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Universal Rights versus Exclusionary Politics: Aspirations and Despair among Eritrean Refugees in Tel Aviv

Tanja R. Müller

Abstract: By investigating contemporary refugees, this paper analyses the contradictory dynamics of a global order whereby universal rights are distributed unequally through nation-state politics. It uses an ethnographic case study of Eritrean refugees in Tel Aviv as its empirical base in order to investigate refugeeness as a condition of everyday life. The paper demonstrates how a repressive environment within Eritrea has made people refugees, and how that condition is being reinforced by the Israeli government's refusal to recognise these refugees as such. It further interrogates the relationship between persecution and belonging that characterises the lives of Eritreans as refugees in Israel. The paper concludes by arguing that being a refugee does not preclude feeling a strong sense of national belonging. Eritrean refugees in Tel Aviv do not aspire to gain cosmopolitan citizenship rights but are driven by the desire to be rightful citizens of Eritrea.

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Keywords: Eritrea, Israel, flight, refugees, asylum seekers, asylum policy

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The refugee condition has attracted much scholarship in the past as a symbol for the limits of political communities, in particular the nation-state. Perhaps most famously, Hannah Arendt has commented on how the very right to have rights is connected to being a citizen of a particular state (Arendt 2004). This has led to the claim that the refugee embodies the vanguard of a future political community of cosmopolitan subjects, precisely because the existence of the refugee forces us to consider the close connection between being a human and being a citizen (Agamben 1995, 2003). Alternatively, the refugee has been regarded as a symbol for the contradictory logic of an international political order whereby universal rights are distributed (or denied) in practice through the “exclusionary politics of nationalism” (Long 2011: 232; see also Franke 2009; Tete 2012).

Such “universalisable” understandings of the refugee condition (Malkki 2007: 337) fail to take into account contradictory dynamics of persecution and national belonging, as well as the messy, concrete realities of contemporary refugees (Grabska 2006; Malkki 1995). The focus here is on the latter, and I define refugeeness as a condition of everyday life, a condition that puts “trust on trial” where “the germ that constitutes” who is a refugee is formed at the precise moment when state protection of fundamental rights ceases (Daniel 2002: 279; see also Willen 2007).¹ Such a definition follows the rationale behind the Convention Governing the Specific Aspects of Refugee Problems in Africa that is centred on the concept of the minimally legitimate state and allows us to interrogate refugeeness through the lack of state protection of basic rights.² Refugeeness is thus a condition that represents a rupture in a person’s sense of belonging or concrete being-in-the-world (Willen 2007), and it is also closely intertwined with denials of universal rights by means of exclusionary state politics.

This article provides an empirical case study to interrogate refugeeness defined in this way. It looks at the catch-22s that shape particularistic experiences of refugeeness among Eritrean refugees in Israel. This case study speaks to the conundrums inherent in contemporary

1 This implies that refugeeness commences before the actual act of fleeing one’s homeland and can continue long after a successful asylum application – for further discussion of this argument, see Daniel (2002).

2 The concept of the minimally legitimate state combines the definition of the United Nations Convention Relating to the Status of Refugees from 1951 with the definition adopted by the Organization of African Unity (now African Union) from 1969. It challenges the notion that persecution is the essential criterion of refugeeness, instead embracing the broader understanding of the minimally legitimate state that regards persecution as only one manifestation of a lack of state protection of basic rights of its citizens.

refugee existences in multiple ways: It engages with Israel as a country that subscribes to international refugee law but has only recently received sizeable numbers of non-Jewish refugees (Jewish refugees having quasi-automatic citizenship rights). Thus, questions about refugee rights within the confines of the nation-state come into sharp focus in the process of the development of an Israeli asylum regime (ARDC 2012; Ziegler 2011, 2012). While at the outset of their journeys, Israel was in most cases not the destination of the Eritreans now residing there, it became an attractive place of refuge precisely because of its history as a state founded by refugees, combined with the fact that it is perceived as the only democratic country in the region.

The focus on Eritrean refugees is not only due to the fact that they make up by far the largest group of African refugees in Israel, but also because the individual histories of the majority of Eritreans exemplify the multiple contradictions that characterise the lives of many contemporary refugees: They have left a minimally legitimate state, characterised by a lack of state protection of basic rights of its citizens. At the same time, they feel a sustained commitment to independent Eritrea as an imagined community and have a strong desire to return once the current political situation changes. In Israel, they are confronted with a refusal to be considered as refugees or legitimate asylum seekers, a fact that not only leaves Eritreans in Israel in legal limbo but severely disrupts their everyday lives and future aspirations in different ways.³

This paper proceeds as follows: In the next section, some background is provided on both the dynamics that brought Eritrean refugees to Tel Aviv and the Israeli response to their arrival. In subsequent sections, data from fieldwork among Eritrean refugees is presented in order to explore in detail the specifics of their refugee condition in relation to their country of origin, Eritrea, as well as in relation to their actual lives in Israel. The paper concludes with some wider reflections on contemporary dynamics of the refugee condition.

Methodologically, the paper is based on interview and observation data collected during three visits to Tel Aviv, in June 2010, March/April

3 A note on terminology is in order here: Legally speaking, Eritreans (and those of other nationalities) arrive in Israel as asylum seekers; becoming a legally recognised refugee would be the outcome of a successful asylum application. In this paper, with its focus on refugeeness as a condition of everyday life, the term “refugee” is being used when referring to Eritreans in Tel Aviv, partly because it is also how research participants self-identify. The paper thus takes seriously the value of “categories of everyday social experience [...] deployed by ordinary social actors” (Brubaker and Cooper 2000: 4) in understanding social reality.

2011, and March/April 2012. In addition, follow-up conversations were held with earlier informants during a further visit to Tel Aviv in September 2013. Altogether, 20 in-depth interviews with Eritrean refugees (16 men and 4 women) were conducted, along with 12 extensive informal conversations and a number of key informant interviews with staff of the various civil society organisations working with refugees – namely, the African Refugee Development Centre (ARDC), Physicians for Human Rights-Israel (PHR-Israel), the Refugee Law Clinic, and the former Hotline for Migrant Workers (renamed the Hotline for Refugees and Migrants in December 2013). In addition, social time was spent both in the main bars that serve as meeting points and in private settings with Eritreans. Selection of Eritrean participants was based on snowball sampling. Interviews were mostly conducted on a one-to-one basis in English; in some cases, an Eritrean interpreter (recommended by the ARDC) was also present. Research participants were usually eager to share their stories, partly due to the fact that I was often the only person they had met in Israel with first-hand knowledge of Eritrea. At times this fact was treated with suspicion, and whether I was a spy for the Eritrean government was even debated, but usually once we had established common acquaintances or other forms of rapport this suspicion evaporated and people spoke openly.⁴ While not easily generalisable, I believe the data presented here provides a realistic snapshot of the everyday lives of Eritrean refugees in Tel Aviv, common dynamics behind people's individual decisions to leave, and the uncertainties that unite them as refugees.⁵

4 The only exception were encounters in 2012 with a small group of Eritreans, two of whom I had met in 2011, who actively engaged in “opposition politics” in order to eventually overthrow the government in Eritrea. In 2012 they prevented me from giving a talk to staff at the ARDC about a visit to Eritrea the previous year (see Müller 2015), tried to intimidate me in calls to my local mobile phone, and suggested they would now “control” the refugees in Israel. When discussing those dynamics with other Eritreans, it quickly became clear that this group did not speak for a majority of refugees. This paper is not the place to discuss those issues further – that task will be undertaken in a future paper on internal dynamics within the Eritrean refugee community.

5 I gratefully acknowledge the support of the British Academy/Leverhulme that made part of this research possible through a grant under its social science small grant scheme. I am also indebted to all Eritreans who not only gave me their time and hospitality but also shared their stories, and to all those in the various NGOs in Tel Aviv who shared their experiences with me. Thanks are also due to two independent reviewers and the editors for their constructive comments and engagement.

Exclusionary Politics: Israel and the Arrival of Eritrean Refugees

Since 2005, Israel has become an important destination for refugees from the African continent who entered the country through its southern border with Egypt. These movements of people came to a halt only with the completion in 2013 of a sophisticated fence along the Egyptian border with state-of-the-art surveillance equipment.⁶ In the years prior to the completion of the fence, the number of African refugees residing in Israel had been steadily increasing. By September 2013, according to the Israeli Population and Immigration Authority, the African refugee population in the country stood at 53,646, among them 35,987 Eritreans and 13,249 Sudanese (Tsurkov 2012; Yaron et al. 2013). The majority live in southern Tel Aviv, where some neighbourhoods have been transformed, visible in the number of African-run cafés, bars, shops, and hairdressing salons.

In order to understand the wider context behind the arrival of Eritrean refugees in particular, a brief look at political developments within Eritrea is in order. Eritrea became Africa's newest nation-state *de jure* in 1993 after 30 years of armed struggle against Ethiopian rule. A decisive factor in achieving independence was a strong sense of unity, extending to the considerable diaspora communities and constituting a prime example of transnationalism strengthening national belonging (Hepner 2009; Iyob 1997a; Müller 2012a; Pool 2001). In the first decade after independence, this translated into a high propensity to forgo individual aspirations and contribute to the development of the country (Iyob 1997b; Müller 2004). Partly triggered by renewed conflict with Ethiopia from 1998 to 2000 that put the implementation of a constitution that would have guaranteed economic, social, and political rights on hold, the Eritrean polity has become highly authoritarian, characterised by crackdowns on any form of dissent, the imprisonment of large numbers of people, and potentially indefinite military conscription for those under

6 The security fence covers the length of the 240-kilometre-long border between Israel and Egypt and, once completed, had an immediate effect on the number of refugees entering the country: while in the first half of 2012 reportedly 9,570 citizens of various African countries entered Israel illegally, this number had been reduced to 34 in the first six months of 2013 and has since then stood at almost zero (*Arutz Sheva*, 2 July 2013, <www.israelnationalnews.com/News/News.aspx/169521#.UeXqBUB15DQ> [25 March 2014]). Most of those refugees who pre-2013 might have arrived in Israel have diverted to the established routes towards the European continent instead (see also Regional Mixed Migration Secretariat 2013).

40 years of age (Article 19 2012; Bundegaard 2004; Human Rights Watch 2009; Müller 2008; Reid 2005, 2009). Not only does conscription entail curtailment of personal freedoms but it can also jeopardise any prospect of a life that follows socially engrained norms and values, such as earning a viable income and being able to start a family of one's own (on the dynamics of conscription and its consequences, see Hirt and Mohammad 2013; Müller 2012b). The threat of conscription is thus one of the major reasons why people of national-service age leave, regardless of whether they have actually been called up. In such cases, leaving the country is only possible by fleeing illegally, as generally no exit visas are granted to those of national-service age. Eritrea can thus be regarded as a minimally legitimate state where large groups of individuals either have a well-founded fear of persecution or are being denied basic economic, political, and social rights as stipulated by the Convention Governing the Specific Aspects of Refugee Problems in Africa. The people fleeing Eritrea are primarily young men – and to a lesser, though increasing extent, women – who were brought up with the promises of post-liberation politics enshrined in a progressive (but unimplemented) constitution. The reason people are leaving Eritrea is because their constitutional rights have been denied, while constitutional obligations have been enforced through a militarised government (Müller 2008, 2012a). Those dynamics made Eritrea one of the largest producers of refugees in the world in relation to its population size, with Israel at some point having become the third-largest recipient of Eritrean refugees worldwide (UNHCR 2010, 2013).

Eritrean (and other) refugees used to enter Israel through Sinai, and once they had crossed the border would give themselves up to Israeli army patrols.⁷ In most cases, they were subsequently taken to be interviewed and processed at detention facilities run by the Israeli Prison Service, usually the Saharonim detention centre near the border with Egypt, a dedicated immigration detention facility with a total capacity of approximately 2,000 people. The amount of time newly arrived refugees spend at Saharonim or other facilities could range from a few days to many months, depending on capacity issues on the Israeli side. Subsequently, refugees were put on buses either to Beersheba (the nearest town) or Tel Aviv and released into Israel without further support or

7 In addition, refugees of different nationalities began to be abducted and trafficked through Sinai by Bedouin groups, and incidents of rape, blackmail, and even organ-harvesting have been documented (see PHR-Israel 2010; van Reisen et al. 2012). It is beyond this paper, with its focus on Eritrean refugee populations who live in Israel, to discuss those dynamics in more detail.

guidance and without any of the entitlements the Israeli welfare state offers to its citizens (Furst-Nichols and Jacobsen 2011; Müller 2012a; Paley 2011).

When the first refugees arrived, the Office of the United Nations High Commissioner for Refugees (UNHCR) was in charge of determining refugee status, but in 2009 the Israeli government assumed control via the newly established Refugee Status Determination (RSD) unit within the Authority of Immigration at the Office of the Interior. Acquiring official refugee status and, subsequently, citizenship rights in Israel is almost impossible for non-Jews due to the specific stipulations of the Israeli citizenship law (see Kritzman-Amir 2010, for a detailed discussion), and within government discourse and much of the media African refugees are in fact regarded as *infiltrators*, a term used to refer to enemies of Israel who are illegally entering the country (Ziegler 2011).

More generally, in spite of having ratified the United Nations Convention on the Status of Refugees in 1954, and having accepted its protocols since 1968, Israel has not incorporated the convention into domestic law – indeed, a Hebrew translation of its stipulations does not even exist. The Israeli asylum regime, in terms of legal underpinnings as well as in practice, has thus been evolving in response to the increasing numbers of refugees from different parts of Africa (Kritzman and Berman 2009; Kritzman-Amir 2010; Paz 2011; Yaron et al. 2013).

This has resulted in a state of affairs whereby refugees are treated differently depending on their origin and time of arrival in Israel. The first Eritreans to arrive were given work permits partly in order to fill important gaps in the Israeli labour market that had come about in the wake of the second intifada (Palestinian uprising) and the deportation of illegal migrants from Latin American countries (Kalir 2010; Kemp 2004, 2010; Yacobi 2008).⁸ Subsequent arrivals were given what is called a Conditional Release Visa, the 2A5. The issuing of this visa is based on the UNHCR recommendation from 2008 to grant Eritreans temporary group protection due to the general presumption that a majority of Eritreans are likely to satisfy the refugee convention definitions and suffer persecution. The Conditional Release Visa allows refugees to remain in Israel temporarily as long as perilous conditions would continue to threaten the refugees if they

8 By mid-2011, 496 refugees from Darfur had received temporary resident permits (A5 visas), while 2,000 Eritreans who had entered before 2009 had received B1 visas, holders of which are legally permitted to work in Israel (Paley 2011). Refugees from Darfur are regarded as most deserving, as the discourse around Darfur centres on the language of genocide, a concept that resonates deeply with Israeli politicians and the general public alike.

were to be returned either to Eritrea or to Egypt – where they entered Israel – but they can be deported once those conditions are judged to have changed.⁹ Conditional release status also delays the start of official RSD and thus creates an “ordered disorder” (Paz 2011) whereby refugees remain in a state of perpetual insecurity.

The Conditional Release Visa does not allow for the right to work, but working is tolerated and was confirmed as a quasi-official right by a court ruling in July 2010, since refugees have no other means to sustain themselves and the Israeli government would be faced with a humanitarian crisis (ARDC 2011; Ziegler 2011). Since November 2010, however, the sentence “This is not a working permit” has been explicitly printed on the Conditional Release Visa, making it harder for refugees to find work, even though employers have been assured they will not be penalised for employing refugees (ARDC 2011). In parallel, the construction of a permanent detention facility to potentially house up to 11,000 refugees, Holot detention centre (defined as an “open” facility but in reality a prison-like institution), was completed in the Negev desert, and a new amendment to the Prevention of Infiltration Law passed on 10 December 2013 allows the Israeli government to jail asylum seekers for one year followed by indefinitely detaining them in “open” facilities such as Holot.¹⁰ The Israeli government has furthermore instigated a “voluntary departure” procedure whereby refugees agreeing to leave are

9 This has happened with respect to refugees from South Sudan who were entitled to Conditional Release Visas in the past. In early 2012, the Israeli government announced it would detain and deport any South Sudanese who did not leave voluntarily, because with independent statehood South Sudan was now considered a safe country to return to. This stipulation has been partly successfully challenged by the Refugee Rights Clinic (Anat Ben-Dor, e-mail communication 10 February 2012). Nevertheless, many refugees from South Sudan have returned “quasi voluntarily,” and some cases of a forced return have also been reported (see ARDC and Hotline for Migrant Workers 2013).

10 Holot is characterised as an “open” facility because those brought there can in theory leave, but they need to check in once a day (down from three times) and stay there overnight. Holot’s remote location in the Negev desert makes it a de facto prison facility where occupants reportedly suffer from severe boredom. By February 2014, more than 400 refugees had already been arrested and transferred to Holot from their former places of residence, a policy that led to sustained, large demonstrations by African refugees, civil society organisations, and employers of refugees combined for the first time; though, these protests have thus far had little effect on Israeli policy. In contrast, by March 2014 approximately 4,000 detention orders had been issued to refugees all over Israel requiring them to report to Holot (Arad 2014; Berman 2014; Linthicum 2014; Lior 2014a, 2014b; Margalit 2014; Tsurkov 2014).

reportedly given a grant of USD 3,500 and flown to Uganda or Rwanda as a third country, but their status there is far from clear and, in fact, often desperate (Lior 2015). Of late, “voluntary departure” has been enforced by coercive measures that give refugees the option to either depart the country or be moved from Holot to Saharonim Prison for an indeterminate period of time (Haaretz 2015; Hotline for Refugees and Migrants 2015). This procedure has been heavily criticised by the UN-HCR, among others, not least because of the flimsiness of the assertion that people facing the choice between de facto imprisonment and departure are able to act on their own free will (Hotline for Refugees and Migrants 2015; Lior 2014c).

Overall, the Israeli response to the arrival of Eritrean refugees, grounded in the concept of the *infiltrator* and based on a securitisation agenda (Paz 2011), fails to acknowledge the complex and contradictory realities of the refugee condition Eritreans find themselves in. Those and the resulting dynamics of suffering and belonging will be explored in the following sections.

Rights Denied – Refugees’ Relationship to the Eritrean Polity

The refugees who arrive in Tel Aviv come from all strata of Eritrean society. There are those like “Haile,” “Daniel,” “Petros,” “Michael,” “Samuel,” “Berhane,” and “Neftalem,” who when they fled had been students at either the University of Asmara or the college at Mai Nefhi, or had passed the matriculation exam with good grades but were prevented from undertaking higher education.¹¹ Then there are those like

11 All names of interviewees throughout the text have been changed for reasons of confidentiality, and other markers that would have made it possible to trace the interviewees in question have been removed. Ages given are the ages at the time of the interview. Details of all interviewees cited in this paper and dates of interviews (all conducted in Tel Aviv) are as follows: “Asmeron,” male, 26 years old, from Tzorona, 6 April 2011; “Berhane,” male, 33 years old, from Mendefera, 1 April 2011; “Daniel,” male, 22 years old, from Segeneity, 7 April 2011; “Haile,” male, 30 years old, from a village near Adi Keih, 31 March 2011; “Luul,” female, 22 years old, from Gash-Barka, 17 April 2011; “Mekonnen,” male, 30 years old, from Senafe, 30 March 2011; “Michael,” male, 26 years old, from Dekemhare, 31 March 2011; “Neftalem,” male, 26 years old, from a village near Asmara, 11 June 2010; “Petros,” male, 26 years old, from Senafe, 17 April 2011; “Robel,” male, 38 years old, from Asmara, 14 April 2011; “Senay,” male, 29 years old, from Keren, 10 April 2011; “Yodit,” female, 25 years old, from Asmara, 10 April 2011; “Yonas,” male, 38 years old, from Asmara, 4 April 2011.

“Yonas,” “Mekonnen,” or “Robel,” who already were professionals or ran a business. Then there are those like “Awat,” “Kifle,” “Asmeron,” “Yodit,” and “Luul,” who fled while still in secondary school, before they could be called up for national service. Finally there are those like “Fethawi” and “Senay,” who were guilty of minor transgressions, like not carrying ID papers, or who belonged to a religion officially forbidden, such as the Jehovah’s Witnesses, as was the case for Senay, who, even though he completed his national service in Sawa, experienced problems.¹² What all of them have in common are different experiences of oppression, persecution, or the denial of social, economic, and/or political freedoms and rights.

For Haile, this denial of rights became a material reality because he belonged to the batch of students at Asmara University who in 2001 protested against government orders and as a consequence were sent to a desert camp for punishment (see Müller 2008). In subsequent years, this generation of students was regarded with suspicion by the government and became prime recruits of the Warsay Yekealo national-service campaign.¹³ Haile, who has a degree in Educational Administration, was sent to work in construction in Zoba Debub, the southern zone of Eritrea. He said,

There could have been a lot of ways we could have helped our country [Eritrea] to develop with the education we got, but we were used for simple construction labour. (Interview 31 March 2011)

He continued,

It was a punishment for us and they tried to set an example for the university students after us, that these would be the consequences of contradicting the government. [...] [Y]ou spend 16 years in education to contribute to the building of your country,

12 Many Jehovah’s Witnesses refuse to complete the military training part of national service in Sawa (but would be prepared to do civilian service instead) and are therefore imprisoned, as in Eritrea no right to conscientious objection exists.

13 A nationwide national-service campaign was introduced in Eritrea in 1995, requiring all women and men between 18 and 40 years of age to undergo six months of military training followed by twelve months of civilian reconstruction activities as a citizenship obligation. At the time of its introduction, the campaign was widely accepted. Under the so-called “Warsay-Yekealo Development Campaign,” inaugurated in 2002, national service does not end after the stipulated 18 months – conscripts are made to stay in service indefinitely. They are mostly given civilian labour tasks often on army-owned construction or agricultural projects but are still under military command and, instead of a salary, they are paid a minor national-service allowance.

but for them [the government] being educated is like being an enemy, that is why we were punished, and it was not a short time – when I was three years in the army it felt like thirty years to me.

For Michael, it was the fact that his rightful – according to Eritrea’s internal regulations – access to education was denied that first made him consider leaving. He passed his matriculation exam after the government had already planned to close the University of Asmara, so instead of being allowed to study he was sent to perform additional national service to the state-owned highway construction company, initially for five months. He said,

They [the government] do not want people to learn in order to develop their lives; I did all the training, but then they wanted us to serve for another three years; that really upset me [...]. I was really restricted: first they did not allow me to continue my education, that was my major hate for the government, then I could not visit my family, only once a year for a few days, and then I was also observing the lives of others, some of the soldiers who had been in service for many years, they had families and never saw them – that terrified me, to imagine my future like that. (Interview 31 March 2011)

Michael still hoped he would be able to continue his education after three years in service. One day he was falsely accused of wanting to escape and subsequently imprisoned, “and once you enter prison and are released you cannot get a future life any longer,” he said. Michael then knew he would never be allowed to return to education; as being on the radar of the authorities would make his life very difficult, thus he saw no alternative but to escape.

Similar cases of arbitrary harassment or imprisonment, often simply based on questioning official decisions that contravened previously made promises or official rules, were experienced by Neftalem, Daniel, and Petros. Neftalem, similar to Michael, was promised he could continue his education after two years of national service. When he was denied this pursuit when the time came, he raised the issue in every public meeting; he said, “I could feel it becoming uncomfortable; they threatened me and I decided I needed to continue my education and I had to leave to do so” (Interview 11 June 2010). Daniel, by contrast, was admitted to university – or, rather, to the college at Mai Nefhi that had replaced it – but in his second year of study he sent a letter to the editor of the national newspaper and was accused of “inciting the people, speaking politics against the government, so they accused me of wanting to escape, and

put me in prison” (Interview 7 April 2011). He subsequently managed to escape from prison and leave the country. In the case of Petros, who graduated with a degree in Business Management from Asmara University and was assigned to perform national service at the Ministry of Finance, it was the numerous regulations of everyday life and their often arbitrary enforcement that made it eventually impossible for him to stay in Eritrea. He was, for example, twice caught with an incorrect or expired travel permit when visiting family in other parts of Eritrea; in one case nothing much happened, in the other case he was beaten and then imprisoned for a few weeks. He reflected,

It always depends who your commander is at the time: if he is from your province he will protect you, if not he will beat you – there are no rules for punishment. (Interview 17 April 2011)

That is why, generally, Petros feels that “one cannot live as a youth in Eritrea” (Interview 17 April 2011).

What all those stories have in common with the other narratives recorded in the course of this research is that they show that, at the core of finding themselves as self-described refugees in Israel, there are dynamics that centre on often arbitrary enforcement of government rules, coupled with a negation of basic rights (related to education, freedom of movement, professional development) within Eritrea, as well as at various stages of their journey.¹⁴

Those dynamics have not necessarily resulted in active persecution. A number of participants in fact had on the face of it comfortable lives in Eritrea. Yonas is a case in point here. He was working as a truck driver and had “a very good life” (Interview 4 April 2011). During the war with Ethiopia (1998–2000), he was conscripted into the army, and accepted that at the time because everybody needed to help in the defence of the country. But once the war had ended, Yonas was not released, and over subsequent years there was no end in sight to his army service.¹⁵ In 2007 he decided to flee:

14 Most journeys to Israel of those who participated in this research included time in refugee camps in Ethiopia and/or Sudan – in some cases, journeys to Libya as well. To discuss those journeys in detail is beyond the scope of this paper but will be dealt with in a future publication. For a more general discussion of the journeys of Eritrean refugees, see Treiber (2012).

15 The fighting phase of the 1998–2000 war ended with a number of international agreements in 2000. But the war’s root causes remain unresolved, and a state of “cold peace” has prevailed between the two countries since. The Eritrean government uses this state of affairs to substantiate the need to maintain an unusually large standing army and to consolidate its securitisation of the state (for a

I could not tolerate spending the rest of my life in the army, with no real future, and no resources to provide for my family.

Similar dynamics were behind Berhane's decision to leave. Berhane is a university graduate in Accounting who was called up for national service in 2003 and fled in 2008, after years of service with, as in Yonas's case, an indefinite end. Not only was he unable to properly care for his wife and two children in economic terms, but he also could no longer tolerate having

no right to speak or say what you think, ever, once you were in service [...]. OK, you can say compared to others I was lucky, I passed my time in high school and studied at university, but since then I have worked for almost no money, and I was not rebuilding my country but being treated like a slave. (Interview 1 April 2011)¹⁶

The cases of Yonas and Berhane in particular also show that one cannot separate economic rights (the right to be able to earn wages that allow for the basic material needs of oneself and one's family to be fulfilled) from social and political rights, or the more intangible aspirational facets of rights, as it is the denial of a combination of all those rights, in some cases accompanied by concrete oppression, that has turned some Eritreans into refugees.

This combined denial of rights affects people of national-service age in particular ways, as for them any viable future becomes hard to imagine. Indeed, the sentiment voiced by Petros above, that one cannot live as a youth in Eritrea, is behind the decision of those who left during their secondary education. Yodit, who left alongside five other pupils just a few months before she would have been transferred to Sawa¹⁷ for her last year of secondary education plus military training, says in this respect, "Everything was controlled by the government, there was no life, so we left" (Interview 10 April 2011). This was echoed by Luul, herself a

detailed discussion, see International Crisis Group 2003, 2005; Jacquin-Berdal and Plaut 2005; Müller 2012a; Negash and Tronvoll 2000).

16 Berhane was 13 years of age when the war for Eritrean independence was won in 1991, and both his father and grandfather were EPLF fighters. He himself was prepared to do national service to "help rebuild our country and make it well developed, but then the face of national service changed and it became time to oppose it."

17 In the academic year 2002/2003, grade 12 was newly introduced as the last grade of secondary schooling. To complete grade 12, students needed to transfer to the national service military training camp in Sawa, where countrywide matriculation exams are also held.

student in junior high school in a remote village on the way to Sudan who had seen others flee through her village:

I imagined people would go to a better place when I saw them leaving, because this government makes it impossible for youth to stay in the country. (Interview 17 April 2011)¹⁸

And Asmeron, who also left shortly before he would have been transferred to Sawa for his last year of schooling, said, “I wanted to complete grade 12, but not in Sawa, because it is a military camp, what I wanted was my education” (Interview 6 April 2011). The above cases of those who fled the country while still in secondary school, often without personal experiences of concrete violations of their rights as yet, present another facet of how a denial of (education) rights translates into a fundamental loss of trust that a meaningful future of any kind can be realised. Those violations negate a core human condition, something Appadurai calls the capacity to aspire (Appadurai 2004) and represent a rupture of a person’s concrete being-in-the-world (Willen 2007).

Refugeeness Enforced by the Israeli Response

None of the participants in this research originally planned to come to Israel, but at some point it became the only realistic default option (see also Yacobi 2011). Israel was perceived as a law-abiding, “European” democracy (Israel is viewed as belonging to Europe in this imagined geography), a place where it is expected that the rights denied in Eritrea will be upheld. Berhane put it this way: “We came because we thought Israel was a good country, democratic, welcoming to refugees” (Interview 1 April 2011), while Asmeron said, “I knew it is democratic, there is humanity” (Interview 6 April 2011). In addition, there is an acute awareness among many that the contemporary state of Israel itself is a state originally founded by refugees, by a people that experienced a breakdown of the (global) political order. There is thus a strong belief that Israel will honour the suffering of those who have been made refugees, and some of the Israeli civil society organisations that assist refugees explicitly refer to the legacy of refugeeness among the Jewish people. But as has been discussed above, looking at the wider response of the Israeli state to the arrival of Eritrean and most other African refugees shows a

18 This remark refers to another dimension of refugee movements, something that has been called “imitation behaviour.” For a discussion on how this might be playing out in the Eritrean context, see Bariagaber (2013).

reality that largely fails to acknowledge any common bond created by the refugee experience. In contrast, instead of making international refugee law the reference point of engagement with these new arrivals, the official response is based on Israel's narrow immigration and citizenship system and in fact violates core parameters of the Refugee Conventions, including the examination of asylum claims (Kritzman-Amir 2010; Yaron et al. 2013).

The example of Michael exemplifies some of those dynamics. He said, when speaking of first having left Eritrea,

The first thing I was dreaming about was how to get to Sudan, because we were so oppressed we believed in any neighbouring country we can have a free life – that was all we wanted. (Interview 31 March 2011)

This was at the beginning of 2007, when many Eritreans escaped to Sudan “just like a stream of water,” and he, like many others, ended up in Wad Sheriffey refugee camp, where “we were kept just like animals.” He remembers how “the only thing on my mind was going to school, eventually getting some higher education,” and he felt the best option to achieve that objective was to go to Europe via Libya. This option closed down from 2009 onwards when Italy and Libya struck an agreement on the repatriation of refugees who tried to make their way from Libya to Italy, thus people like him were simply stuck “with no future to imagine at all.” This was when he decided to come to Israel:

We were chatting about the situation, we knew we cannot go back to our country, this was like death [...] so we thought OK, maybe Israel is better, because at least we can have freedom [...] and we know that this is a very disturbing region, but Israel is one of the democratic nations.

Michael arrived in November 2010 and was given the Conditional Release Visa with the not-allowed-to-work stamp on it, something he finds very disturbing, even though he has since found work in a food-processing business. Reflecting on the situation he finds himself in, he said,

In Israel it is very complicated, all the time I don't know where my compass is [...]. [Y]ou cannot programme your life, if I want to start my education here, I don't know what will happen in the next months, will I still be allowed to be here, so I don't have any hope or ambition in Israel; basically my plan is to leave Israel and go somewhere to continue my education.

More generally, Michael's reflections on his own situation exemplify how the starting point of his journey was indeed the denial of basic rights, characterised in his case by a denial of the intangible dimensions of those rights, including notions of dignity, autonomy, and future aspirations, and how this denial is being enforced by his current situation. He said,

I could have made my life in my country, they [the Eritrean government] made me a refugee, brought me a lot of humiliation, you know to be all the time a refugee, I feel like I am falling on the shoulders of other societies, but my government created that situation [...]. [T]his generation [referring to his own generation] is a dead generation because deliberately the regime in Eritrea killed our mental status because they provided a hell place called Sawa where they teach hardship to people and we are traumatised from that situation [...]. [A]ll the restrictions, if you are in your home, you are afraid, the police may come [...]. [T]hat trauma is alive in the minds of Eritreans. Here [in Israel] people ask me, are you trying to form an opposition group [against the Eritrean government], but we are already opposers – when we left the country we became opposers. We were not leaving our country legally by the airport; we were just escaping, running. Why can people here not see that?

In line with Michael's reflections, the foremost request by Eritreans in Tel Aviv is thus to have the legitimacy of their status as refugees recognised; everything else, including a right to work or education, is seen to follow from there (see also Stephen and Schmutz 2011). The majority of the interviewees do not understand why this recognition is not self-evident given not only their experiences within Eritrea but also the often horrendous journeys they have endured, in particular those who have been victims of rape, torture, or blackmailing in the Sinai desert as documented by the various organisations working with refugees (Fishbein 2010; Hotline for Migrant Workers 2011; PHR-Israel 2010).¹⁹ When a

19 Among the people I encountered in the course of this study, one woman was raped in Sinai and had an abortion in Israel. One man whom I talked to during an informal conversation in Levinsky Park on 7 April 2011 told me about his torture and showed me torture wounds on his body. He had come to Israel six months before I met him and had visible scars on his arms and legs where he was chained. He had been held for 10 months by Bedouin smugglers and was only released after relatives abroad managed to send a payment of USD 11,000. Shahar Shoham from PHR-Israel confirmed that ransom demands had shot up and that people held as hostages now often needed to pay as much as USD 15,000 or more; see also van Reisen et al. (2012).

five-man committee of Eritreans was elected to be the public voice of Eritrean refugees in Israel in early 2011, one of its first symbolic actions was to issue an official-looking ID card with a photograph and signature to every refugee that reads “Eritrean Political Asylum Seeker in Israel” (field notes 30 March 2011).

That the Israeli government has failed to recognise the Eritreans’ refugee condition has resulted in a perpetuation of insecurity whereby not only intangible rights are not being met, as in Michael’s case above, but also rights connected to physical well-being. In addition to homelessness and lack of food experienced by some, a common experience even among those who have found work, a place to live, and can provide for themselves, is depression and other psychological problems, ultimately rooted in the denial of a secure status.²⁰ Yodit, who has developed a number of psychosomatic illnesses, explained in this respect:

Even if I work I am always afraid I might be fired, because my documents do not allow work; it makes my whole life very stressful. (Interview 10 April 2011)

And Robel, even though he is among those with a work permit, said,

I am depressed, my life is standing still, today and tomorrow is the same, I just earn money, but there is no progress and as a human I would like to see I can have a future. (Interview 14 April 2011)

This last point echoes Michael’s story above – a “future” in any meaningful way does not exist for Eritrean refugees in Tel Aviv. This lack of any future prospects is arguably at the core of a fundamental negation of rights that reinforces refugeeness as a condition of everyday life. What Mekonnen said in relation to his own journey is true for all interviewees:

We went to Ethiopia, from Ethiopia to Sudan, and from Sudan finally to Israel, because in Ethiopia and Sudan we were not safe, but now we know the trip is not over, because they don’t accept

20 Eritreans who came to Israel fall into three groups: those with close family-related networks in Israel, those with networks based on their village/place of origin in Eritrea, and those without any networks. Refugees belonging to this last group find it increasingly hard to find shelter or work, often live for long stretches of time in Levinsky Park next to the central bus station, and are sustained by a communal kitchen. During the unusually harsh winter of 2011/2012, the municipality of Tel Aviv erected army tents and provided field beds where more than 200 refugees slept at night, dividing themselves according to their place of origin into “Sudanese house” and “Eritrean house” (field notes 21 March 2012).

me here in Israel and I don't get the right[s] I am supposed to get.
(Interview 30 March 2011)

In a similar vein, Asmeron remarked,

We need the Israeli government to understand our problem, that it is the problem of the refugee, and then if they think they cannot help us they should let us go somewhere else. We are kept hostage here, with no rights, with nothing. (Interview 6 April 2011)

Taken together, the narratives of Eritrean refugees in Tel Aviv point to important dimensions of what it may mean to be rightfully regarded as refugees, and as such offer some important contributions to the debate on the refugee condition in the twenty-first century.

Conclusion: Refugee Lives, Belonging, and the Quest for Rights

The example of Eritrean refugees in Tel Aviv enforces the broader argument that refugeeness is a condition with a political core, and it exemplifies the contradictory dynamics of a global order in which universal rights stand against nation-state politics. At the same time, it demonstrates that being a refugee is a condition of everyday life; in the case of Eritreans in Israel, this condition is at least partly being reinforced by the inability to access both fundamental rights within Israel and the opportunity to leave Israel for a chosen third country.

Being a refugee does not, however, preclude feeling a strong sense of national belonging to the Eritrean nation-state. The refugee condition is based on rights violations by the current Eritrean political leadership that has captured the state and controls large parts of its citizenry through different means (see Müller 2012a; Poole 2013). This is exemplified by the fact that the majority of those who were interviewed for this research expressed a strong desire to return to Eritrea once the political conditions changed, as ultimately they aspire to be able to realise their rights within their national community. Asmeron put it this way:

If in the morning the government [in Eritrea] goes down, in the evening I will be back there, because the basis of your life is your homeland, even if you could live better outside [of it] in material terms. (Interview 6 April 2011)²¹

21 As this article focuses on rights and not on material conditions of Eritrean refugees in Israel, an in-depth discussion of the latter is beyond its scope. In

Such feelings are echoed by the vast majority of those encountered in the course of this research, those who spend their days watching Eritrean television in one of the many Eritrean bars, as well as those who have found meaningful work but long “to simply be a free person in my country” (field notes 29 March 2012). This conception of “being free” is strongly connected to being able to claim rights within a recognised legal framework and not to be ruled by arbitrary decision-making in the forms that many experienced back in Eritrea. Haile said in this respect,

In a country [Israel] that is not our country, a country we do not belong to, I can say what I think about the government, that it is not good, but in our country [Eritrea], the country we gave our blood for, we have no rights, and we are not allowed to ask for our rights [...]. I want to have the same feeling [being able to ask for one’s rights] tomorrow in my country. (Interview 31 March 2011)²²

The refugee condition Eritreans in Tel Aviv find themselves in is thus not a progressive anticipation of cosmopolitan or transnational citizenship rights as Agamben suggests, but a condition strongly related to the desire to be a rightful citizen of a particular nation-state, Eritrea. That state’s denial of rights that for most Eritreans include the right to education, a profession, and a meaningful future is at the core of their being in Israel, and the fact that those rights are strongly negated in Israel enforces their status as refugees.

This paper has also shown that using an ethnographic approach to analyse refugeeness as a condition of everyday life has a lot to offer in terms of both bringing the contradictory dynamics that often define refugee existences to the fore and critiquing state policies towards refugees.

general, for those Eritreans who have work, which was the vast majority at the time of fieldwork, material conditions in Israel are far better than they would be in Eritrea for the foreseeable future. Many Eritreans in Israel in fact send remittances back to Eritrea and thus follow decades-old patterns of transnational economic activities between Eritrea and its global diaspora.

- 22 In fact, in regular intervals demonstrations are being organised jointly by refugees and the civil society organisations that make up the “refugee sector” (Yaron et al. 2013) in order to protest specific government decisions or, more generally, demand refugee recognition. Since the opening of the Holot detention centre, mass movements of refugees have held countrywide rallies, demonstrations, and hunger strikes. For a comprehensive overview of those various forms of protest, see the online magazine +972, <972mag.com/special/asylum-seekers-2> (last accessed 27 July 2014). It is beyond the scope of this paper to discuss this issue in further detail, but see the forthcoming paper by Müller, “Acts of Citizenship as a Politics of Resistance? Reflections on Realizing Concrete Rights within the Israeli Asylum Regime.”

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Universelle Rechte versus Exklusionspolitik: Hoffnung und Verzweiflung unter eritreischen Flüchtlingen in Tel Aviv

Zusammenfassung: Diese Untersuchung der Lebensbedingungen von Flüchtlingen verweist auf die widersprüchliche Dynamik einer globalen Ordnung, in der nationalstaatliche Politiken zu einem ungleichen Zugang zu universellen Rechten führen. Auf der Grundlage einer ethnographischen Fallstudie über eritreische Flüchtlinge in Tel Aviv erforscht die Autorin das Flüchtlingsdasein als Form heutigen Alltagslebens. Sie zeigt, wie ein repressives gesellschaftliches Umfeld in Eritrea Menschen zu Flüchtlingen macht und wie ihre Lage durch die Weigerung der israelischen Regierung, sie als Flüchtlinge anzuerkennen, verschärft wird. Die eritreischen Flüchtlinge in Israel sind Vertriebene, die sich dennoch mit ihrem Land identifizieren. Die Autorin stellt fest, dass auch Flüchtlinge ein starkes Gefühl nationaler Zugehörigkeit haben können. Eritreische Flüchtlinge in Tel Aviv streben keine kosmopolitischen Bürgerrechte an, sondern sind von dem Wunsch getrieben, rechtmäßige und über Rechte verfügende Bürger Eritreas zu sein.

Schlagwörter: Eritrea, Israel, Flucht, Flüchtlinge, Asylsuchende, Asylpolitik