Toward a Critical Phenomenology of “Illegality”: State Power, Criminalization, and Abjectivity among Undocumented Migrant Workers in Tel Aviv, Israel

Sarah S. Willen, PhD, MPH*

ABSTRACT

Given the vast scope and magnitude of the phenomenon of so-called “illegal” migration in the present historical moment, this article contends that phenomenologically engaged ethnography has a crucial role to play in sensitizing not only anthropologists, but also policymakers, politicians, and broader publics to the complicated, often anxiety-ridden and frightening realities associated with “the condition of migrant illegality,” both of specific host society settings and comparatively across the globe. In theoretical terms, the article constitutes a preliminary attempt to link pressing questions in the fields of legal anthropology and anthropology of transnational migration, on one hand, with recent work by phenomenologically oriented scholars interested in the anthropology of experience, on the other. The article calls upon ethnographers of undocumented transnational migration to bridge these areas of scholarship by applying what can helpfully be characterized as a “critical phenomenological” approach to the study of migrant “illegality” (Willen, 2006; see also Desjarlais, 2003). This critical phenomenological approach involves a three-dimensional model of illegality: first, as a form of juridical status; second, as a sociopolitical condition; and third, as a mode of being-in-the-world. In developing this model, the
article draws upon 26 non-consecutive months of ethnographic field research conducted within the communities of undocumented West African (Nigerian and Ghanaian) and Filipino migrants in Tel Aviv, Israel, between 2000 and 2004. During the first part of this period, “illegal” migrants in Israel were generally treated as benign, excluded “Others.” Beginning in mid-2002, however, a resource-intensive, government-sponsored campaign of mass arrest and deportation reconfigured the condition of migrant “illegality” in Israel and, in effect, transformed these benign “Others” into wanted criminals. By analyzing this transformation the article highlights the profound significance of examining not only the judicial and sociopolitical dimensions of what it means to be “illegal” but also its impact on migrants’ modes of being-in-the-world.

INTRODUCTION

Life as an illegal foreign resident is really like living underground. You’re anonymous, without a name, without an identity, without an address. You live underground, no one can know about you, no one can find you. You’re afraid of every person you meet in the street because anyone could turn you in to the police and that’s the worst thing that could happen. They’ll deport you from here and you’ll go home without money to the difficult situation there.
- Joseph, “illegal” migrant worker from Ghana

… Like the other day, I was waiting behind a bus stop with a friend. There were two Israelis sitting there. The bus had just passed, and an African woman from my building had gotten on – the one with the cute daughter. We used to say hello even though she doesn’t know Hebrew and I don’t know English, but still we’d always say, “Shalom, shalom”. So I’m talking to my friend, who’s also [undocumented], and over her shoulder I can see cops in gray uniforms. I’m waving my hand as I talk, but as soon as I see them I stop what I’m saying and keep waving my hand. I can’t stop waving my hand. So I say to my friend, “My hand is moving by itself”. Otherwise I stayed completely frozen until the cops left”.
- Tanya, “illegal” migrant from Ukraine

“I shall put my law into their inward parts”.
- Book of Jeremiah, 31: 33-34

In recent years, a number of important legal anthropological studies have called for a shift in ethnographic attention away from concrete and reified categories of “illegal” migrants and toward analyses of migrant “illegality” as both a juridical status and a socio-political condition (Coutin, 2003; De Genova, 2002; Heyman, 2001; see also Heyman and Smart, 1999; Ngai, 2004; Suárez-Navaz, 2004). Nicholas De Genova’s 2002 article in the Annual Review of Anthropology, for instance, contains a particularly welcome – and arguably long overdue – call for
more theoretically robust and empirically rigorous investigations of both of these
dimensions of “illegality” in different migration settings. De Genova’s argument
and related developments notwithstanding, the central contention of this paper is
that a serious lacuna nonetheless persists within current anthropological scholar-
ship on migrant “illegality”. Without minimizing the significance of approaching
migrant “illegality” as both a juridical status and a socio-political condition, I
contend in this article that a third, crucial dimension remains palpably missing
from this model: the impact of “illegality” on migrants’ everyday, embodied
experiences of being-in-the-world.

As the introductory quotations from Joseph and Tanya illustrate, local configu-
rations of migrant illegality affect not only the external structure of migrants’
worlds, but can also extend their reach quite literally into illegal migrants’ “in-
ward parts” by profoundly shaping their subjective experiences of time, space,
embodiment, sociality, and self. Some ethnographers of transnational migration
processes have offered glimpses of these embodied, experiential consequences
of being illegal. Overall, however, it seems that popular media like newspapers
and feature films may be richer and more consistent sources of information about
the lived, embodied consequences of migrant illegality – even if anecdotal and/or
fictionalized – than the existing ethnographic literature. Given the vast scope and
magnitude of the phenomenon of “illegal” migration in the present historical mo-
ment, I argue that ethnography has a crucial role to play in sensitizing not only
anthropologists and other social scientists, but also policymakers, politicians, and
broader publics to the complicated, often anxiety-ridden and frightening realities
of illegality within specific host society contexts and in comparative terms across
the globe. In theoretical terms, the article constitutes a preliminary attempt to
link pressing questions in the fields of legal anthropology and the anthropology
of transnational migration, on one hand, with recent work by phenomenologi-
cally oriented scholars interested in the anthropology of experience, on the other.
Overall, the article calls upon ethnographers of undocumented transnational
migration to bridge these areas of scholarship by developing, and employing,
what can helpfully be characterized as a “critical phenomenological” approach
(Desjarlais, 2003) to the study of migrant “illegality”. In advancing this argument,
I draw upon 26 non-consecutive months of ethnographic field research conducted
within the communities of undocumented West African (Nigerian and Ghanaian)
and Filipino migrants in Tel Aviv, Israel, between 2000 and 2004.

Before proceeding any further, it is important to note that lack of legal status
does not necessarily generate the forms of social suffering delineated in the cases
analysed here. Indeed, in some migration settings and some historical moments,
lack of legal status may have a relatively small impact on migrants’ everyday lives
(Coutin, 2003; Delgado, 1993; but see also Zlolniski, 2006). It is precisely this
variation that highlights the need for greater comparative investigation of how
the abject condition of “illegality” shapes migrants’ subjective lived experience
in diverse migration settings or, put differently, for ethnographic research into
migrant “illegality” as the catalyst for particular forms of “abjectivity”.

The structure of the article is as follows. The first section lays the groundwork for
a critical phenomenological analysis by outlining a three-dimensional approach
to “illegality”: first, it is a form of juridical and political status, second, it is a
sociopolitical condition, and third, it generates particular modes of being-in-the-
world. To begin fleshing out this model, the second section anchors the present
discussion ethnographically within the Israeli host society context. The remainder
of the article sketches out a critical phenomenological approach to migrant “il-
legality” by exploring several ways in which “being illegal” shapes migrants’
everyday experiences of being-in-the-world. The discussion, which focuses
specifically on undocumented West African and Filipino migrants in Tel Aviv,
Israel, addresses the impact of “illegality” in three domains: first, on migrants’
sense of embodiment; second, on their experiences of time; and third, on their
experiences of space including, in particular, the paradoxically dangerous space
called “home”. Put differently, the article aims to shed light on the subjective
dimensions of a form of politically and socially abject status or, as noted above,
of a locally specific form of contemporary “abjectivity”.

Before proceeding any further, a word of semantic clarification is in order. While
some scholars reject terms like “illegal” migration and migrant “illegality” as
necessarily implying some form of collusion with hegemonic, and oppressive,
ideological forces within host societies, I join De Genova, among others (Coutin,
2003; Suárez-Navaz, 2004), in arguing that there are compelling reasons not
to reject such terms outright. First, notions of “illegal” status are applied with
some consistency across host society contexts, thereby creating opportunities
for cross-contextual comparison and analysis. Second, “being illegal” has sub-
stantial material consequences including, for instance, in the arena of medicine
and health. Third, many migrants – or at least many I came to know in Tel Aviv
– in fact use the language of “illegality” in describing themselves and their ev-
eryday experiences of Otherness, exclusion, and — as Joseph’s remarks (quoted
above) suggest — criminalization. Given the cross-contextual applicability of
the term, its substantial material consequences, and its impact on migrants’ own
experiences of everyday life, I echo the contention of De Genova, Coutin, and
others that the condition of migrant “illegality” – which I use henceforth without
problematising quotation marks, although they are always implicit – merits close
ethnographic attention.

© 2007 The Author
Journal Compilation © 2007 IOM
Overall, a critical phenomenological approach can strengthen social scientists’ understanding of how migrant illegality, as locally configured, is the combined result of multiple, intersecting global, national, and local processes. Its key innovation, however, lies in its capacity to link such multi-level analyses of how illegality is produced to phenomenologically sensitive portraits of how it is experienced. The next section considers the nature and goals of this project in greater detail.

“I SHALL PUT MY LAW INTO THEIR INWARD PARTS”

Given the deep significance of the Bible, local churches, and both individual and communal worship for so many of the undocumented migrants who came to Israel between the mid-1980s and early 2000s (Kemp and Raijman, 2003a; Sabar, 2004; Sabar, forthcoming; Willen, 2007a) – and for many other transnational migrants across the globe (Ng, 2002; Tweed, 1997; Van Dijk, 2004; Vertovec, 2004; Warner and Wittner, 1998) – I would like to suggest that the chapter’s scriptural epigraph, borrowed from the Biblical book of Jeremiah, is a particularly helpful metaphoric introduction to the present discussion. In that passage, the God of the Hebrew Bible declares an intention to enact laws that operate not merely in the external, social world, but also by touching upon the innermost dimensions of human activity and experience; “I shall put my law into their inward parts”, the divine voice declares.9 Perhaps this ancient declaration of intent contains a useful, if relatively unexplored, ethnographic insight for anthropologists of so-called illegal transnational migration? In other words, perhaps the connection between legal statutes and statuses, on one hand, and lived, embodied experience, on the other, is far more intimate and far more worthy of investigation than scholars have acknowledged to date.

My thinking on this topic is influenced by the work of phenomenologically inclined anthropologist Robert Desjarlais, who has argued in a separate context that, “anthropology is in dire need of theoretical frames that link the phenomenal and the political … especially [studies] that convincingly link modalities of sensation, perception and subjectivity to pervasive political arrangements” (1997: 25). Building upon this crucial insight, the present article sketches out an ethnographic approach designed to investigate migrant illegality not only as a form of juridical status and as a sociopolitical condition, but also as a mode of being-in-the-world. Following Desjarlais, I find it useful to characterize this project as an effort to develop a “critical phenomenology of migrant ‘illegality’”, understood as “a phenomenologically inclined account … which attends at once to the concerns and lifeworlds of [our ethnographic subjects] and to the interrelated social, discursive, and political forces that underpinned those concerns and lifeworlds” (2005: 369).
The power of this ethnographic prism – to unpack, to thickly describe, and to humanize – emerges with compelling clarity in Desjarlais’s ethnographic forays into an especially challenging research domain: a shelter for the homeless mentally ill. In his 1997 ethnography, Shelter Blues, and related publications, the author offers “a ‘redescription’ of certain aspects of shelter life from a sensory-centered perspective – one that offers an analytic take on homelessness that is distinct from the medical and purely political-economic models that have tended to dominate the literature on the subject” (ibid). In the pages that follow, I aim to demonstrate the relevance of this bodily-aware, sensorily-attuned ethnographic approach for research on another “social problem” altogether: economically motivated, undocumented transnational migration. In this context, a critical phenomenological approach demands attention to two interrelated dimensions of social life: first, to the conditions of structural inequality and structural violence that shape migrants’ position and status (both in Israel and within the global political economy more generally); and second, to the impact of these contextual factors on migrants’ individual and collective experiences of being-in-the-world.

Importantly, Desjarlais’s critical phenomenological approach contains “a plea for experimentation and difference in future research into the subjective worlds of those suffering from distress” (ibid, 370). Without falling into the trap of assuming that all undocumented migrants’ lives are necessarily ongoing tales of suffering and distress, it is certainly the case that these are common features in the lifeworlds of a great many undocumented migrants in diverse host society contexts. Indeed, a central goal of the present article, and of the other articles in this volume, is to show how migrants’ interactions with state institutions and individual agents of state power are frequent catalysts of the specific kinds of fear, anxiety, frustration, and suffering such migrants do, often habitually, endure.

In Israel, for instance, undocumented migrants’ everyday lives have been turned upside down since the initiation of a massive, well-funded government campaign to criminalize and deport illegal migrants en masse that began in mid-2002. Since then, migrants’ presence – and their very persons – have become increasingly criminalized, as I will elaborate momentarily. Literally hunted down on the streets, at work, and even in their own homes late at night, illegal migrants are now the target of sophisticated state techniques of surveillance and discipline, and looming clouds of vulnerability and indeterminacy now overshadow the everyday lives of those who remain. In the remainder of this article, I aim to show how a critical phenomenological approach challenges us to consider not only the underlying historical, ideological, and political economic factors that led to the radical re-configuration of the condition of migrant illegality in Israel, but also its deeply significant experiential, embodied, and sensory dimensions as well.
ETHNOGRAPHIC CONTEXT: CONFIGURATIONS OF “ILLEGALITY” IN ISRAEL

While transnational Jewish migration – cast in the ideological language of “aliyah”, or Jews’ metaphoric “ascension” to the Holy Land – is the cornerstone of the Zionist project and, as such, of the modern state of Israel, more recent forms of economically motivated, non-Jewish migration date back only to the late 1980s and early 1990s (see Willen 2007-b). At that time, Palestinian workers were cut off from their jobs in Israel as a result of Israeli military closures imposed on the Occupied Territories in the wake of the first Intifada. In response, increasing numbers of authorized, legal workers from Thailand, Romania, Bulgaria, and China, among other places, were recruited to replace them, primarily in the fields of construction and agriculture. Meanwhile, the growing need for elder-care providers brought tens of thousands of Filipinos to Israel, most of them women, also on a legal basis. During the same period, these rising numbers of legal migrant workers were paralleled by growing streams of illegal migrants from a separate set of countries, who began arriving via the “tourist loophole” in Israel’s otherwise rigid migration regime (Willen, 2003). Most of these illegal migrants initially arrived in Israel as tourists or Christian religious pilgrims with the intention of “overstaying”. The majority found work in the Tel Aviv area, primarily in housecleaning but also in childcare, restaurant work, and other informal market sectors. Throughout the 1990s deportations were relatively rare, job opportunities were plentiful, and conditions were ripe for the emergence of the Tel Aviv-based communities in which I conducted research.

As a host country, Israel has held two primary attractions for undocumented migrants: first, as a land of economic opportunity bearing important similarities to other, harder-to-enter destinations in Western Europe and North America, and second, given most of these migrants’ identification with one Christian denomination or another, as the biblical Holy Land. According to the findings of a survey I conducted with 170 English-speaking patients at an open clinic for undocumented migrants in South Tel Aviv, many arrived expecting to find a “holy”, “prosperous”, “peaceful” country of “religious”, “Christ-like”, “God-fearing people”. These high expectations quickly became tarnished, however, as migrants found themselves struggling to make do at the periphery of the Israeli economy, Israeli society, and Israeli urban space. One of the earliest blows to these religiously inflected expectations, for instance, stemmed from the derelict atmosphere of the gritty South Tel Aviv neighborhoods that many of the city’s undocumented residents, and the occasional ethnographer, came to inhabit. In some of these neighborhoods, homeless people beg for change, IV drug users congregate on street corners, and conspicuously marked sex shops inevitably capture the attention of even the most pious pedestrian. Several disappointed
migrants indicated in their surveys that they expected Israel to be “God’s own land”, or “exactly how we read in the Bible”; instead, as one migrant wrote, “Many weekends, Tel Aviv is another Sodom and Gomorrah with lots of drinking and peep shows”.

Not only are undocumented migrants shocked by certain aspects of real-life, modern-day Israel, but the Israeli state and Israeli society have also struggled to make sense of, and respond to, this dramatically changing local “ethnoscape” (Appadurai, 1996). Although there exists considerable cultural and ethnic heterogeneity within Israeli society, most citizens – whether Jewish or Palestinian Arab – are, and phenotypically appear to be, of either European or Middle Eastern descent. Until the 1990s, this relative homogeneity meant that many Israelis had never seen a person from Africa, Southeast Asia, or other distant world regions in the flesh. One upper-middle class Jewish Israeli in his early thirties, for instance, told me he had never seen a black person until the mass influx of Jews from Ethiopia in the early 1990s. Under circumstances like these, the rapid influx of an estimated 300,000 non-Jewish transnational migrants from countries as disparate as Columbia and Kyrgyzstan, Poland and the Philippines, the Ivory Coast and the Indian subcontinent has been, in many respects, a shock to the Israeli cultural system.

Throughout the 1990s, transnational migrants in Israel – regardless of legal status – were generally imagined, and treated, as benign yet categorically excluded Others.\textsuperscript{15} This changed with the onset of the 2002 government deportation campaign resulting in the criminalization of undocumented migrants. Over the course of my fieldwork (2000-2004), I watched mainstream Israel struggle to make sense of this new category of Other, not only within the labour market and in the corridors of power, but also in the public sphere, where average Israelis from across the country began encountering migrant workers, or at least representations of migrant workers, in diverse contexts including local newspapers, television reports, and a number of full-length feature films.

While undocumented workers’ exploitability and expendability are common themes in the broader ethnographic literature, Israel’s policies have become particularly aggressive since the summer of 2002, when then-Prime Minister Ariel Sharon initiated the mass deportation campaign mentioned earlier, framing it partly as an aggressive policy response to rising unemployment and partly as a strategy for safeguarding the country’s Jewish majority. While critics have decried the economic logic of the campaign as spurious,\textsuperscript{16} from the government’s perspective it has – despite its more than US$75 million price-tag\textsuperscript{17} – been a great success. By the end of 2005, over 140,000 migrants had been “distanced” from Israel – to employ the Immigration Police’s sanitizing euphemism\textsuperscript{18} – including
more than 40,000\(^{19}\) who were arrested and forcibly deported and many more who were “encouraged” – that is, regularly and systematically intimidated – into leaving “voluntarily”. Not surprisingly, the campaign’s impact on the strongest, most well organized communities, including the West African and Filipino communities I came to know best, has been devastating.\(^{20}\)

A brief overview of the campaign’s central techniques is helpful in illustrating first, its scope and impact; second, the multiple levels – discursive, psychological, and material – at which it came to operate; and third, its effectiveness in criminalizing both migrants’ presence in Israel and, in deeply embodied ways, their very persons. These techniques include: 1) the establishment of four new detention centers; 2) a propaganda campaign designed to mobilize public support and cooperation in implementing the mass deportations through “public service announcements” disseminated in the print and electronic media; 3) an “information hotline” that some citizens have used to report undocumented migrants to the Immigration Police; 4) police surveillance of public and private areas; 5) “biosocial profiling” (Shamir, 2005) or racial profiling; 6) police informers, including undocumented migrants as well as Israelis; 7) a “Voluntary Departure” campaign that provided subsidized plane tickets to departing migrant families; 8) systematic arrest and deportation of known community leaders; 9) the marking of apartment doors in preparation for late night arrests;\(^{21}\) 10) tens of thousands of arrests and deportations, some proportion of which involve various forms of humiliation and psychological violence; 11) the use of physical violence and brutality in the course of arrest; and 12) a generalized failure to investigate or punish police brutality (Willen, forthcoming-c; Willen, under review).

These dramatic changes at the level of political ideology, public discourse, and governmental practice have led to a radical reconfiguration in the condition of migrant illegality in Israel. In the remainder of the article, I aim to show how local configurations of migrant illegality – including, in particular, those produced in the wake of the deportation campaign – have not only affected the external structure of migrants’ lives and lifeworlds, but have also extended their reach quite literally into illegal migrants’ “inward parts” by profoundly affecting their subjective experiences of embodiment, time, and space, including in particular the space called “home”.

**SOMATIC MODES OF ATTENTION**

One of the most prominent changes in illegal migrants’ lives with the initiation of the deportation campaign was the profound degree of persistent, embodied tension and anxiety that virtually all adults – and many Israeli-born children of
undocumented parents – began to experience. As the Immigration Police developed an arsenal of techniques that portray and treat undocumented migrants as wanted criminals, the newly intensified threat of arrest and deportation began to reverberate into every corner of migrants’ complicated lives. This patterned embodiment of fear and anxiety powerfully affected not only of West Africans and Filipinos, whose status as outsider and Other is evident on their bodies, but also of migrants from the former Soviet Union (recall the unstoppable waving hand of Tanya from Ukraine, described in her introductory quotation), Eastern Europe, South America, and elsewhere, many of whom I encountered at the migrant aid organizations where I regularly volunteered. These new ways of inhabiting and moving about in one’s body constitute what phenomenological anthropologist Thomas Csordas describes as particular “somatic modes of attention”, or “culturally elaborated ways of attending to and with one’s body” that emerge from the dialectic “between perceptual consciousness and collective practice” (1993: 138).

**Bodily vigilance**

During the mid- to late-1990s, the Israeli government conducted several small-scale waves of arrest and deportation in which men were the primary targets. Under the new mass deportation campaign initiated in mid-2002, however, both men and women are targets. For a time, mothers of small children operated under the assumption that motherhood would grant them immunity, and in some cases this was true. In an effort to protect themselves, some mothers of Israeli-born children were vigilant about carrying hospital documentation of their deliveries as proof of their motherhood. Men, on the other hand – including fathers of Israeli-born children – felt no such sense of security. As Franklin, a seasoned Nigerian migrant and father to an Israeli-born son, Trevor, described,

[You have this] feeling of always hiding, looking around you everywhere you go, to the right, left, front, behind. You get home at the end of the day and thank God you’ve made it through another day – and then you stay there unless you really need to go out.

The “somatic modes of attention” shaping Franklin’s everyday movements are produced through an amalgamation of knowledge acquired through stories of others’ arrests, through his own brushes with arrest, and through the sedimentation of physical sensations that have come to be associated with, and evoked by, his daily departures from the relatively safe private spaces of home and work into the much more perilous public spaces of streets, markets, and public buses.

Many other migrants described their ventures into public space using a similar language of sensory and bodily vigilance. For instance, Kofi, a Ghanaian man whose Nigerian wife, Amina, is close friends with Franklin’s wife, spoke with me
at length about the anxiety he felt every day, an anxiety that would kick in even before he left for work each morning. He was always on guard, he explained, always looking around, always keeping eyes and ears open for the distinctive light blue shirts of uniformed police or for cops in civilian clothing. When walking down the street, particularly in areas known to be “hot”, Kofi would stay alert, always ready to duck down an alley or side street. While waiting for the bus, his only option for travel to and from work, he would wait some distance from the bus stop and then race on at the last minute, heart pounding, in case the police should be lurking. He would quickly scan the bus as he stepped on, then look for a seat – preferably as close to the door as possible. “I plan out escape routes”, he told me. He remained perpetually prepared to jump off the bus should a police officer step on to ask passengers for identifying documents.

In a separate conversation, Kofi described what had happened to him earlier that morning on his way to work in Modi’in, a city about half-way between Tel Aviv and Jerusalem. The event he described took place less than two weeks after he had been arrested while waiting at a bus stop and, through a rather unprecedented combination of circumstances, released for a month on bail. Although, still within the month-long window of ostensible safety incurred by his bail, anxiety and fear were too deeply entrenched in Kofi’s everyday habits and demeanour to risk an unnecessary encounter with the police.

This morning I went to take the 6:15 [a.m.] bus to work in Modi’in. The bus leaves the Central Bus Station at 6:15, and usually gets to the [local] stop … at 6:18. This morning I had a strange feeling, so instead of waiting at the stop, I hid near the stop in the thicket. Before the bus came, a police van came and was there, waiting. They were there a few minutes. I was nervous but I was relieved that I was hiding, squatting in the thicket. Then they left, the bus came, and I went to work.

As Kofi knows, evidence for his arrest is written on his body, literally on his skin. Unlike other undocumented migrants in Israel – Eastern Europeans and some South Americans, for instance – the chances that the Immigration Police officers would assume Kofi to be Israeli, and therefore leave him alone, were virtually nonexistent. Although the release papers in his pocket theoretically rendered him immune to arrest, he could not abide the possibility of another encounter. Despite his temporary immunity to arrest, Kofi’s everyday movements were nonetheless shaped by the same “somatic modes of attention” that he, like Franklin, internalized as a result of ongoing exposure to a barrage of signs and sensory cues ranging from stories of arrests and near arrest, to the Immigration Police’s occasional entry into his sensory fields (white vans, blue uniforms, bilingual confrontations on the street). After months of exposure to these and related cues, Kofi’s embodied
sense of being-in-the-world has been fundamentally shaped by his existential fear of being arrested, deported, separated from his family in Israel, and sent home to Ghana in shame as a penniless, failed “traveler”.

While Kofi adamantly refused to see himself as a criminal, this was nonetheless how he felt in the presence of the police; he was anxious of being “caught”. He was afraid; he hid. “We know we are illegals”, he told me, “but we are not criminals. Yet this is how they treat us”! The anxiety this criminalization generates is perpetually present whenever Kofi moves about in public space. For him, the difference between his own “somatic modes of attention” and those of average Israelis is palpable.

When I see an Israeli smiling on the street I think, eh? Why are you smiling? Why am I not one of them? I am not smiling. I have to be looking around like this and this and that. It’s feeling anxiety all day at every time, I tell you.

Illegal status is thus incarnated in the way Kofi, Franklin and many other migrants in Israel, use, move around in, and present – or hide – their bodies.

**Bodies in disguise**

Indeed, some undocumented migrants did take pains to literally hide their bodies as much as possible. One morning in December 2003, for instance, as I walked though South Tel Aviv with Kofi’s wife Amina and their Israeli-born sons Ethan and Kweku, we passed an African man dressed in pants, a sweatshirt, and a broad-brimmed canvas hat, hands stuffed deeply in his pockets. His mode of dress caught my attention, but not enough to comment out loud. Later on, Amina said she wondered why the man we’d seen was dressed like a Liberian. “Like a Liberian?” I asked. “Yes, that’s how Liberians dress”. I asked her why, and she said she was not sure. Later on I asked both her husband Kofi and their friend Franklin about what we’d seen. While neither knew why undocumented Liberians in Israel had apparently adopted this mode of dress, both confirmed that it was becoming increasingly common; Some Africans had begun trying to cover up the color of their skin so passersby would not notice. Between the wide-brimmed hat and the hands stuffed in his pockets, it would have required a second glance to notice that the person Amina and I had seen earlier, packed deeply into his disguise, in fact had dark skin.

**Dodging peril on the road: Kobena’s bicycle**

Given the risks and dangers associated with moving through public space, on one hand, and the urgent need to work and earn money, on the other, the exigencies of everyday travel created major challenges for undocumented migrants in Tel Aviv as the deportation campaign intensified. A lucky few arranged to be picked
up and dropped off by their employers each day, which immunized them to the dangers of public transportation during the particularly perilous morning and evening rush hours. Others, like Franklin, started taking taxicabs to work – despite the exorbitant cost – on the assumption that the reduced risk was worth the reduction in earnings. Many others took pains to reduce the number of trips they made on public transportation, the number of hours they spent outside their flats, or both. Kofi’s wife Amina said to me when I called from Atlanta in November 2003, “What can we do? We are praying every day. [Kofi] is going to work, only now he does not stay too long because of the situation, or he will go and come early. We need money – what can we do?”

While most people simply resigned themselves to using public transportation given the paucity of affordable alternatives, a handful of migrants elected for yet another option: bicycling. Kobena, a Ghanaian migrant and prominent leader of the African Workers’ Union 23 – one of the only grassroots migrants’ organizations to emerge in Israel – was one of those few. Kobena explained that riding public transportation made him intensely anxious, primarily since one remained continuously visible for the entire duration of the trip. Riding the bus meant walking exposed, from home to the bus stop; waiting outside for the bus; riding the bus for long stretches through multiple neighborhoods; walking from a second bus stop to one’s place of employment; and then taking more bus trips to additional places of work before heading homeward at the end of the day. More creative, resourceful, and athletic than many of his fellow Africans in Tel Aviv, Kobena chose to ride his bicycle to work whenever possible, even for relatively long distances, rather than taking the bus. Cycling not only afforded him the opportunity to take quiet side streets rather than busy main roads, but it also provided the flexibility to duck behind a building or into an alleyway should he detect, or even suspect, a nearby police presence. Given my own enthusiasm for urban cycling, I could identify strongly with the sense of freedom, independence, and control he felt while careening around corners and bypassing traffic snarls by relying on his working knowledge of side streets and shortcuts. Still, even cycling was not a perfect mode of transport. As Kobena pointed out, cycling still involved one major risk: continuous public visibility for the few moments required either to lock up or to unlock his bicycle at the houses he cleaned. In one sense, traveling by bicycle felt much safer, and he felt much more in control than if he were sitting or standing passively waiting for, or riding on a, public bus. Nonetheless, these brief moments of exposure remained nerve-wracking.

**Troubled sleep**

Illegal migrants’ fears of arrest and deportation not only plague them during daytime hours, but sometimes creep into dreamtime thoughts as well. This was true even before the mass deportation campaign, but night-time anxieties were
exacerbated by its implementation from 2002 onward. For some migrants, late-night fears left them sleepless and tired in the daytime. For others, dreams opened up new landscapes for the imaginative exploration of real-life fears. One of the first times I heard of police appearing in a dream was during an August 2002 interview with Priscilla, a Ghanaian woman and mother of a newborn baby boy, at her home in the Tel Aviv suburb of Ramat Gan. Priscilla had not only begun to embody illegality in her waking hours, during which she struggled with painful experiences of political exclusion, social marginality, increasing criminalization, and racism (see Willen, 2005), but the weight of her illegal status had crept into her unconscious as well. In the dream Priscilla recounted to me, her husband, Maxwell, was arrested, her pleas for mercy to the arresting officers rebuffed, and her husband about to be taken away.

[In my dream] I saw police catch my husband, and they put the handcuffs on [him]. I say, “It’s my husband, I have a small baby”. They say [to him], “We don’t care about your baby... you are going. You are going to your home”. I say “No! No no no! I’m – no no no no”. And my husband [wakes up and] say[s], “What what?” “Listen”, [I tell him,] I have a bad dream, the police catch you”. He say[s], “No, God [is] protecting us. ... No police catch me.

Here Priscilla’s nightmare ends. After dreaming this dream and rousing her husband for comfort and solace, she explained, the two of them got up and knelt together by the side of their bed to pray. For her, as for many others, one of the only salves was prayer. “I pray. I pray in the night, at one o’clock”, she told me. “I pray a lot. Because you know, we are here, and we don’t have anyone to help us, only God. … And God is a good Father. When you talk to him, he hears you and answers you”.

By Fall 2003, just over a year later, dreams like Priscilla’s seemed to have become much more common – as had the realities of arrest and deportation they darkly anticipated. In my November 2003 phone conversation with Amina, for instance, she spoke not about dreams but about the profound worries that now, in the eighth month of her second pregnancy, had begun to infect her sleep.

A: If you are sleeping you are worrying. Maybe they’ll come to break down your door today. It’s a thing of everyday. I wake up in the morning with my heart beating. Yesterday by 5am, they took Linda’s [a friend’s] husband and beat him.
S: But how are you?
A: We are fine. Only we are afraid, that is the only thing. We are hiding, but we are still here. Maybe the situation will change today, maybe tomorrow. For now we can do nothing. Ma la’asot – what can we do?
THE RHYTHM OF DAYS AND WEEKS

Illegality has also profoundly affected migrants’ experiences of time, including the quotidian rhythm of days and weeks. Once the deportation campaign was in motion, migrants began speaking about a palpable difference in risk between weekdays and weekends. Early in the week, Immigration Police officers – some in uniform, others in civilian dress – were actively on the hunt for undocumented migrants. By Friday, the first day of the Israeli weekend, and especially on Saturday, the only full weekend day, migrants said arrests were less frequent since “on the weekend, the police are home with their families”. Saturday had long been regarded as a particularly “safe” time during which police officers would not be out on the prowl, and many took advantage of the opportunity to attend church services at either one of the Catholic churches in the nearby city of Jaffa or one of the dozens of grassroots Pentecostal, Evangelical, or African Independent churches established in Tel Aviv during the communities’ heyday (Sabar, forthcoming).

“Now Thursday is a bad day too”

The intensification of the deportation campaign, however, changed the temporality of everyday risk. In May 2003, for instance, I spoke with Kofi, his wife Amina, and a family friend about the impact of the intensified deportation campaign on their everyday movements. The previous Thursday, a mass arrest had taken place in a nearby apartment building. “They took a building full of people, maybe 20”, Amina said. “Now you can’t go out at night”, the family friend observed. “At night?! ” Amina replied. “You can’t go out any time. No hour is safe”. Kofi parsed the danger over the weeks’ course. “Thursday is a dangerous day. We were saying Sunday, Monday, Tuesday are bad days; Thursday, Friday, Saturday safer”. Now, he added, taking the mass arrest in the apartment building into account, “Thursday is a bad day too”. “Every day is a bad day now”, Amina interrupted in response.

About nine months after this conversation, I discussed the impact of the deportation campaign with Franklin’s wife Osas. For most of the four years she and her husband had spent together in Israel, Osas and Franklin supported themselves, and their older son and extended family in Nigeria, through weekday housecleaning jobs, and their weekends – like the weekends of most Israeli families – lasted from Friday afternoon until Saturday evening. By January 2004, however, things were different. Osas explained:

Franklin is barely going out now. He’s afraid. He’s just working at a [hotel] pub on Friday [nights] for 15 hours and on Saturday [nights] for eight. He’s cleaning on Wednesdays, every other Thursday, and some Fridays. He had another job
but he gave it to Amina. Anytime he’s out of the house I’m nervous, even when he’s called after he’s arrived. The whole time he’s out of the house I’m nervous. When he’s leaving work I always tell him to come home direct, not to stop anywhere. When he’s home with [their Israeli-born son] Trevor, he’ll take Trevor any time he has to go out to buy something or something like this.

In a subsequent conversation, Kofi drew an explicit comparison between his own situation and that of Franklin: “The wife told him to stay in the house, so he doesn’t go out. He just works Friday and Saturday in a hotel, on the safe days. He’s not in the line of fire every day like I am”.

SPACES AND PLACES

Changing configurations of illegality in Israel have reshaped not only migrants’ experiences of embodiment and time, but also their experiences of space. Substantive shifts in embodied consciousness and sensation take place as migrants move from areas of “host society space” like employers’ homes and public streets, where they are perpetually reminded of their Otherness, into an alternative set of spaces that I describe elsewhere as “inhabitable spaces of welcome” within an otherwise antagonistic host society (Willen, forthcoming-a). Within these alternative spaces, with include migrant churches as well as the apartments of more commonly small rooms in shared apartments, that migrants call home, migrants are able to cultivate a sense - however provisional - of relative belonging, security and existential groundedness. Since 2002, the heightened presence of Immigration Police in public space and the incursions of police officers into the private space of the home have significantly tested the resilience of these fragile zones of phenomenological safety.

Space and embodied consciousness

Within public spaces, migrants’ bodies are constantly being read, or sensed, by members of the host society, and these patterns of host society attention contribute to the production of spatially specific forms of embodied consciousness. Migrants must constantly negotiate the tension between body as object and body as subject, or between their own embodied experiences of self in social context, on one hand, and their familiarity with the symbolic code – replete with racial, ethnic, and national signals and associated with particular kinds of positive and negative moral value – through which they, in their bodies, are being read. These patterns of sensing, and of being sensed by, other people are by no means value neutral; rather, the aesthetics of Otherness are tightly wound up in a deeply rooted biopolitics of Otherness (cf. Fassin, 2001; Willen, forthcoming-a).
Within employers’ homes, for instance, migrants’ presence is premised on their willingness to place themselves in the service of a Western bourgeois aesthetic of order and cleanliness. If all proceeds by design, their toiling bodies are temporary presences that appear and disappear without leaving any bodily trace. Indeed, their labors leave only a negative trace; gone with their departure are the dust, dirt, and disorder that were present when they arrived. While undocumented migrant housecleaners remain largely invisible in the private space of employers’ homes, appearing only for a few hours each week, they cannot remain equally invisible within Israeli public space. Even during the period in which the Israeli authorities treated them with relatively benign neglect (i.e., through the late-1990s), illegal migrants’ physical presence in public constituted a form of sensory disruption for Israelis, who, as suggested earlier, were generally unaccustomed to the presence of racial or ethnic difference within the ostensibly homogeneous “imagined community” of Jewish Israel. Like the pregnant African women in Dublin described by anthropologist Anwen Tormey (this volume), Filipinos, Nigerians, and Ghanaians (among others) in Tel Aviv are experienced by Israelis as “space invaders” (Puwar, 2004). As a result, migrants are perpetually left to experience themselves through the Othering gaze of their host society. In Tormey’s terms, (citing Fanon, 1990), the persistence of this Othering gaze upon their bodies renders them beings that are “sealed into crushing objecthood”.

Turning these experiences of perpetual visual scrutiny and embodied objectification on their head, illegal migrants in Tel Aviv looked to their homes, and churches, as provisional spaces within which they could, in a sense, unseal this experience of “crushing objecthood” and, for at least a few moments each day, inhabit another kind of embodied consciousness. Within these inhabitable spaces, migrants found opportunities experience themselves in ways that were unmediated, or at least less directly mediated, by the Othering gaze of their often indifferent, occasionally sympathetic, and frequently xenophobic host society.

The dangers of home

While homes are still important sites for the cultivation of sensory familiarity and “homeliness”, they effectively lost their role as safe havens from the outside world with the initiation of the deportation campaign in mid-2002. Since then, the formerly safe space of “home” has become infused with a frightening sense of penetrability, porousness, and danger. On occasion, migrants played tricks on themselves in an effort to mitigate these new fears. In Kofi and Amina’s apartment, for instance, where the three of us spent countless hours, the shutters were always kept shut, even in the stifling heat of Tel Aviv summers. The shutterless windows along the opposite wall were covered over with cardboard making the apartment a dark, stifling place. A small Israeli flag, the kind one might hang from a car
window, hung from the light fixture. One afternoon, as I held Ethan in my arms and he batted it around playfully, I asked Amina why the flag was there. “Kofi thinks it will fool the police into thinking Israelis live here”, she said, her tone intimating illogic in her husband’s thinking. “But it’s on the inside of the house, and the windows are all covered”, I tentatively observed. “I don’t know, he just thinks it’s a good idea”, she answered, and we both let out a cynical laugh.

Yet even at home, where the door was always locked, the family could not feel safe. Loud noises at night would wake them in a panic wondering if the police were pounding on a neighbour’s door – or on their own. By this point, too many people they knew had been arrested in the middle of the night – sometimes with considerable violence – for them to be able to rest easily. Eventually, after Kofi’s arrest and subsequent fortuitous release, they followed the lead of many of their neighbours and friends by packing up and moving away to a neighbourhood with fewer illegal residents and, they hoped, a negligible police presence.

While Kofi and Amina did not suffer what was imagined as the worst kind of arrest – heralded by loud pounding on the door during the middle of the night – hundreds if not thousands of other illegal migrants did. One relatively typical late-night arrest involved Kwejo, a Ghanaian man who had lived in Israel with his wife of many years, Patricia. Nearly fifteen years earlier, the couple left their older children in Ghana and migrated to Israel to support them from afar. During their sojourn, Patricia gave birth to their youngest, Israeli-born son, Moshe, who was thirteen at the time of his father’s arrest. “The country is shaking”, Patricia said when we sat down to talk about what had happened, her anguish visible in her comportment and audible in her tremulous voice.

The police came in at 5am, banging on the door. I opened it, and they slammed the door into me. It cut my hand and I bled all over. Moshe was in the house, and he tried to speak with the police. I didn’t understand what he was saying [since it was in Hebrew]. He [Moshe] was born here! They shouldn’t deport the father. … Now I’m afraid to go everywhere – to the [bus station], the shuk [market], everywhere. I think all the time about the police. … Israel was never like this. We are not criminals, we are human beings!

For Patricia, who has spent nearly fifteen years in Israel working to support Moshe along with her three older children in Ghana, the recent deportation campaign involved new and unprecedented forms of humiliation and criminalization, which she experienced as a basic attack on her dignity and sense of self.

Other late night arrests in migrants’ homes, some heard first-hand and others documented by journalists and human rights organizations,26 have involved considerably more violence than Kwejo’s. Examples ranged from breaking down
doors to physically abusing migrants, sometimes in front of their children, and in some instances causing long-lasting physical injury. After an arrest in a particular apartment or building, or even on a particular block, other undocumented residents would scramble to find alternative housing. Many moved away from neighbourhoods with established migrant populations (as did Amina and Kofi) into more distant areas where they could only hope the police would not hunt them down and, as importantly, that their new Israeli neighbours would leave them alone. Given the regular circulation of stories and rumours about violent arrest – some factually accurate and others embellished – migrants became deeply aware of the readiness of the Immigration Police to intimidate, threaten, or physically abuse people in the process of meeting their monthly quotas.

Although violent arrests have not become the norm in Israel, violence is an ever-lurking possibility. The constant possibility of having one’s apartment door broken down and being arrested in the dead of night, potentially with physical violence, has led to the development of various creative strategies for protecting oneself, one’s flatmates, and one’s family. One Thai woman, for instance, described to a journalist how she and her flatmates took turns sitting up each night in pairs watching the street for any suspicious vehicle (Wuhrgaft, 2003). If a flatmate on nightwatch saw any sign of danger, she was to awaken the others and all would crawl out a broken window in the hallway to their designated hiding place on an adjacent sloping roof. Another strategy that became common, especially among West Africans, was to sleep in one’s clothing – not just everyday work clothes, but the finer clothing one would wear to church or to communal celebrations – in order to avoid being deported to Nigeria or Ghana in the clothes of a pauper. I also heard stories from both Osas (wife of Franklin and mother of baby Trevor) and Kobena (the Ghanaian political leader and bicycling aficionado) about an infrequent but noteworthy third strategy: women who responded to late-night police knocks by stripping off their clothing and answering the door naked, thereby shaming the police officers into leaving without achieving their intended goal. As Kobena and I discussed, these women’s reported use of nakedness – literally in the face of armed police officers – was a clear indication of the depths of migrants’ growing desperation. Overall, the mass deportation campaign has stripped undocumented migrants in Tel Aviv of the possibility of experiencing the private space of home as a haven from the outside world. Instead, these precarious spaces of welcome have begun to feel even more dangerous than markets, bus stops, or public streets.
CONCLUSION

“I shall put my law into their inward parts”.
- Book of Jeremiah, 31: 33-34

Millions of people across the globe are classified as illegal migrants or immigrants, and illegal migration has become an increasingly high-priority, high-stakes issue on local, state, and international agendas. As this article has sought to demonstrate, the circumstances of undocumented migrants’ and immigrants lives are profoundly shaped and constrained by what can be described as the condition of migrant illegality. Illegality, in this context, is not simply a form of juridical status or a sociopolitical condition, but it also contributes to particular ways of being-in-the-world. In developing this three-part, critical phenomenological approach, this article has outlined first, how illegality in Israel is a product of converging global, regional, and national factors; second, how this condition was radically reconfigured as the result of a mass deportation campaign initiated by the Israeli national government in mid-2002; and third, how this newly reconfigured condition of migrant illegality has profoundly affected migrants’ experiences of embodiment, time, and space. By recasting undocumented migrants as criminals via a wide array of disciplinary tactics, the Israeli state and its newly created Immigration Authority and Immigration Police have succeeded not only in arresting and deporting migrants by the thousand, but also in sowing anxiety and fear among those who have managed to remain.

Whether the mass deportation campaign in Israel has achieved its declared objective – creating new jobs for unemployed Israelis – remains an open question. What is clear, however, is that this local reconfiguration of migrant illegality has had a profound impact on undocumented migrants’ modes of being-in-the-world. So, too, has it produced new forms of “abjectivity”. As the experiences of Kofi (from Ghana) and Franklin (from Nigeria) illustrate, it has yielded a tremendous amount of embodied anxiety that has generated an array of shared, defensively oriented “somatic modes of attention”. Some migrants, like Amina, Kofi’s Nigerian wife, and Priscilla, the new mother from Ghana, began to internalize their illegality as a form of sleep disturbance, or even as terrifying nightmares about disastrous encounters with the police. The new atmosphere of criminalization and pursuit has also reconfigured migrants’ experiences of time and space. As Kofi and Amina explained, the once predictable rhythm of days and weeks – in which the earlier part of the week was understood to be more perilous than “safer” weekend days – was disrupted as weekend days became dangerous as well. In spatial terms, many migrants began to avoid being out of doors during peak travel times, while others developed alternative modes of transportation like arranged rides, taxicabs, or bicycles. Still other illegal migrants – like the
“Liberian” man Amina and I saw waiting at a bus stop – began taking steps to disguise or hide their bodies during unavoidable forays into public space. Finally, the deportation campaign also broke down earlier distinctions between “dangerous” public spaces like streets and bus stops and the ostensibly safer private spaces of home. In particular, migrants’ homes were transformed from safe havens into porous, penetrable, deeply vulnerable spaces. Given this wide array of embodied, sensory, and experiential consequences, careful consideration of this third dimension of migrant illegality – its impact on migrants’ modes of being-in-the-world – is integral to any adequately “thick description” (Geertz, 1973) of what it means to “be illegal”. While the present discussion has focused exclusively on the Israeli host society setting, critical phenomenological analyses are likely to reveal parallels in other migration contexts.

For anthropologists of transnational migration to effectively capture both the broader circumstances within which locally specific, dynamic configurations of illegality are produced and their embodied, experiential consequences within real people’s lives, we will need to forge new linkages between the fields of legal anthropology and the anthropology of transnational migration, on one hand, and the anthropology of experience, on the other. A critical phenomenological approach to migrant illegality – bolstered first, by critical scholarship on global political economic inequalities; second, by attention to nationally-specific politics of inclusion and exclusion; and third, by attentiveness to “illegal” migrants’ embodied, lived experience – has much to contribute to this endeavor. Such an approach can help ethnographers “redescribe” illegality in a manner that “convincingly link[s] modalities of sensation, perception and subjectivity to pervasive political arrangements” (Desjarlais, 1997: 25). So, too, can it strengthen our capacity to produce thicker, and ultimately more satisfactory, ethnographies of a phenomenon that is commonly – and in many ways misleadingly – constructed in pejorative terms as a straightforward “social problem” despite its tangled roots in an array of overlapping macro-, meso-, and micro-level processes.

Not only can a three-dimensional, critical phenomenological perspective help social scientists better understand the form, contours, texture, and dynamics of illegal migrants’ everyday lives in diverse host society settings, but it can also help ethnographers sensitize policymakers, politicians, and potentially even broader public audiences to the challenging, often deeply anxiety-producing, at times terrifying consequences that laws and policies frequently generate. Sometimes these negative consequences are deliberate, but sometimes they are unintentional. Convincing policymakers – especially those responsible for configuring, and reconfiguring, what it means to “be illegal” – that they should care about the darker consequences of their policies is no small task. Even the most historically complete, analytically sound, and vividly humane ethnographic
portraits will fail to move many legislators and bureaucrats. Nevertheless, neither the complexity of the issues involved nor the inherent difficulty of finding an appropriate language of dialogue absolves social scientists of the responsibility to challenge the sculptors and enforcers of policy, as well as our own colleagues and students, to take a more complete, three-dimensional look at the increasingly pressing global phenomenon of “illegal” transnational economic migration and the forms of abjectivity that frequently result.

NOTES

1  This article is based upon a doctoral research study supported by grants from Fulbright-Hays, the National Science Foundation (Grant No. 0135425), the Social Science Research Council, the Wenner Gren Foundation, the Lady Davis Trust at the Hebrew University of Jerusalem, and the Department of Anthropology, The Center for Health, Culture, and Society and the Tam Institute for Jewish Studies at Emory University. Any opinions, findings, conclusions, or recommendations expressed are those of the author and do not necessarily reflect the views of funding agencies. Portions of the article were presented at the annual meetings of the Society for Applied Anthropology (Santa Fe, NM, March 2005) and to faculty and students in Judaic Studies and Anthropology at Brown University (February 2006). The author is grateful to Peter Brown, Don Seeman, Jennifer Hirsch, Robert Desjarlais, Leo Chavez, Joe Heyman, Anat Rosenthal, Arthur Kleinman, and anonymous IM reviewers for their helpful feedback on earlier drafts.

2 Quoted in Chaim, Rabin, and Ben-David 2003. In all probability, Joseph spoke with the journalist in English, who then translated his comments into Hebrew. My English translation here, therefore, is probably a back-translation into English. Here and throughout, migrants are identified using pseudonyms.

3 See, for instance, Chavez, 1998; Coutin, 2003, 33; De Genova, 2002; Rouse, 1992; and Suárez-Navaz, 2004; as well as the articles in this volume.


5 A critical phenomenological approach can also help illuminate the lived experience of “illegal” internal migrants in countries with rigid internal migration regimes such as China. I would like to thank Arthur Kleinman for this important insight.

6 I conducted a total of 26 non-consecutive months of ethnographic fieldwork in South Tel Aviv with two sets of local actors: first, with two of the city’s recently established Anglophone, Christian migrant communities – the community of 35,000-50,000 Filipinos and the diverse community of 8,000-10,000 West Africans (most Nigerians and Ghanaians) – and second, with three Israeli migrant aid and advocacy organizations. Nearly all of the city’s so-called “illegal” Filipino residents arrived on a documented basis and later lost their “legal” status, while nearly all West Africans
arrived via the “tourist loophole” (Willen, 2003) in Israel’s otherwise rigid “migration regime” as I describe later in the article. I met members of both communities through the Israeli migrant advocacy organizations, where I was regularly involved, in conventional anthropological fashion, as a participant-observer. The first two – Physicians for Human Rights-Israel (PHR-I) and the Hotline for Migrant Workers – are local non-government organizations (NGOs) while the third, the Mesila Aid and Information Center for the Foreign Community, is funded and operated by the Tel Aviv municipality (for more on these organizations, see Willen, 2005; Willen, 2006a; Willen, 2006b; Willen, 2007a). My interactions with migrants took place in English, the lingua franca of their everyday lives in Israel, and research with the Israeli aid organizations was conducted in Hebrew.

7 This model is elaborated in greater detail in Willen, 2006b.

8 Chavez, 2003; Chavez, Cornelius, and Jones, 1985; Chavez, Cornelius, and Jones, 1986; Chavez, Flores, and Lopez-Garza, 1992; Fallek, 1997; Filc and Davidovitch, 2005; Kullgren, 2003; Reijneveld, Verheij, and van Herten, 2001; Romero-Ortuño, 2004; Ticktin, 2002; Ticktin, 2006; Torres and Sanz, 2000; Willen, 2005; Willen 2006a.

9 Here I must acknowledge a debt to medical anthropologist Arthur Kleinman, who invokes this Biblical verse in a separate but not altogether unrelated context (Kleinman, 1997).

10 Desjarlais borrows the notion of “redescription” from philosopher Richard Rorty, who argues that intellectual and moral progress is, “a history of increasingly useful metaphors rather than of increasing understanding of how things really are” (370, citing Rorty, 1989: 9). In his view, Rorty’s insight challenges ethnographers to develop “alternative vocabularies” and new ways of thinking about the world and about human experience.

11 Without doubt, any ethnographic investigation in this domain is framed and, indeed, limited by the inarticulability and incommunicability of certain dimensions of individual experience. As phenomenologically inclined anthropologists have compellingly argued in other contexts, however, such constraints on communication need not paralyze or thwart ethnographic explorations of subjective, embodied experience. Instead, they invite ethnographers to investigate the inherently social juncture of experience and expressibility or, put differently, of subjective experience and intersubjective, communicative engagement with other people and with the world (Csordas, 1994; Klienman, 1997: 326-7; Desjarlais, 1997).

12 While this division between “ideologically motivated” Jewish migration and more recent patterns of “economically motivated” migration maps easily onto the logic underpinning the state’s “migration regime”, which grants citizenship to immigrants of Jewish descent and denies it to nearly all others, it is in many respects, an artificial one. In contrast to the state-supported, still-prevailing Zionist notions of aliyah, one could argue that much (if not most) Jewish immigration to Israel has been at least in part economically motivated.

13 Until 2007, the living and working conditions of documented migrant workers in Israel were defined by the government authorized “binding arrangement” (in Hebrew, hesder ha’kvila) whereby work permits were issued directly to employers rather than to workers themselves (Kemp, 2004; Kemp and Raijman, 2003b). Not only has this
arrangement – which may be more similar to other Middle East host settings than to Europe or North America (Willen, 2005) – led tens of thousands of legal workers to leave their authorized employers in search of better conditions, but it has also generated serious human rights violations including forms of exploitation and abuse described by Israeli NGOs as “trafficking in human beings” and employment under “slavery-like conditions” (Hotline for Migrant Workers in Prison, 2002).

The English-language, self-administered survey was distributed to a multinational convenience sample of 170 patients at the Open Clinic run by PHR-I.

Space constraints preclude detailed consideration of the ways in which these benign representations of transnational migrant “Others” contrast starkly with the often much more malignant representations of Israel’s Palestinian “Others”, an issue I explore in detail in (Willen under review).

One critic, for instance, has argued that it is grounded in “a simplistic and deceptive parallel between two phenomena: 300,000 foreign workers, 300,000 unemployed” (Sinai 2003a).

The English-language, self-administered survey was distributed to a multinational convenience sample of 170 patients at the Open Clinic run by PHR-I.

Space constraints preclude detailed consideration of the ways in which these benign representations of transnational migrant “Others” contrast starkly with the often much more malignant representations of Israel’s Palestinian “Others”, an issue I explore in detail in (Willen under review).

One critic, for instance, has argued that it is grounded in “a simplistic and deceptive parallel between two phenomena: 300,000 foreign workers, 300,000 unemployed” (Sinai 2003a).

Space constraints preclude detailed consideration of the ways in which these benign representations of transnational migrant “Others” contrast starkly with the often much more malignant representations of Israel’s Palestinian “Others”, an issue I explore in detail in (Willen under review).

One critic, for instance, has argued that it is grounded in “a simplistic and deceptive parallel between two phenomena: 300,000 foreign workers, 300,000 unemployed” (Sinai 2003a).
REFERENCES


Chaim, A., E.R. Rabin, and A. Ben-David 2003 “I was afraid they would use my address to arrest me later”, Ma’ariv newspaper [Hebrew], 7 January.


Coutin, S.B. 2003 Legalizing Moves: Salvadoran Immigrants’ Struggle for US Residency, University of Michigan, Ann Arbor.


Fanon, F.

Fassin, D.

Filc, D., and N. Davidovitch

Friedman, I.

Geertz, C.

Ha’Ir Newspaper
2005  “She Treated Me Like Her Cow”, 10 February.

Heyman, J.M.

Heyman, J.M., and A. Smart

Hotline for Migrant Workers
2004  Data Update on Migrant Workers.

Hotline for Migrant Workers in Prison
2002  “For You Were Strangers: Trafficking in Human Beings and Modern Slavery in Israel” [Hebrew].

Israeli Immigration Authority

Kemp, A.

Kemp, A., and R. Raijman

2003b  “Foreign Workers” in Israel, Adva Center.

Kemp, A., R. Raijman, J. Resnik, and S.S. Gesser

Kleinman, A.
Kullgren, J.T.

Kuperboim, R.
2003 “Marked Doors,” Ha’Ir newspaper [Hebrew], 3 July.

Mesila
2004 Mesila Report for 2003, Mesila Aid and Information Center for the Foreign Community, Tel Aviv-Jaffa.

Ng, K.H.

Ngai, M.M.

Puwar, N.
2004 Space Invaders: Race, Gender and Bodies Out of Place, Berg, Oxford/New York.

Reijneveld, S., R. Verheij, and L. van Herten

Romero-Ortuño, R.

Rosenhek, Z.

Rouse, R.

Sabar, G.


Shamir, R.
Sinai, R.
2003a “Foreigners Pay the Price”, Ha’aretz newspaper, 23 September.
2003b “NPOs accuse immigration police of brutality, human rights violations”, Ha’aretz newspaper [Hebrew], 20 May.
2005 “25% Decrease in the Number of Foreign Workers Deported in 2004”, Ha’aretz newspaper [Hebrew], 14 March.

Suárez-Navaz, L.

Ticktin, M.

Torres, A.M., and B. Sanz

Tweed, T.

Van Dijk, R.

Vertovec, S.

Warner, R.S., and J.G. Wittner

Willen, S.S.
2006 “No Person is Illegal”? Configurations and Experiences of “Illegality” among Undocumented West African and Filipino Migrant Workers in Tel Aviv, Israel. PhD Dissertation, Emory University, Atlanta, GA.


n.d.  Citizens, Real Others, and Other Others: The Biopolitics of Otherness and the Criminalization of Undocumented Migrant Workers in Tel Aviv, Israel. under review.

Wuhrgaft, N.
2003  “Living in Fear is Exhausting”, Ha’aretz newspaper, 30 September.

Zlolniski, C.
VERS UNE PHÉNOMÉNOLOGIE CRITIQUE DE L’« ILLÉGALITÉ » : POUVOIR DE L'ÉTAT, CRIMINALISATION ET EXPÉRIENCES VÉCUES PAR DES TRAVAILLEURS MIGRANTS SANS PAPIERS À TEL AVIV, EN ISRAËL

Étant donné la portée et la magnitude du phénomène que l’on appelle la migration « illégale » à ce moment de l’histoire, cet article soutient qu’une ethnographie s’appuyant sur la phénoménologie a un rôle crucial à jouer pour sensibiliser non seulement les anthropologues, mais également les décideurs, les hommes politiques et des publics plus larges aux réalités compliquées, souvent angoissantes et effrayantes, qui sont associées à la « condition d’illégalité des migrants», aussi bien dans le contexte de sociétés d’accueil spécifiques que dans une approche comparative à l’échelle planétaire. Sur le plan théorique, cet article constitue une première tentative d’établir un lien entre, d’un côté, les questions pressantes qui se posent dans les domaines de l’anthropologie légale et de l’anthropologie de la migration transnationale, et de l’autre, le travail récent d’universitaires orientés vers la phénoménologie qui se sont intéressés à l’anthropologie de l’expérience. L’article invite les ethnographes de la migration transnationale illégale à jeter un pont entre ces domaines du savoir en appliquant ce que l’on pourrait profitablement appeler une approche « phénoménologique critique » à l’étude de l’« illégalité » des migrants (Willen, 2006 ; voir également Desjarlais, 2003). Cette approche phénoménologique critique suggère un modèle tridimensionnel de l’illégalité: premièrement, en tant que statut juridique ; deuxièmement, en tant que condition sociale ; et troisièmement, en tant que mode d’être-au-monde. Pour élaborer ce modèle, l’article s’inspire de 26 mois non consécutifs de recherches ethnographiques menées sur le terrain au sein de communautés de migrants sans papiers d’Afrique occidentale (Nigériens et Ghanéens) et des Philippines à Tel Aviv (Israël) entre 2000 et 2004. Pendant la première partie de cette période, les migrants « illégaux » en Israël étaient généralement traités comme « autres », inoffensifs, qui n’avaient pas leur place sur le territoire. Toutefois, à partir la de mi-2002, une campagne intensive d’arrestations massives et d’expulsions, mettant en œuvre de grands moyens et organisée par le gouvernement, a modifié la condition de l’« illégalité » des migrants en Israël et, dans les faits, transformé ces « autres » inoffensifs en criminels recherchés. Cette transformation souligne la nécessité profonde d’examiner non seulement les dimensions politiques et sociales de la condition d’« illégalité », mais également son impact sur les modes d’être-au-monde des migrants.
HACIA UNA FENOMENOLOGÍA CRÍTICA DE LA “ILEGALIDAD”: EL PODER DEL ESTADO, LA CRIMINALIZACIÓN Y LA EXPERIENCIA FÍSICA ENTRE LOS TRABAJADORES MIGRANTES INDOCUMENTADOS EN TEL AVIV (ISRAEL)

Debido al vasto alcance y a la magnitud del fenómeno de la llamada migración “ilegal” en el actual momento histórico, este artículo afirma que la etnografía comprometida fenomenológicamente tiene un papel crucial que desempeñar en la sensibilización no sólo de los antropólogos, sino también de los responsables públicos, los políticos y otras audiencias más amplias ante las realidades complicadas, amedrentantes, y a menudo sembradas de ansiedad, que se asocian con “la condición de ilegalidad del migrante”, en el contexto de las sociedades receptoras específicas y comparativamente en todo el mundo. En términos teóricos, el artículo constituye un intento preliminar de vincular cuestiones apremiantes desde el punto de vista de la antropología jurídica y la antropología de la migración transnacional, por una parte, y trabajos recientes de investigadores de tendencia fenomenológica interesados en la antropología de la experiencia, por otra. El artículo insta a los etnógrafos de la migración transnacional indocumentada a tender un puente entre estas dos áreas de investigación aplicando lo que se puede caracterizar a fines prácticos como enfoque “fenomenológico crítico” al estudio de la “ilegalidad” de los migrantes” (Willen, 2006; véase también Desjarlais, 2003). Este enfoque fenomenológico crítico sugiere un modelo tridimensional de la ilegalidad: en primer lugar, como forma de condición jurídica; en segundo lugar, como condición social; y en tercero, como modo de estar en el mundo. En el desarrollo de este modelo, el artículo se basa en 26 meses no consecutivos de investigación etnográfica de campo, llevada a cabo en comunidades de personas indocumentadas del África oriental (nigerianos y ghaneses) y de migrantes filipinos en Tel Aviv (Israel), entre el año 2000 y el 2004. Durante la primera parte de este periodo, los migrantes “ilegales” de Israel solían ser tratados como “extranjeros” benignos excluidos. A partir de mediados de 2002, no obstante, una campaña de arrestos y deportaciones masivas, patrocinada por el Gobierno con grandes recursos, reconstruyó la condición de la “ilegalidad” del migrante en Israel y, en efecto, transformó a esos “extranjeros” benignos en delincuentes perseguidos. Esta transformación subraya la profunda significación de examinar no sólo las dimensiones política y social de lo que significa ser “ilegal”, sino también sus repercusiones para los modos de estar en el mundo de los migrantes.