article entitled “It was always my dream to reach Jaffa, Syrian infiltrator says”, the
newspaper *Haaretz* reported on August 17, 2013 the story of 28 year old Hijazi, who was raised in Syria, and who hitchhiked “to Jaffa in search of what had been his parents’ home before they [were] driven away during a war over Israel’s founding in 1948.”\(^1\)\(^4\) Hijazi was arrested on a charge of ‘infiltration’. In his comments to the media he portrayed his desire as simply a personal motive: “I imagine there are many Palestinians who don’t want to come back here, just like there are many Jews who also don’t want to stay.”

The term ‘infiltrator’ is associated with military (command driven) action. It is also associated with secretive operations against authorities while remaining invisible. In 1948 Witold Pilecky, a native of Poland, was executed after he had allegedly ‘infiltrated’ Communist Poland from the West. Pilecky has since become known as the Auschwitz Infiltrator and has recently received posthumous fame. The story is that he, being from non-Jewish descent, volunteered in 1940 to infiltrate Auschwitz and thus allowed himself to be rounded up by the Gestapo. Pilecki spent thirty-one months in the notorious concentration camp, organizing an inmate resistance network and shipping intelligence about the camp’s operations to the Polish resistance and the Western Allies.\(^1\)\(^5\) The Jewish Library records that:

> “He began sending information... confirming that the Nazis were seeking the extermination of the Jews to Britain and the United States as early as 1941. [...] Documents released from the Polish Archives... raised questions as to why the Allies... never did anything to put an end to the atrocities being committed that they learned of so early in the war.”\(^1\)\(^6\)

The dictionary defines an ‘infiltrator’ as someone who takes up a position surreptitiously for the purpose of espionage, as a spy, undercover agent - (military) a secret agent hired by a state to obtain information about its enemies or by a business to obtain industrial
secrets from competitors or an intruder (as troops) with hostile intent.\textsuperscript{17}

A Hebrew dictionary provides the meaning “entered in secret/hidden and without permission; broke through (penetrated).”\textsuperscript{18}

Indeed, the flight of Palestinians displaced by the 1948 Arab-Israeli War gave Israel with the possibility of inserting agents as spies into neighbouring countries, where they were disguised as refugees.\textsuperscript{19} These infiltrating operations meant that identities crossed and double crossed, as the following story from the internet newspaper \textit{The Times of Israel} relates:

“At the moment of Israel’s creation 65 years ago, Isaac was a Jewish refugee from an Arab country who was in a different Arab country pretending to be an Arab refugee from a Jewish country. The multiplicity of lost homes and the layers of displacement in his story contain something essential about the country he helped found — a home for homeless people — and about the wars and loss among Jews and Arabs that have been part of its existence since then.”

Matti Friedman, the journalist recording the story of Isaac Shushan, concludes: ‘one can also discern the idea that perhaps the easy division between Jews and Arabs might not be as firm as we tend to think.’\textsuperscript{20}

For Israelis the term infiltrator has long been largely associated with security threats. A current Jewish resident of Jerusalem remembers:

“People my age (60) do remember fear of infiltrators that might be terrorists. Some of them were, but with time we learnt that most were only farmers trying to get some of their crops.”\textsuperscript{21}
Despite recognition in hindsight of the reasons why Palestinian villagers might try to reach their former land, the term remains associated with danger: “During the ’50s and the ’60s, until the ’67 war,” she states; “after that, borders became somewhat less of a problem.”

In 1954 the term ‘infiltrator’ was for the first time defined officially in Israeli law. An ‘infiltrator’ was considered to be a person:

“Who has entered Israel knowingly and unlawfully and who at any time between the 16th Kislev, 3708 (29th November, 1947) and his entry was - (1) a national or citizen of the Lebanon, Egypt, Syria, Saudi-Arabia, Trans-Jordan, Iraq or the Yemen; or (2) a resident or visitor in one of those countries or in any part of Palestine outside Israel; or (3) a Palestinian citizen or a Palestinian resident without nationality or citizenship or whose nationality or citizenship was doubtful and who, during the said period, left his ordinary place of residence in an area which has become a part of Israel for a place outside Israel.”

The law stipulates severe sentencing, which was increased in subsequent amendments. The law also affected those who help ‘infiltrators’:

“Where a person has sheltered an infiltrator or has otherwise aided an infiltrator in order to facilitate his infiltration or his unlawful presence in Israel, and the Court is satisfied that he has given such shelter or aid before, that person is liable to imprisonment for a term of fifteen years or to a fine of ten thousand pounds or to both such penalties.”

An order that amended the law in 1969 explicitly connected ‘infiltrators’ to deportation:
“The military commander may order, in writing, the deportation of an infiltrator from the Area, whether charged with an offence under this order or whether not charged and the deportation order shall serve as the legal source for holding such infiltrator in custody pending his deportation.”

The context of the 1954 law and subsequent amendments was highly specific. In an analysis of the word ‘infiltrator’ in Haaretz in 2012, journalist Michael Handelzalts gives this background to the term:

“The Hebrew word is loaded with very specific historical meaning. It brings us back to the 1950s, the first years of the recently established State of Israel following the bloody period of the War of Independence, ... what is referred to today by the Palestinians as the ‘Nakba’ (catastrophe). [...] The broader context of those incidents were the efforts of the Palestinian refugees to return to the places they had left – voluntarily or unwillingly – within the borders of Israel, or in other words to realize their ‘right of return’. The young State of Israel was adamant about thwarting any such attempt, even in the case of Palestinians who remained within the country’s borders – i.e., not ‘infiltrators’ – and wanted to return to the villages they had left during the war.”

Originally a word for people threatening stability or security by inimical intent, the 1954 law associated an ‘infiltrator’ with arrangements as to who belonged where, which people belonged in which country or region. Those who had formerly lived in Palestine were now of ‘doubtful’ citizenship and for this reason alone they were perceived as risks to what was experienced as ‘security’. It was not so much their real threat in terms of military danger, but their subversion of the standard narrative of what Israel was and how it became a
Jewish state that made them into unwanted persons. The Palestinian Human Rights organisation Al-Haq notes how the 1969 military order defines ‘unlawful’ entry into an area “by reference to the opposite term ‘lawful’, which means ‘as per permit by the military commander’”27 Thus not just the possible criminal intent of the persons, but the mere presence of Palestinians on Israeli territory was criminalized.

In 2010 Israel adopted two new military orders, the 1649 ‘Order regarding Security Provisions’ and the 1650 ‘Order regarding Prevention of Infiltration’, issued by the Israeli Defence Force.28 The adoption of the orders has raised great concern among the Palestinian community and international human rights organisations. It widens the use of the label ‘infiltrator’ to within the Occupied Palestinian Territories (OPT). Lawful presence for Palestinians in the OPTs requires formal authorisation by Israeli authorities, even though the OPT provides IDs and, Israel for its part, has no updated ID records since 2000. This, combined with the presence of Palestinians from Gaza on the West Bank, has raised fears that the order will allow for large-scale deportations of Palestinians from the West Bank to Gaza or elsewhere. Al Haq also expresses concern that the order further criminalises people charged as ‘infiltrators’, as they may not only face deportation, but can also be sentenced to up to seven years of imprisonment. Given the difficult situation of many Palestinians, ‘lawful’ mobility is in reality hardly feasible and will leave many vulnerable to such charges, and therefore to possible imprisonment.

All of this could of course be interpreted in terms of the ongoing struggle between Israelis and Palestinians over the control and moral ownership of land. And indeed, these new orders enable the Israeli occupying forces to control and illegally29 dislocate large groups of people. It has been concluded that this new order is part of an overarching policy that has been in crescendo since 1967: maximizing Israeli control of (Palestinian) land and minimizing the number of
Palestinian Identity

(Palestinian) people. The fact that this policy is targeting a specific national group and the fact that it is accompanied by a persistent settlement policy in the occupied Palestinian territories renders these policies, not only discriminatory, but also racist and colonial.  

Clearly the new orders have extended the issue of ‘infiltrators’ from control over Israeli territory to the OPT. The orders further undermine the idea of the OPT as a sovereign state, thus increasingly corroding the idea of a Two State Solution for Israel / Palestine.

One could argue that the broadening of the label ‘infiltrators’ through the law in this way, defines the Palestinians as de facto subjects of the state of Israel, perhaps under a colonial type structure. By extension the identity of the State of Israel reveals itself as in a relationship with the Palestinian people, unless it fundamentally denies the Palestinians their humanity. “Flesh of our flesh and bone of our bone“– the recognition of shared humanity then has to be brought into the discourse of Israeli – Palestinians relations.

Infiltrators from the Horn of Africa

The new orders, however, do not just target Palestinians. The definition of ‘infiltrators’ was extended from applying to Palestinians and other ‘Arabs’ – seen as the ‘enemy’ who embodies the threat to the state of Israel – to an undefined open category. The orders created fear that internationals who may be ‘undesirable’ by the Israeli Defence Forces are no longer secure in terms of their presence in the West Bank under the authority of the OPT. Moreover, these ‘infiltrators’ can now comprise any non-Israeli foreigners, in the OPT or in Israel: peace activists in Ramallah, or desperate refugees from Eritrea and the Sudan in Tel Aviv, fleeing desolate situations back home and hoping to find a save heaven. Because Israel’s alleged ‘infiltrators’ of old, dare we say its next-of-kin Palestinians, are joined by new
old family members entering their Holy Land. They are labelled as ‘infiltrators’ as well, and treated as such.

Father Mussie Zerai, an Eritrean Roman Catholic priest based in Rome, was the first to be confronted with increasing numbers of desperate calls for help from fellow Eritreans in the Sinai and Israel. The crisis that was revealed emerged as a part of a broader crisis. Refugees trying to cross the Mediterranean to Europe had Fr. Mussie’s telephone number in the event that something happened during the crossing. Fr. Mussie has been trusted to intervene with the authorities as groups of Eritreans increasingly become stuck. Crossings have become more and more hazardous and. Fr. Mussie’s appeals often fall on deaf ears.

In 2011 alone, 1500 people were known to have lost their lives in the Mediterranean, states the European Council. Its report suggests that the authorities, rescue workers and other ships knowingly turned away from saving refugees in difficulty. Analyzing a particular incident in which seventy-two people lost their life, it states:

“From this story, a catalogue of failures became apparent: [...] the Italian and Maltese Maritime Rescue Coordination Centres failed to launch any search and rescue operation, and NATO failed to react to the distress calls, even though there were military vessels under its control in the boat’s vicinity when the distress call was sent. The Flag States of vessels close to the boat also failed to rescue the people in distress. Furthermore, two unidentified fishing vessels also failed to respond to the direct calls for assistance from the boat in distress. [...] Perhaps of most concern... is the alleged failure of the helicopter and the military vessel to go to the aid of the boat in distress [...] [M]any opportunities for saving the lives of the people on board the boat were lost.”
On 8 July 2013 Pope Francis made his first pastoral visit to Lampedusa, the Italian island which provides the first soil for many who do make the crossing. Pope Francis threw a wreath of flowers into the sea in memory of refugees who have perished. The BBC reported that “a small boat carrying 166 Africans – reportedly Eritreans – arrived at Lampedusa’s port just hours before the Pope’s plane touched down.” Using a small painted boat as an altar for Mass, in honour of the rickety boats that refugees use to make the hazardous journey, Pope Francis condemned ‘global indifference’ to their plight. Referring to the parable of the Good Samaritan, he said: “We see our brother half dead on the side of the road, and perhaps we say to ourselves: ‘poor soul…!’”, and then go on our way. It’s not our responsibility, and with that we feel reassured”. His spokesperson explained to the BBC that:

“Pope Francis is showing that when the Christian faith says ‘love your neighbour;’ it doesn’t just mean the person next door. This tiny island shows the incredible contrast between the global North and South, between the ‘haves’ of the world and the ‘have nots.’”

Pope Francis expresses concern not only that people should be helped, if possible. They should of course. But the main issue is the growing incapacity of the world to see them as human beings, “bone of my bones and flesh of my flesh.” In his homily the Pope said: “We are a society which has forgotten how to weep, how to experience compassion – ‘suffering with’ others” and his question was: “Has any one wept?” over “the cruelty of our world, of our own hearts, and of all those who in anonymity make social and economic decisions which open the door to tragic situations like this.”

In 2007 and 2008 the Italian government concluded agreements with the Khadafi administration to return migrants from Italy to...
Libya. Eritreans, persecuted, facing execution or detention at home, and fearful of being returned by the Libyan authorities, looked for alternative safe routes. In 2009 Fr. Mussie Zerai started to receive calls from the Sinai desert concerning Eritrean refugees who were held captive by Bedouins in torture houses without ransom. This crisis rapidly deepened as ransoms increased to the sum of USD 40,000. Research based on more than a hundred interviews has revealed the extensive use of torture on the hostages. The hostages include children, infants and babies. Women and girls are routinely raped and have given birth to babies conceived in detention. Hostages may be held over a period of months, even years, and once released are invariably injured and severely weakened by malnutrition. The hostages refer to Sinai as “hell”. Their story has been told over and over. But has compassion been shown? Does anyone care? Has anyone wept?

The houses of the kidnappers are located close to the Israeli border. While many of the hostages have died as a result of torture, or are killed when they are unlikely to produce ransom, those who have been released have sought to find safety by crossing the border to Israel. In Tel Aviv the Israeli relief groups Hotline for Migrant Workers and Physicians for Human Rights try to support the increasing numbers of refugees. Among these thousands are former hostages held in Sinai. The traumatized Sinai hostages sleep in the open air, in Levinsky Park in south Tel Aviv. Interviews with the Sinai hostages show that Israel was not intended as a destination for many, prior to their ordeal in the Sinai. Eritreans have been taken by force and against their will from refugee camps in Sudan, as confirmed by the UN High Commissioner for Refugees, Gutteres, in 2012, when he visited the refugee camp of Kassala. The UN has described in detail the involvement of the Eritrean administration in the trafficking.

In Israel, the Sinai hostages are routinely jumbled together with other African migrants who have entered Israel in recent years:
foreign workers legally brought by the Israeli government, some of whose visas have expired; foreign migrants entering Israel illegally to find work; asylum seekers and refugees from countries other than Eritrea, such as Sudan. Many of these – even if illegal – find work with municipalities in Israel as street cleaners, or as manual workers or in other low paid jobs. Hotline for Migrant Workers reported that by April 2012 at least 58,088 asylum seekers had entered Israel. According to Hotline most refugees originated from Eritrea (56.46%) and Sudan (25.91%).

In January 2012 the prevention of Infiltration law in Israel was once again amended to – in the words of Human Rights Watch –:

“Define all irregular border-crossers as ‘infiltrators’. The law permits Israeli authorities to detain all irregular border-crossers, including asylum seekers and their children, for three years or more before their deportation. The law also allows officials to detain some people indefinitely, even if border control officials recognize they might face persecution if returned to their country.”

From July 2012 refugees and asylum seekers have been detained, with women and children separated from their husbands and fathers, even though almost all Eritreans and most Sudanese would qualify for asylum if given the chance to apply – a right they are routinely denied, despite Israel’s ratification of Refugee Conventions. Recently, Israel has also started to deport both Sudanese and Eritrean refugees under dubious ‘voluntary’ schemes.

_Haaretz_ journalist Michael Handelzalts has commented on the unfolding situation:

“What piqued my curiosity was the fact that suddenly [...] the rhetoric changed. The 70-odd thousand foreigners originating
from several African countries, hitherto referred to by Israeli official spokesman as ‘economic migrants’... and ‘refugees’... became ‘infiltrators.’”

Handelszalts’ article was entitled: “Word for word: By renaming migrants ‘infiltrators’, Israel is forging a new reality”. As a so called ‘streamer’ to the article, Haaretz printed: “As they juggle terminology, Israeli politicians can paint migrants as a menace – not unlike Palestinian refugees.” Linking Africans to Palestinians through the use of the word ‘infiltrators’ is interpreted here as a way of spreading anxiety. Handelzalts expresses the concern that the use of the term changes the way in which African migrants are perceived:

“We Israelis should know better than all people that words forge our relations with reality. After all, it was by uttering words that God created the world we live in. And we know from our bloody recent past and present that one side’s ‘terrorist’ is another side’s ‘freedom fighter’. Similarly, the seemingly objective term ‘foreign worker’ [...] differs vastly from the term ‘refugee’, which refers to someone who deserves compassion and mercy and possibly asylum, and that is [...] diametrically opposed to ‘infiltrator’, which denotes something sinister and downright dangerous.”

As experts tell us, the word mestanen has a clear link with the related Semitic language of the Horn of Africa region, called Ge’ez. The equivalent term to mestanen in Amharic, which evolved from the classic Ge’ez, is ser-go ge’b. It refers to unauthorised entry, but reflects intent to enter. The term is made up of two words. The root of the first word is mes’reg, which is used to describe water seeping through a narrow opening. The second word refers to ‘entrant’, and used together with the first associates with the word mestanen. It has a similar etymological root as the Arabic متسلل, mutasallil (s.) and
mutasallilien (pl.). This term is currently used in Egypt to describe refugees detained for deportation or already deported, among which are many Eritreans.46

The meaning of the word ‘infiltrator’ is derived from its etymology, its current use as well as its memory: “words, apart from their sway over our perception of reality, have a memory as well, which can permeate the discourse even when the speakers are not aware of it.”47 Israeli journalist Shoshana Kordova reports how Yaakov Katz, Knesset member for the right-wing National Union Party stated that there are so many illegal African immigrants living in Tel Aviv, that Tel Avivians will soon be “moving to the West Bank” as their city “becomes African”:

“The word Katz used to describe the immigrants was ‘mistanenim’, or ‘infiltrators’. It is a word that seems particularly well-suited to scaremongering, since it conjures the other kind of mistanenim: Palestinians from the West Bank who lack permits but sneak into Israel to work.”48

Referring to the Book of Exodus and its command “You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt” (Ex. 22:21), Kordova notes: “In modern Israel, though, that injunction often collides with the goal of retaining the state’s Jewish character, causing religious public figures to advocate kicking the strangers out.”49

While Palestinians associate the term ‘infiltrators’ with themselves, it seems that Israelis associate the term nowadays more with ‘illegal Africans.’ For instance, a young Israeli student, asked what the term means, responded via e-mail:

“In recent years, there is a problem at the Israeli-Egyptian border, as about 0.3 million Africans have been walking across,
yes indeed, can you believe it, they were walking! So these are infiltrators. Most of them are from Sudan or Eritrea. Few have a permit. The remaining are illegal – mostly unemployed, have no special rights – it is sad in so many ways.”50

While the Separation Wall now effectively separates Palestinians and Israelis, the Israeli authorities also recently finished a Separation Fence on Israel’s southern border with Egypt to stop African refugees from entering through the Sinai. This has been very effective and has caused a major problem for the Sinai hostages, as they are no longer able to find safety after being released and face a treacherous and long route. If they are caught by Egyptian police they will be detained and deported, and have to pay for their own deportation. If they stay out of the hands of the police, they face a dangerous situation in Cairo where they remain vulnerable to criminal gangs.

The use of the word ‘infiltrator’ has transformed what is perceived as ‘the problem’ for Israel in its survival and security as a nation state. The anxiety about the safety of the State of Israel is translated to keeping society clean from illegal aliens and their influence. Those who try to ‘help’ the African infiltrators – an offence under Israeli law – are publicly scorned. On the website <http://mistanen.com/> citizens expose Israelis who employ ‘infiltrators’, publicizing addresses and phone numbers. By referring, especially, to the term that was introduced to ‘accompany’ Israel’s very foundation and has continued to label its relationship to the Palestinians, the situation of African refugees has become associated with the underpinning of the state of Israel. As an informant writes, reflecting the use of the word ‘infiltrators’:

“The Israeli approach to the African migrant’s issue has been defined as an existential threat among some decision makers. The usage of the word, which was associated with early Israeli-
Spewed out

The Nation State’s struggle for survival, aided by the narrative that it provides safety for its citizens, can turn against its own citizens by enclosing them: the Separation Wall, the Separation Fence, the Eritrean border with its shoot to kill policy, but still producing 5000 refugees each month escaping from a country that is sometimes called an ‘open air prison’.

Eritrea is a tiny country of four million people on the Red Sea in an immensely strategic position. Journalist Shoshana Kordova points out how the English expression ‘asylum seekers’ focuses on what refugees are looking for, a safe haven in another country, while the Hebrew word plitim emphasizes what makes them refugees in the first place:

“They were ‘spewed out’ (nifletu) of their homelands. The root of plitim is used in a wide variety of disgorgement-related contexts, including baby spit-up, environmental emissions, and plitot peh, or slips of the tongue.”

Eritrea is a former Italian colony, long a part of the old empire of Ethiopia, populated by the Habeshia people from Abyssinia, thought to be the descendants of Ham, the son of Noah, and built on the old civilization of the Aksum Empire. These are the ancient peoples of the Middle East, among whom are the Philistines (Palestinians), and the descendants of Ham governed the longest-ever dynasty of Emperor Menelik, son of King Solomon and the Queen of Sheba. Next of kin to the Israelis, indeed:

“At the time of the first European intervention in Ethiopia, ...the Beta Israel did no perceive themselves as Jews (ayhud
in Ge’ez). They thought of themselves as Israelites. In earlier periods ayhud had been used as one of several derogatory designations of the Beta Israel by the Christians, but the term was equally used to describe pagans or Christian heretics.”

The Temple that King Solomon built in Jerusalem has been imagined as a haven of justice and peace (cf. Psalm 122). At that time, in the eighth century BCE, Palestine was divided between the Kingdom of Israel in the north and the Kingdom of Judah in the south of what is now the West Bank. Around that time the stories of Adam and Eve, and Cain and Abel were written in two different versions by two different authors, one from the Kingdom of Judah (“J”), the other from the Kingdom of Israel (“E”), which were combined in what was probably the earliest version of what we now call the Bible. From the very beginning, therefore, there was no single message in the Bible: J and E interpreted the history of Israel differently and the differences in accent, focus and interpretation were preserved by the editors. Thus from the very beginning diversity is inherent in the biblical tradition.

Judaism still has a strong influence in Ethiopian and Eritrean – Orthodox – Christianity. Ethiopia has its own national religious book, the Kebra Nagast, which provides a strong national identity and legitimizes the Solomonic Dynasty. The 1955 Constitution of Ethiopia – which at the time included Eritrea – rests on the belief of its Israeli identity. African and Jewish history expert, Tudor Parfitt notes:

“The national epic of Ethiopia celebrates the Israelite origins of the royal house, and this became ‘the basic metaphor for legitimacy and authority within Ethiopian culture’.”

Even the Constitution of Ethiopia (1955) refers to this origin as a definition of the country:
“The imperial dignity shall remain perpetually attached to the line... [which] descends without interruption from the dynasty of Menelik, son of the Queen of Ethiopia, the Queen of Sheba, and King Solomon of Jerusalem.”

The Habeshia - Beta Israel and Christians – consider themselves Israelites. Parfitt cites the observations of Jewish-French Orientalist and traveler, Joseph Halévy (1827-1917), on his contact with Jews in Ethiopia:

“... I managed to ask them in a whisper ‘are you Jews?’ They did not seem to understand my question, which I repeated under another form, ‘Are you Israelites?’ A movement of assent mingled with astonishment, proved to me that I had stuck the right chord.”

There is therefore, a plurality of narratives on who is Jewish, or Israelite, and what that means to the identity of a person, a people or a nation.

Karen Armstrong describes how authors ‘J’ and ‘E’ brought the local stories together to weave them into a “sustained epic” which has become a “founding story” of Western – and, we should add, African – culture:

“Abraham, his son Isaac and grandson Jacob (also known as ‘Israel’) lived in the Promised Land as resident aliens but during a famine, Jacob’s twelve sons, founders of the twelve tribes of Israel, were forced to migrate to Egypt. At first they prospered there, but eventually, threatened by their great numbers, the Egyptians oppressed and enslaved the Israelites until Yahweh commanded Moses to lead his people back to Canaan. With Yahweh’s miraculous help, they managed to
escape Egypt and lived a nomadic life for forty years in the wilderness of the Sinai Peninsula. On Mount Sinai, Yahweh delivered his teaching (Torah) to Moses, and adopted the Israelites as his own people.”

If we listen to the journey of Moses, who led his people out of slavery after being called by a God who saw the misery of his people heard their cry, and knew their suffering (Ex. 3:7), and if we start realizing that it is our story, we may begin to recognize those who are ‘spit out’ as truly and deeply ‘bone of our bones and flesh of our flesh.’ We will weep with them over their fate, we will want to see and understand their oppression, hear their cries, and know their suffering. We will stand side by side to ask them to be recognized, to fight for them, to seek justice for them. We will become aware of their naming of us and we can start to build a world in which both we and they have the companionship we crave, for the community that gives us life and the help and the care we all need.

This is probably what the Letter to the Hebrews calls “the city which has foundations, whose architect and builder is God” (Heb. 11:10), but we will not elaborate on that here. For now it suffices, we think, to give our attention to the stones, which the builders of the world as it is today, have rejected, be they Palestinians or Ethiopians. Indeed we are convinced that they are meant to be the cornerstones of our common future (cf. Ps. 118:22).
Biographies

Bader, Liana
Mrs. Liana Badr is a Palestinian author and film producer, born in Jerusalem and currently lives in Ramallah. Studied Philosophy and Psychology and got her MA degree in Contemporary Arabic Studies. Her writings were translated into many languages and she produced award-winning documentary films in international festivals. Among her novels: “a Compass for the Sunflower”, “The Eye of the Mirror”, “Jericho Stars” and “A Balcony over the Fakihani”. She also has four collections of short stories, a book about the poet Fadwa Tuqan, and another book about the impact of place on the identity in the works of Mahmoud Darwish, in addition to two collections of poetic texts and ten children books.

Bechmann, Ulrike
(Germany/Austria) is since 2007 Professor for Religious Studies and Head of Religious Sciences Department at Graz University, Austria. Born in 1958 in Bamberg, Germany (Bavaria) she graduated in Catholic Theology at Otto-Friedrich-University, Bamberg. Prof. Bechmann holds an M.A in Arabic and Islamic Studies. Her post doctoral thesis was in Biblical Theology and Religious Studies on the figure of Abraham in interreligious dialogue at the University of Bayreuth, Germany. 2006 Prof. Bechmann received the Science Award for Inter-cultural Studies of Augsburg, for her thesis. From 1989 to 1999 she was the executive director and theological consultant of the “German Committee of Women’s World Day of Prayer”.

Borgmann, Erik
Prof. Erik Borgman is a professor at the department of Religion Studies\Tilburg University. He is endowed with the Cobbenhagen Chair which
Palestinian Identity

The previous coincides with his role as director of the valorization-project: Understanding Society- Religion and values. Previously he worked at the Heyendaal Institute for theology, science and culture at Nijmegen Radboud University, where he was the coordinator of the section theology and humanities within the research programme: The Religious Disclosure of the Human Condition in 20th and 21st Century Literature. Prof. Erik Borgman also researched the meaning of the theology as stipulated by Edward Schillebeeckx, which was commissioned by the Dutch province of Dominicans and several other theological researches.

Callendar, Dexter

Dexter E. Callender, Jr. is Associate Professor of Religious Studies at the University of Miami, Miami, FL. He is also Associate Professor Extraordinary, Faculty of Theology, North-West University, Potchefstroom, South Africa. He earned his PhD from Harvard University and is the author of Adam in Myth and History (Harvard Semitic Studies, Eisenbrauns, 2001) and Did the Israelites Believe in their Myths? (forthcoming, Bloomsbury). With research interests in myth theory, political theology, and race and religion, he is a specialist in Hebrew Bible and the history and literature of the ancient Near East. He regularly teaches on the prophets, myth, religion and culture and was a recipient of the 2000 Provost’s Excellence in Teaching Award and also was named “Professor of the Year” by the University of Miami Pan-Hellenic Association in 2001.

Fernandez, Eleazar

Prof. Eleazar S. Fernandez is Professor of Constructive Theology at United Theological Seminary of the Twin Cities, New Brighton, Minnesota. He also has experienced teaching in other parts of the world, such as Philippines, Myanmar, and Cameroon. Among his writings are Burning Center,

Fuchs, Ottmar

Prof. Dr. Ottmar Fuchs was Born in 1945, studied Philosophy and Theology in Bamberg and Würzburg. Ordination 1972 (Priest of the Archdiocese of Bamberg, He earned his Ph.D in Theology in 1977. From 1981-1998: Prof. (Chair: Pastoral Theology and Kerygmatics) at the Cath.-Theol. Faculty in the University of Bamberg. Since 1998 Prof. (Chair: Practical Theology) at the Cath.-Theol. His main researches tackle the Fundamental questions between Practical Theology and Human science; Religion and solidarity; Theology of diaconical institutions; Theology and church in front of the challenges of Modernism, Postmodernism and Pluralisation of life; Theology of the Second Vatican Council; Pastoral responsibility in the horizon of eschatology; Constitutive interdisciplinary relations between practical theology and biblical responsibility.

Jubeh, Nazmi

Dr. Nazmi Jubeh, was born in Jerusalem, 1955. He was the Co-Director of Riwaq, Centre for Architectural Conservation. Currently, the Chairperson of the Department of History, Birzeit University and lecturer at al-Quds University. Jubeh’s research melds archeology, history, politics and architecture. He completed initial studies in Middle Eastern Studies and archaeologies at Birzeit University and received both a Masters degree in oriental studies and archeology and a PhD in archeology and history from the University of Tub-
Palestinian Identity

ingen in Germany. From 1991 to 1993 he was a member of the Palestinian delegation to the Bilateral Peace Negotiations in Washington DC. Jubeh is well known for his expertise on Jerusalem in general and the holy sites in particular. Jubeh currently serves on the board of trustees of several cultural institutions in Jerusalem. He published several books and a large number of articles on history, archaeology, politics and architecture.”

Musallam, Adnan

Dr. Adnan Ayyoub Musallam was born and brought up in the Palestinian city of Bethlehem. He got his BA and Masters degrees from Indiana University Bloomington. He got his PhD from the University of Michigan -- Anne Arbor. He has been working at Bethlehem University since 1981. He is an associate professor and lecturer in history and cultural studies in the humanities department at the university. He was the chairman of the humanitarian department in (1984-1990, 1996-1999, 2005-2009). He was the dean of the Arts College (1996-1999), and the chairman of the university employees union (1993-1996). He wrote several articles that were published in Jerusalem, Bethlehem, the USA and Germany. He is an active member in several centers including Al-Liqa’ Centre for Religious and Heritage Studies in the Holy Land, in Bethlehem/Jerusalem, as well as The Applied Research Centre in Jerusalem-Areej

Raheb, Mitri

Dr. Mitri Raheb is the President of Diyar Consortium and of Dar al-Kalima University College in Bethlehem, as well as the president of the Synod of the Evangelical Lutheran Church in Jordan and the Holy Land in addition to being the Senior Pastor of the Evangelical Lutheran Christmas Church in Bethlehem, Palestine. The most widely published Palestinian theologian to date, Dr. Raheb is the author of 16 books including: I am a Palestinian
Christian; Bethlehem Besieged. He is the Chief Editor of the Contextual Theology Series at Diyar. His books and numerous articles have been translated so far into 11 languages. The 50 year-old multilingual contextual theologian, received the prestigious Wittenberg Award from the Luther Center in DC (2003), an honorary doctorate from Concordia University in Chicago (2003), For and for his ‘interfaith work toward peacemaking in Israel and Palestine he received’ the “International Mohammad Nafi Tschelebi Peace Award” of the Central Islam Archive in Germany (2006) and in 2007 the well-known German Peace Award of Aachen. In 2012 the German Media Prize, a Prize granted mainly to head of states, was awarded to Dr. Raheb for his “tireless work in creating room for hope for his people, who are living under Israeli Occupation, through founding and building institutions of excellence in education, culture and health.”

**Rivera, George**

Dr. George Rivera attained his doctorate degree from the State University of New York at Buffalo. Dr. Rivera is presently a professor in the Department of Art & Art History at the University of Colorado at Boulder. He received the Governor’s Award for Excellence in the Arts from the State of Colorado and is a Fulbright Scholar. Dr. Rivera has published articles in national and international journals and has had exhibitions in Brazil, Bulgaria, Canada, Chile, China, Colombia, Germany, Guatemala, Mexico, Palestine, Peru, Russia, Spain, and throughout the United States. In addition to being an artist, Professor Rivera is an art critic and a curator. In 1964 Dr. Rivera organized an art collective known as the ARTNAUTS, and the collective has had exhibitions at the International Center of Bethlehem since 2004.

**Shomali, Qustandi**

Prof. Dr. Qustandi Shomali is Full Professor at Bethlehem University, he teaches Palestinian literature, Journalism and Translation. With degrees
from universities in Algeria, Canada and the Sorbonne in France, he possesses a wide range of personal and academic interests that include history, literature and arts. He published many books including a series of academic studies about the Palestinian Press (1990-96), Literary and Critical Trends in Modern Palestinian Literature (Jerusalem 1990) and The Nativity in Bethlehem and Umbria (Perugia, 2000). He published also many research papers in Comparative Literature, Communication & Information in Arabic, French and English.

**Smith, Robert**
Rev. Dr. Robert Smith received his Ph.D. in Religion, Politics and Society in 2010 from Baylor University. He received his Master of Divinity (2003) and Master of Arts in Islamic Studies (2003) from Luther Seminary, St Paul, MN. He was Ordained into the Ministry of Word & Sacrament in 2004. He was granted the Graham Writing Award from Baylor University. He served as Co-Moderator, Palestine-Israel Ecumenical Forum (PIEF) of the World Council of Churches, AAR Section co-Chair. He was also a member of the National Council of Churches USA. He served as Co-Moderator, Palestine-Israel Ecumenical Forum (PIEF) of the World Council of Churches, AAR Section co-Chair. He was also a member of the National Council of Churches USA. He was a board member at the Institute for the Study of Christian Zionism, , Chicago Faith Coalition on Middle East Peace , Advisory council member, Word & World: Theology for Christian Ministry. This year he published the book: More Desired than Our Own Salvation: The Roots of Christian Zionism with a foreword from Martin E. Marty. Also the book: Christians and a Land Called Holy: How We Can Foster Peace, Justice and Hope (2006), with Charles P. Lutz.

**Staubli, Thomas**
Thomas Staubli (*1962) studied Theology, Religious Science, Egyptology and Assyriology in Fribourg, Jerusalem, Berlin and Bern and received a Ph.D. from the University of Fribourg, where he established the BIBLE+ORIENT Museum whose first director he was until 2012. The services of the museum include among others an online-database (www.bible-orient-museum.ch/
bodo) with actually more than 25’000 Objects open to public. He teaches Old Testament studies at the University of Fribourg (Switzerland). His areas of expertise include: Iconography and Religious History of the Levant, Biblical Realia and Anthropology, Palestinian Ethnography, Didactics of the Bible. He wrote many popular scientific books. Available in English: Body Symbolism in the Bible (written together with Silvia Schroer.

**Stegeman, Janneke**
Janneke Stegeman is a theologian and researcher on the Old Testament, conflict and identity and VU University, Amsterdam. Her interest is in the interaction between conflict and religious identity. She will finish her dissertation on Jeremiah 32 early 2014. She spent two years living in Jerusalem doing research for her PhD and felt very much drawn towards and inspired by initiatives of non-violent resistance against the occupation. She is involved with the Dutch Kairos committee and board member of the Dutch Friends of Sabeel.

**Van-Reisen, Mirjam**
In October 2010, Prof. Mirjam van Reisen was appointed the Endowed Chair in honor of Marga Klomp on International Social Responsibility at Tilburg University, School of Humanities. Moreover, Prof. Mirjam van Reisen is the founding director of Europe External Policy Advisors (EEPA), a research center of expertise on European Union external policy based in Brussels. In addition, she is also a Member Supervisory Board of SNV, serves on the board of the Transnational Institute (TNI), has been an elected member of the International Coordinating Committee of Social Watch, is a member of its Management Committee, and has accumulated 20 years experience working both in and alongside European Commission institutions One of her noteworthy achievements is the Golden Image Award by HE President Ellen Johnson Sir leaf from Liberia for support to women in peace-building.
13. Infilators or Next of Kin:

1. The authors sincerely wish to thank colleagues and friends for their insightful contributions. We thank Tilburg University, Tilburg School of Humanities and Tilburg Law School for the support provided for the research. We especially thank Dr Conny Rijken (Tilburg Law School) and Meron Estefanos. All points expressed are the responsibility of the authors.


4. voor Oorlogsdocumentatie, Rijksinstituut. *Het dagboek van Anne Frank*. Amsterdam: Bert Bakker, 1990, 515: “Voor ieder die bang, eenzaam of ongelukkig is, is stellig het beste middel, naar buiten te gaan, ergens waar hij helemaal alleen is, alleen met de hemel, de natuur en God. Want dan pas, dan alleen voelt men dat alles is zoals het zijn moet en dat God de mensen in de eenvoudige, maar mooie natuur gelukkig wil zien.” (Feb. 23, 1944).


13. Shavit, Ari. *Survival of the fittest. Haaretz,* Januar 8, 2004: “That has to be clear. It is impossible to evade it. Without the uprooting of the Palestinians, a Jewish state would not have arisen here.”


18. http://milog.co.il/%D7%9E%D7%A1%D7%AA%D7%A0%D7%A0%D7%99%D7%9D


21. Private e-mail communication.

22. Private e-mail communication.


24. Ibid.


32. Ibid.

33. BBC, Pope Francis visits Italy's migrant island of Lampedusa, 8 July 2013.


35. CNN, Pope prays for lost refugees on visit to Mediterranean island, July 8, 2013. (the quotation is edited for readability).


37. Ibid.

38. AFP, Eritrean refugees kidnapped, killed: UNHCR chief, 12 January 2012. In this article AFP reports a UNHCR official stating: “They're being taken through the country by criminal groups and subject to kidnapping. This is happening here in the east of Sudan regularly”, said Felix Ross, the UNHCR's senior protection officer.


41. Human Rights Watch: http://www.hrw.org/news/2012/06/10/israel-amend-anti-infiltration-law. September 16 2013 the Israeli Supreme Court decided unanimously that this amendment was unconstitutional; see http://elyon1.court.gov.il/files/12/460/071/b24/12071460.b24.htm. October 28, 2013. In response Prime Minister Netanyahu vowed to respect the decision,
but to continue to “put the brakes on infiltration”. We did not research systematically the factual consequences of this decision, but clearly the labeling of Africans as ‘infiltrators’ goes on.

42. “Globally, 84% of applications filed by Eritrean nationals are determined to be genuine, and the respective figure for Sudanese applications is 64%. Indeed, should individual RSD procedures be conducted in Israel for Eritrean and Sudanese asylum seekers, the statistics are likely to be similar. It is noteworthy that a signatory state to the 1951 Convention that refrains from examining asylum applications may not deny such applicants rights under the Convention.” Ziegler, Reuven. The New Amendment to the ‘Prevention of Infiltration’ Act: Defining Asylum-Seekers as Criminals. The Israel Democracy Institute. January 16, 2012. http://en.idi.org.il/analysis/articles/the-new-amendment-to-the-prevention-of-infiltration-act-defining-asylum-seekers-as-criminals.


44. Ibid.

45. Note received from Bruck Teshome by email on August 9, 2013.

46. E-mails to author by different sources.


49. Ibid.

50. Paraphrased from correspondence.

51. Comment received by authors.


56. Ibid. 145-146.