Agonistic Conflict as a Distinct Type of Contentious Politics: Learning from Protests For and Against Asylum Seekers in Israel

TALI HATUKA and MIRYAM WIJLER

This paper focuses on a particular form of protest that emerges in what this paper calls an 'agonistic environment'. It defines the latter as a form of contentious politics within deliberative democracies in which concurrence rather than estrangement is more likely to define the relationship between citizens and the state. It then asks what is the nature of conflict in such environments, and will activism in the settings be more or less likely to generate change. Finally, it considers whether protest in agonistic environments produces a form of shared knowledge among parties to the conflict, particularly with respect to the possibility of change and how best to achieve it? In exploring these questions, the paper focuses on the political dynamics in Israel associated with the wave of African asylum seekers who arrived from 2010 to 2012, most of whom originated from Eritrea and Sudan. Using a quantitative approach, the paper analyses this agonistic environment focusing on two dimensions: (a) protest events; and (b) state policy and juridical decisions as well as legal initiatives aimed at challenging state policy and relevant court decisions. By highlighting the scalar mismatch between protests focused on delimited urban spaces and responses of authorities at the scale of the nation – in this case, legal rulings – the paper further advances our understanding of agonistic conflict and how it produces change.

Protests as a form of conflict have become a commonplace reality in cities all over the world. With contextual variations, people in the twenty-first century have become more willing and active to challenge political dynamics, and have learned how to translate their grievances into communicative action. Most protests can be regarded as a form of 'spatial dialogue' or 'public negotiation' over a contested matter that is displayed physically and publicly (Hatuka, 2018). These dialogues are often supported by communication technology that contributes sig-

nificantly to this process, not only as a means of communication but also as a means of exposure. However, communication technologies are merely the means; protests are fuelled by the people's willingness to respond actively, discuss, negotiate, debate, and resist political dynamics through mobilization in physical space.

This dynamic of contemporary protest events can be better understood in the context of two major conceptual frameworks: (1) deliberative democracy; and (2) the politics of scale. With respect to the former, con-

---

Contact: Tali Hatuka ✉ hatuka@tauex.tau.ac.il

temporary forms of participation can be viewed through the lens of shifting debates over 'the political'. These have been produced by growing dissatisfaction with canonical ideas about the state and democracy (as suggested in the writings of John Rawls (1999) and Jürgen Habermas (1996), who advocate for practical rationality as the foundation of consensus), leading to more recent claims about post-democracy and the post-political (Crouch, 2004; Rancière, 1999; Swyngedouw, 2018). Advocates of the latter suggest that neoliberal capitalism has created a state in which the apparatus of electoral politics remains, but the power of the population to shape policy has diminished (Derickson, 2017). However, for many this process is not viewed as complete, with some scholars arguing that there are ruptures in the post-political condition, which emerge through the struggles of excluded and/or competing groups.

At the same time, the dynamic of contemporary protest events can be understood through the lens of the dramatic change in the conceptualization of the politics of scale (Brenner, 1997; Cox, 1998; Marston, 2000). The discourse about scale is also under debate, with scholars suggesting three approaches to understanding it (Marston *et al.*, 2005). The first, verticality, affirms the hierarchical conceptualization of scale. Verticality suggests a three-scale map that includes the microscale of the urban as the domain of experience, the mesoscale of the nation-state as the sphere of ideology, and the macroscale of the global as the scale derived from the materialist's position (centred on the world of economy) (Dodds *et al.*, 1997). The second approach develops a hybrid concept of vertical–horizontal models for addressing social processes (Brenner, 1997). This approach celebrates flow and mobility, focusing on network relations and emphasizing the global–local scale (Massey, 2005). The third abandons scale entirely, suggesting instead a flat ontology that focuses on the notion of event spaces and event reactions

to avoid the predetermination of hierarchies and boundaries. This sea change in the conceptualization of the politics of scale is also apparent in the repertoire of protests, ranging from local to global events, which present a complex scale's (unsystematic) morphology, through which actors construct spaces of change.

In exploring the dynamics in deliberative democracy and the politics of scale, this paper focuses on a particular form of protest that emerges in what this paper calls an 'agonistic environment', which tends to affirm the hierarchical conceptualization of scale. It asks: what are the features of protests that emerge in an agonistic environment? In what ways do these protests advance our understanding of deliberative democracy and the politics of scale? Do they produce change in either of these domains? Using the ideas of Chantal Mouffe (2013) on agonism, it is suggested that conflictual engagements between competing groups who share essential loyalties to the idea of democracy will reinforce a multiplicity of voices, thus incentivizing struggles in pursuit of a pluralist society. Undeniably, protesters do not aspire to a harmonistic idea of democracy or to an accessible public sphere with equal positions for all citizens; rather, they still perceive the public sphere as an arena of conflict. But they also see such agonistic engagements as manifesting desires and demands that might affect the field of politics. As we will argue in this paper, when such agonistic engagements become habitual and involve societal and governing institutions, they represent a productive rupture in consensus politics.

In exploring these ideas, the paper uses the case of protest events against and for asylum seekers in Israel. These protests were associated with the wave of African asylum seekers entering Israel during 2007–2012, mainly from Eritrea and Sudan (Israel Population and Immigration Authority, 2018*a*, pp. 3–4). The growing number of asylum seekers arriving in Israel led to contestations and

conflicts, characterized by protest events both for and against asylum seekers over the issues of participation, social rights, and citizenship. These contestations and protests have mostly taken place in the public sphere and in physical space, and have mainly been organized by the residents of southern Tel Aviv neighbourhoods who are crying out against asylum seekers' 'takeover' of certain neighbourhoods. State policy, right-wing organizations, and politicians have further escalated this dynamic by making controversial statements. At the same time, protest events *supporting* asylum seekers have taken place near incarceration facilities in the south of Israel as well as in Tel Aviv, home to the largest community of asylum seekers in Israel (Knesset Research and Information Center, 2016, p. 4). The latter protests are organized and performed by human rights activists and by the asylum seekers themselves. Indeed, this contestation, as addressed by Haim Yacobi (2011), relates to the ways in which space is being racialized as a result of policies and discourses and of a mechanism of exclusion.[1]

This paper aims to develop further this body of literature on protests and conflicts by focusing on the scalar features of this contestation and its multilayered political and legal manifestations. Using a quantitative approach, the paper analyses this agonistic environment focusing on two dimensions: (*a*) Protest event occurrences and their physical location. The data are obtained from mainstream digital media sources and cover the years 2012–2018. During these years, the arrival of asylum seekers in Israel declined significantly, yet public debate remained vibrant. (*b*) State policy and juridical decisions as well as legal initiatives aimed at challenging state policy and relevant court decisions. These materials help us understand the scalar politics of agonistic conflict in Israel, by juxtaposing local grounded responses of citizens concerned with tangible transformations in their neighbourhood against larger legal decisions made by judicial authori-

ties with the space of the national state in mind. To be sure, case studies that attempt to draw larger insights from a single context have their limitations, and this is especially true in the case of Israel's ethnocratic democracy (Yiftachel, 2006; Yacobi, 2016) where political contention is tightly connected to the geography and politics of place as well as the question of national sovereignty. This unique context also influences the contemporary debate over immigration policies. Even so, this paper uses the case of protest events for and against asylum seekers as a means to conceptualize the idea of agonistic conflict in the particular context of Israel, with the aim of contributing to the body of literature on contentious politics in deliberative democracies.

The paper proceeds as follows. The next section offers a theoretical framework with which to examine the idea of agonistic conflict and its key characteristics. This is followed by a discussion of the geography of protests for and against asylum seekers in Israel. Then, the next section analyses the evolution of the interrelations between protest events and legislation. The conclusion discusses the nature and meaning of this conflict in the context of Israel's ethnocratic regime, asks whether the agonistic setting of protests influences strategies and tactics used by protesters, and whether this in turn influenced the state's response. It ends with a discussion of what advocates of social change can learn from protest and agonistic engagement in contemporary cities.

Agonistic Conflicts as a Particular Type of Contentious Politics

The contemporary city is an arena of multiple, juxtaposed struggles. Global/local struggles over gentrification and the right to the city; national struggles over territorial and sovereignty issues; and local struggles over social tensions, identity and place. In the past, such struggles have often been categorized as contentious politics, creating a

rich repertoire of political contestations. Charles Tilly and Sidney Tarrow (2015) defined contentious politics as 'episodic, public, collective interaction among makers of claims and their objects when: (*a*) at least one government is a claimant, an object of claims, or a party to the claims; and (*b*) the claims would, if realized, affect the interests of at least one of the claimants or objects of claims'. This definition is not exclusive but rather a broad category for varied social tactics, including collective political actions, riots, strike waves, civil wars, and revolutions, and its major contribution is in shifting from the subjects and objects of contention to the mechanisms that connect them to each other and to broader institutions and actors.

Contentious politics are also evolving, however, as democracies and societies themselves change; and thus they should also be viewed in the context of post-political theories. Such theories view the contemporary era as post-political, referring to the diminished capacity in the neoliberal economy for transformative politics due to the institution of elite consensus politics. Neoliberalism, it is argued, has created a form of politics that is characterized by markets, minimizing individual choice. Despite differences, scholars agree that post-politicization is never complete, and theorists such as Alain Badiou or Jacques Rancière suggest that the political could emerge and be enacted by those in society who have no voice. However, scholars differ in their perspectives on how transformation, or the return of the political, might occur. Viewing these perspectives on a spectrum, at one end, there are radicals who suggest challenging the existing political order (Clemens and Bartlett, 2010), and at the other end, there are pragmatists who argue that the political order could be reformed (Lacoue-Labarthe and Nancy, 1997). Chantal Mouffe belongs to the latter group, arguing that there is an ongoing tension between the need for institutional arrangements like the state and the 'agonistic' nature of the social, which is

never fully controlled and therefore works on, and constantly transforms, these institutions. What Mouffe argues is that (national) consensus is not necessarily a desirable aim or a democratic value, and the experience of conflict and the reality of exclusion make up a central part of contemporary life, which should be understood as 'agonistic' (Mouffe, 2000; 2013). In its essence, the condition of agonism does not seek to violate state structure but rather to modify and re-negotiate it through multiple strategies. Societies can nurture agonistic environments, where competing groups can express their claims.

The idea of agonism should be viewed in the context of two premises: the political as negotiable conflicted order, and agonism as pluralistic social order.

The first premise, the political as negotiable conflicted order, implies that every political order is negotiable and is subject to change, and every political order is a hegemonic order, established and maintained through hegemonic practices (Mouffe, 2005, pp. 17–18). This view of political and social reality implies that the political is constituted by power relations; thus, the ideal of democratic practice as aimed at reaching a harmonious consensus through reason is impossible. Rather, democracy inherently contains conflict and division (Laclau and Mouffe, 2001, pp. xxvii–xxviii; Mouffe, 2000, pp. 99–100), and the political is inherently antagonistic and thus always open to change (Laclau and Mouffe, 2001, pp. xvii–xviii; Mouffe, 2005, pp. 11–12, 17). The political is an essential aspect of social life and a realm in which collective and opposing identities are formed. To be sure, political identities are constructed through an act of differentiation as 'we/they' identities (Schmitt, 2008), but they do not necessarily conform to a friend/enemy distinction under which one group sees the other as an enemy who threatens its existence (Mouffe, 2005, pp.15–16).

The second premise, agonism as pluralistic social order, captures the possibility

of 'taming' – but not eradicating – the antagonistic dimension of political relations (*Ibid.*, p. 20). This 'tamed' relation is differentiated from the antagonistic relation by the manner in which the political collective identities (the 'we' and the 'they') view one another. Under antagonistic relations, parties view each other as enemies and share no common ground. Under agonistic relations, while the parties are in conflict, they still recognize the legitimacy of the opponents and see themselves as belonging to the same political association. It is in this sense that they are 'adversaries' rather than 'enemies' (*Ibid.*).

Mouffe's influential ideas have travelled from political science to other disciplines, yet little attention has been given to the geography of agonistic conflict. In the following, we suggest a framework for addressing place, scale and tactics as key features shaping the manifestations of agonistic conflict (figure 1).

Place – Competition over Identity

Agonistic conflicts should be viewed in the context of place and contestations over identity, social configurations, resources and territory. In agonistic conflicts, adversary groups share symbolic and institutional spaces. Furthermore, adversary groups share a common (hegemonic) symbolic space and do not view one another as outsiders to be destroyed. In addition, the contestation among groups is not detached from institutions but rather connected to them; adversary groups cultivate certain relationships with the hegemony, that is, group(s) may suggest views counter to those of the government or opposition, but the actors operate within the current social and political configuration.

Scale – Traditional Hierarchical Conceptualization

Agonistic conflict is traditional in its approach to scale. It affirms the hierarchical conceptualization of scale and often includes the microscale of the urban as the domain

of experience and material contestations and the mesoscale of the nation-state as the sphere of ideology and negotiation. As it is focused on the dynamic between competing groups and negotiations with formal institutions, global scale plays a minor role, if any. However, sometimes the macroscale of the global indirectly influences the contestation position, particularly on issues related to the economy or immigration.

Tactics – The Physical and Institutional as Interrelated

The tactics associated with agonistic conflict are located in two spheres. The first is concrete, the microscale of the urban. The urban space is the domain where *adversary groups coexist and act.* In the urban domain, groups preform their collective identities as 'we/they'. However, they do not view the other group as threatening their own existence. Contestation is manifested in various types of action, including protests, media campaigns and, rarely, violence. The second sphere, parallel to the microscale of the urban, is the mesoscale, where *adversary groups negotiate with institutions.* Thus, tactics, in both spheres, take place within the context of hegemonic political order and are not about contesting the structure of power relations but rather negotiating with it. In this sense, they differ from counter-hegemonic opposition, which recognizes the contingent nature of the current configuration of power relations and seeks to change it.

To be sure, agonistic conflict is always space–time specific, influenced by the legal system, composition of society, and type of regime, and thus tightly related to materiality. What is also associated with agonistic conflict is its endurance. It does not emerge suddenly and should not be viewed as a singular event or even as a chain of events but rather as a process of change of the identity of place. What differentiates it from other conflicts is its intense engagement with governing institutions which also con-

Agonistic Environment

Political Premises:

⦿ The political as negotiable conflicted order;
⦿ Agonism as pluralistic social order.

↓

Agonistic Conflict

Geographical Features:

⦿ **Place – competition over identity**
Coexistence of Adversary Groups; Sharing symbolic and institutional spaces.
⦿ **Scale – traditional hierarchical conceptualization**
Affirms hierarchical conceptualization of scale, includes the microscale of the urban as the domain of experience and material contestations, the mesoscale of the nation-state as the sphere of ideology and negotiation.
⦿ **Tactics – the physical and institutional as interelated**
groups preform their collective identities as 'we/they'; groups negotiate with institutions.

Figure 1. Conceptual framework: agonistic conflict from abstract to concrete.

tributes to its endurance and high public profile.

This is the departure point for analysing the case protests against and for asylum seekers in Israel, which is used as a means to reflect on larger questions about and categories of conflicts in contemporary cities.

The Geography of Protests against and for Asylum Seekers in Israel

From 2006 to March 2018, 64,842 asylum seekers entered Israel. In 2011, 17,276 people crossed the border illegally (figure 2). With the erection of a fence in January 2013, this annual number decreased dramatically. Thus, on average, from 2013 to 2017, 105 people entered Israel per year. As of March 2018, 36,630 people reside in Israel who are defined by

the government as 'infiltrators': 72 per cent are from Eritrea, 20 per cent are from Sudan, 7 per cent are from other African nations, and 1 per cent are from the rest of the world (Israel Population and Immigraton Authority, 2018a, pp. 3–4).

Contestation on the issue of asylum seekers from African countries did not begin abruptly or immediately; rather, it was an evolutionary process, as reflected in the diverse use of terms expressing different points of view regarding asylum seekers' status and rights. At one end of the spectrum, governmental institutions began labelling this population (i.e. foreigners who entered through the border with Egypt illegally) 'infiltrators' after the sealing of Israel's borders. In using that term, governmental institutions are referring to the Prevention of Infiltration Law – a law
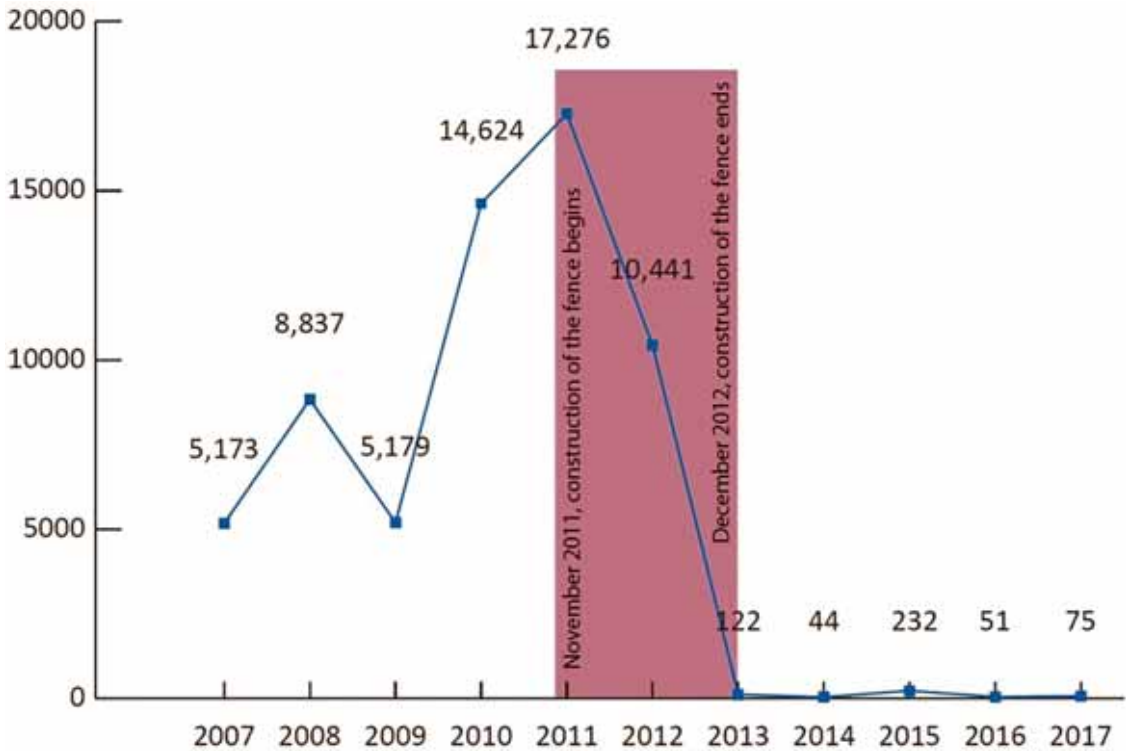
Figure 2. Number of people who crossed the Israeli–Egyptian border illegally, 2007–2017. (*Source*: Israel Population and Immigraton Authority, 2018*a*)

from the 1950s that was originally introduced with the aim of preventing militant elements within the Palestinian refugee population from entering Israel (Ziegler, 2015, p. 176), At the other end of the spectrum, human rights advocates and NGOs use the term 'asylum seekers', pointing to the legal status of people who ask for asylum. These differences in terminology reflect the deep controversies in the Israeli population regarding the question of asylum seekers from African countries, who are viewed as a threat to the nation-state's homogeneity and ability to control its boundaries (e.g. Kalir, 2015; Weinblum, 2019; Yacobi, 2011).

Conflicts and debates over asylum seekers and immigration in Israel, as elsewhere, relate to society's political self-understanding – in this case, the multifaceted Israeli conceptualization of the nation-state as ethnic democracy (Smooha, 2002; Yiftachel, 2006;

Yacobi 2016). On the one hand, the establishment of Israel is linked to the issue of Palestinian refugees; Israel has since adopted policies that 'almost categorically deny any possibility of immigration to Palestinians and citizens of several other countries' (Kritzman-Amir, 2009, p. 604). On the other hand, as an immigrant nation-state, Israel has established active immigration policies to attract, welcome, and integrate Jewish immigrants, mainly through the Law of Return (Kritzman-Amir, 2009, p. 604; Yaron *et al.*, 2013, p. 145). This ethno-hierarchical and exclusionary position affects asylum seekers from African countries, adding a new layer to the highly contested and sensitive issues of refuge and immigration in Israel. According to Yaron *et al.* (2013, p. 153), Israel failed to develop a coherent asylum policy in accordance with international law and instead relied on a series of *ad hoc* decisions in managing this issue.

The contestations over the issue of asylum seekers have nurtured an agonistic environment, where the competing groups express their claims. Importantly, agonistic engagements for and against asylum seekers have a geographical and evolutionary pattern (figure 3). Geographically, they are located in two key spots: Tel Aviv, a mundane place and the place of residence of most asylum seekers; and Jerusalem, a symbolic place and the place of governing institutions (Ram, 2008).[2]

Tel Aviv, more specifically, south Tel Aviv, is where the largest community of asylum seekers in Israel is concentrated. This area, viewed as the backyard of the city, has always hosted underprivileged groups (Hatuka, 2010). The concentration of asylum seekers in here is partly a result of state policy. Until 2012, asylum seekers caught on the southern border were sent by Israel's Population and Immigration Authority on buses to Tel Aviv's southern areas (Hotline for Asylum Seekers and Migrants, 2017). Although no official data exist regarding the number of asylum seekers in the city, in 2016, it was estimated that between 40 per cent and 52 per cent of the African asylum seekers in Israel were residing in Tel Aviv (Knesset Research and Information Center, 2016, p. 4). In 2011, it was estimated that the population of 'foreigners who cannot be removed' (according to the State Comptroller's definition), most of whom were African asylum seekers, constituted 61 per cent of the general population in south Tel Aviv neighbourhoods (State Comptroller, 2014).

Protests against asylum seekers have been organized primarily by residents of southern Tel Aviv neighbourhoods. Such protests have mainly taken place in public spaces in those neighbourhoods. Protests in Tel Aviv supporting asylum seekers are organized and carried out by human rights activists and by the asylum seekers themselves. More recently, however, they have also occurred near the private homes of the presidents of the High Court of Justice (HCJ) (i.e. Miriam Naor and Esther Hayut), who happen to reside in Tel Aviv. In contrast to Tel Aviv, Jerusalem is the symbolic and actual location of Israel's governmental institutions. There, most protest events for or against asylum seekers are taking place near the homes of officials and close to the two most influential institutions in Israel: the Israeli Parliament (i.e. the Knesset) and the Supreme Court of Justice.

In further exploring these controversies, the analysis focuses on the interrelations between protests (for and against asylum seekers) and juridical initiatives. Methodologically, the study is based on data collected as follows. An initial mapping of relevant media reports online regarding protest events was made using a Google search with relevant key words, including 'asylum seekers protest', and 'infiltrators protest'. Following this mapping, a thorough search of the archives of the websites of two digital national daily news platforms, ynet.co.il and walla.co.il, was conducted for the period from 2012 to March 2018. This search also provided background information regarding major policy decisions and legislation initiatives. Detailed amendments to the 'Prevention of Infiltration Law' since 2012 were gathered from the Knesset's website. Details regarding petitions for asylum seekers rights were collected from the website of the Association of Civil Rights Israel (ACRI), with additional information gathered from other NGOs' websites as well as from the Israeli court's website. Information regarding the number of asylum seekers in Israel is based on data published by Israel's Population and Immigration Authority, and further statistics regarding asylum seekers in Israel are based on documents published by the Knesset Information and Research Center and the State Comptroller.

Between Protests and Legal Initiatives: Places, Scale and Tactics of Agonistic Conflict

The tactics associated with agonistic conflict over asylum seekers are located in two
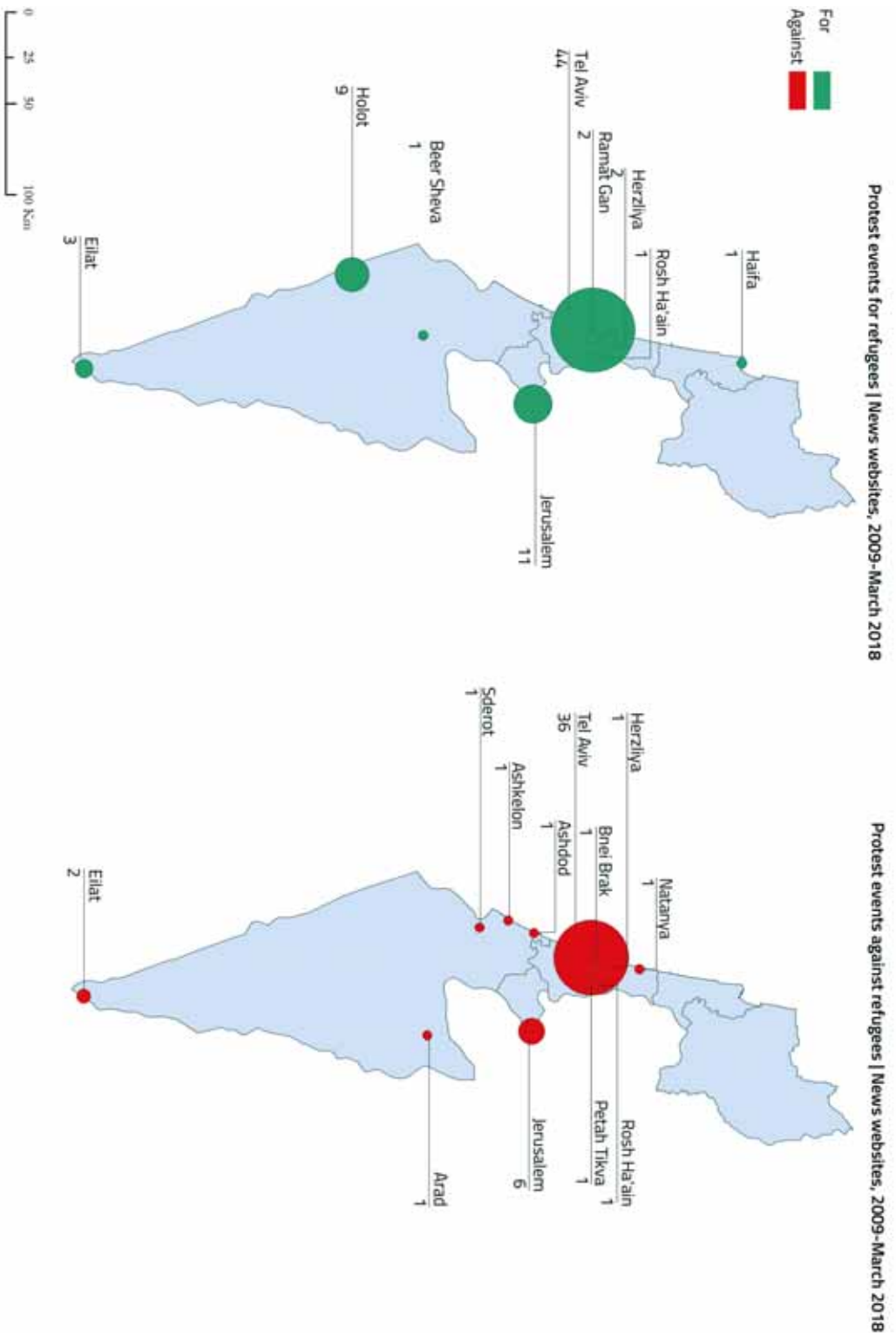
Figure 3. Protest events for and against asylum seekers – Jerusalem and Tel Aviv.

spheres: protests at the microscale of the urban; and legal negotiations at the mesoscale of the state. Focusing on the relationships between legal initiatives and protests is key to understanding how and to what extent the social and political phenomenon of African asylum seekers in Israel and the protest events that evolved around it have cultivated agonistic conflict (figure 4).

The following analysis focuses on the asylum-seeker detention and deportation policy initiatives of the Israeli government
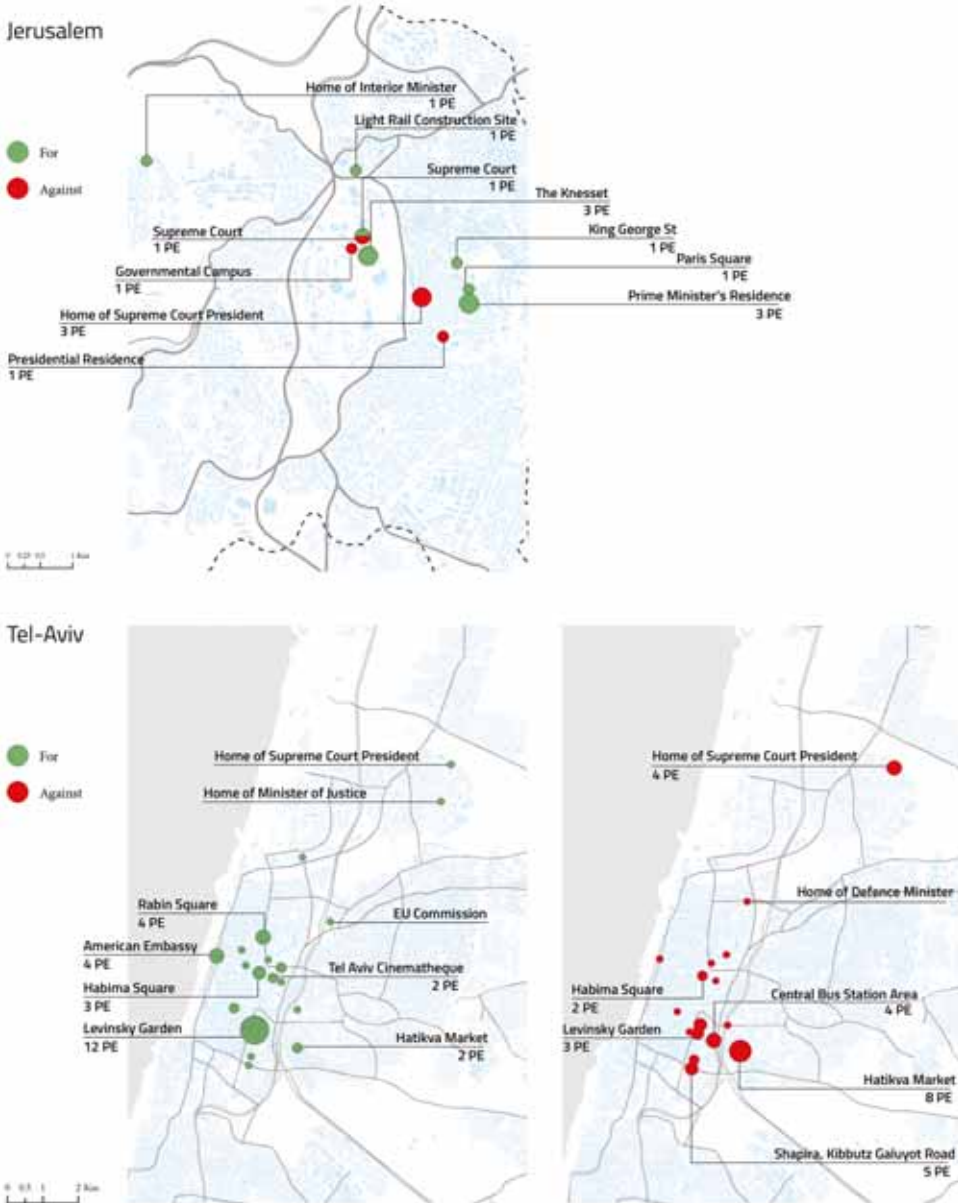
Figure 4. Protest events in the context of legislation and court rulings on detention and deportation, January 2012–March 2018 (using mapping based on mainstream digital news platforms).

as a main *object of conflict*.[3] Detention and deportation policies were enacted through two main channels: (1) legislation in the Knesset and the amendments to the 1954 Law for the Prevention of Infiltration; and (2) the government plan for the 'voluntary' departure of asylum seekers and their deportation to 'third countries' (i.e. not their countries of origin). These policies fuelled numerous protest events in public space as well as petitions to the court. The addressees of these civil actions are both national (i.e. the Israeli government and the Supreme Court) and international (i.e. the UN and embassies). Notably, the city, the concrete arena of struggle between asylum seekers and locals over resources and welfare, is not viewed as an influential actor in issues related to asylum seekers.

In the ongoing dynamic of contestation over asylum seekers' detention and deportation policies four key stages are identified and categorized: *Recognizing*, *Challenging*, *Negotiating*, and *Differing*. This evolutionary process is marked by two key dynamics. The first is political: a shift in the level of involvement of all actors in shaping public policy regarding asylum seekers, moving from a process of 'raging about and calling on' to one of 'challenging and negotiating with' institutions. The second is tactical: a tightening of the link between the concrete act of protest, which occurs in a specific time-space, and the more distant and abstract initiatives of legislation. In that sense, protest and legislation should not be viewed as linear but as juxtaposed tools and actions that feed into one another and together influence the central government.

Recognizing: Raging against and calling for Action from the Central Government (January 2012–June 2012)

During this early period, the controversies were over two issues: legislation regarding detention and the issue of safety and violence. The first issue relates to the Knesset's Amend-

ment no. 3 to the 1954 Law for the Prevention of Infiltration. That amendment, issued in January 2012, allowed the detention of people defined as 'infiltrators' for three years or, in some cases, indefinitely (Ziegler, 2015, pp. 184–185). Reaction to this legislation included one demonstration and one legal action (Morag, 2012). In October 2012, five detainees and five NGOs petitioned the HCJ to overturn the amendment (HCJ 7146/12 Adam v. The Knesset, 2013).

The second controversy evolved around the issue of safety and violence, with many protest events for and against asylum seekers in the area of south Tel Aviv. At one of the major events protesting against asylum seekers (1,000 participants), demonstrators called on the government to address asylum seekers' violence, emphasizing the issue of personal safety. The demonstration ended in attacks against asylum seekers and clashes with police (Brener and Fyler, 2012).

Challenging: Extending the Arena of Struggle against the Central Government's Actions (September 2013–June 2014)

In September 2013, the HCJ accepted the petition against Amendment no. 3 to the Law for the Prevention of Infiltration, and it subsequently quashed the amendment (Ziegler, 2015, p. 185). The court's decision was followed by a few small demonstrations held in the area of south Tel Aviv (reportedly attended by dozens to a hundred people) by anti-asylum seekers activists. At these demonstrations, the HCJ became an addressee of protest (Morag and Efriam, 2013).

Following the court decision, a new amendment was passed in December 2013 (Law for the Prevention of Infiltration [Offenses and Jurisdiction] [Amendment No. 4 and Temporary Order], 5774-2013, 2013). This amendment led to the formation of the Holot Open-Detention Center at the end of 2013. The new legislation (Amendment 4) and the opening of Holot led to a twofold reaction by asylum seekers and supporters.

In the legal arena, two detainees and six organizations petitioned the HCJ days after the new amendment passed (HCJ 8425/13 Gebrselassie *et al*. v Knesset *et al*., 2014). In the public arena, asylum seekers led a series of demonstrations in December and January, including a march from Holot to Jerusalem and a demonstration in the centre of Tel Aviv. In January, a strike was announced by asylum seekers' communities. During the strike, physical demonstrations were held in Tel Aviv, Jerusalem and Eilat. In one of the largest events in the centre of Tel Aviv, approximately 20,000 people participated (Efraim and Ohayon, 2014). Protests focused on the enactment of Israel's new detention policy and were directed not only at the Israeli government but also at the international community, as exemplified in a demonstration near foreign embassies in Tel Aviv (Blumenthal, 2014). Public protest against detention continued in June 2014 in the area of Holot, this time addressed more forcefully towards the international community (Shemtov, 2014).

Negotiating: Fighting the Detention Policies of the Central Government in Court (September 2014–August 2015)

In September 2014, the HCJ accepted the petition against Amendment 4 to the Law for the Prevention of Infiltration, annulled it, and ordered the closure of Holot in 90 days (Ziegler, 2015, pp.186–187). Similar to the events that followed the HCJ's decision to accept the petition against Amendment 3, several demonstrations were held by anti-asylum seekers activists in south Tel Aviv, reportedly attended by 250–300 people (see Morag, 2014). Furthermore, as in the previous round, the court's ruling led to a new legislative amendment (Law for the Prevention of Infiltration and Ensuring the Exit of Infiltrators from Israel [Legislative Amendments and Temporary Orders], 5775-2014, 2014). In December 2014, before the 90-day period had passed, Amendment no. 5

was enacted by the Knesset. This amendment allowed for a three-month physical detention of asylum seekers (defined as 'infiltrators'). Additionally, it stated that they could be detained in Holot for 20 months (Ziegler, 2015, p. 187).

This new legislation was again met with a reaction in the legal arena: a petition against the new amendment was filed with the HCJ (in the name of two detainees and six organizations) 10 days after it was enacted (HCJ 8665/14 Desete v The Knesset, 2015). Furthermore, although the scope of public protest was far smaller than that of the protest wave seen at the end of 2013 and the beginning of 2014, one demonstration against the new amendment was held at Holot (Yagna, 2014). In August 2015, the HCJ partially accepted the petition, stating that a 20-month period of detention in Holot was not proportional but rejecting other aspects of the petition (HCJ 8665/14 Desete v The Knesset, 2015). Again, mass demonstrations by anti-asylum seekers activists in south Tel Aviv were reported following the decision (e.g. Dvir and Ababa, 2015).

As in the previous decisions, the court's ruling led to new legislation. In February 2016, the Knesset passed a new amendment that shortened the period of detention in Holot from 20 to 12 months (Law for the Prevention of Infiltration [Offenses and Jurisdiction] [Temporary Order], 5776-2016, 2016). Human rights NGOs did not further appeal this legislation, and Holot remained open.

Differing: Fighting for and against Deportation Policy in the Legal Arena and the Urban Public Sphere (August 2017–April 2018)

During 2017 and 2018, Israel announced the enactment of a policy that was the object of wide national public conflict. In August 2017, the Supreme Court ruled on an appeal regarding a petition that sought to challenge a policy that allows the state to instruct citizens of Eritrea and Sudan to leave Israel and go to a 'third country'; the policy also

allows the state to detain indefinitely those who refuse to leave. The ruling stated that Israel is allowed, in principle, to deport asylum seekers to a 'third country' (known to be Rwanda). However, the court also added that because the existing agreement does not allow forced deportation, a person may not be detained solely because he refuses such deportation or be forced to agree to leave. This decision effectively prevented the forced deportation of asylum seekers (Administrative Appeal 8101/15 Zegete v Minister of Interior, 2017). The Supreme Court's decision set the stage for a series of policy decisions and protest events.

Anti-asylum seeker activists directed their actions against the Supreme Court's president. Between August 2017 and November 2017, at least six demonstrations by pro-deportation activists near the private home of the Supreme Court president were reported in the media (e.g. Rosenberg, 2017). According to reports, the number of participants in these demonstrations ranged from tens of participants at some to 100–200 at others. Notably, in the second half of 2017, actions supporting asylum seekers in the public sphere or in the legal arena were not reported. Nevertheless, the pendulum swung in early 2018 in response to the Israeli authorities' steps towards implementing the policy of deportation to 'third countries'.

In early January 2018, Israel's Population and Immigration Authority published a new procedure for the forced deportation of asylum seekers from Eritrea and Sudan who had not submitted applications for asylum by that date (Israel Population and Immigration Authority, 2018*b*). Following much public protest as well as action in the legal arena, on 2 April, Prime Minister Netanyahu announced that the deportation plan was cancelled, following the signing of an agreement with UNCHR. A day later, Netanyahu announced that the agreement with UNCHR had been cancelled. Nevertheless, the deportation policy was not renewed.

The period between January and March 2018 represents the most intense wave of pro-asylum seekers mobilization in recent years. Public debate included protest events as well as petitions and cultural events. With respect to protest events, at least ten demonstrations against the deportation plan were reported between January and early April, all with hundreds to thousands of participants, and there were two demonstrations in Tel Aviv in which 20,000 or more people reportedly participated (e.g. Lior, 2018; Yaron, 2018). Action against deportation also took place in the legal arena. In January 2018, two petitions regarding the plan to deport asylum seekers to a 'third country' were submitted to the HCJ by private Israeli activists (without the involvement of NGOs) (HCJ 679/18 Kook Avivi v The Prime Minister, 2018; HCJ 733/18 Feldman v The State of Israel, 2018). Unlike in previous rounds, however, opposition to the new policy did not immediately take the form of direct legal action by NGOs representing asylum seekers rights. Nevertheless, in March 2018, six NGOs appealed to the HCJ regarding the new policy (HCJ 2445/18 Hotline for Asylum Seekers and Migrants v The Prime Minister, 2018). All three petitions were eventually rejected following the collapse of the plan to deport asylum seekers to either Rwanda or Uganda.
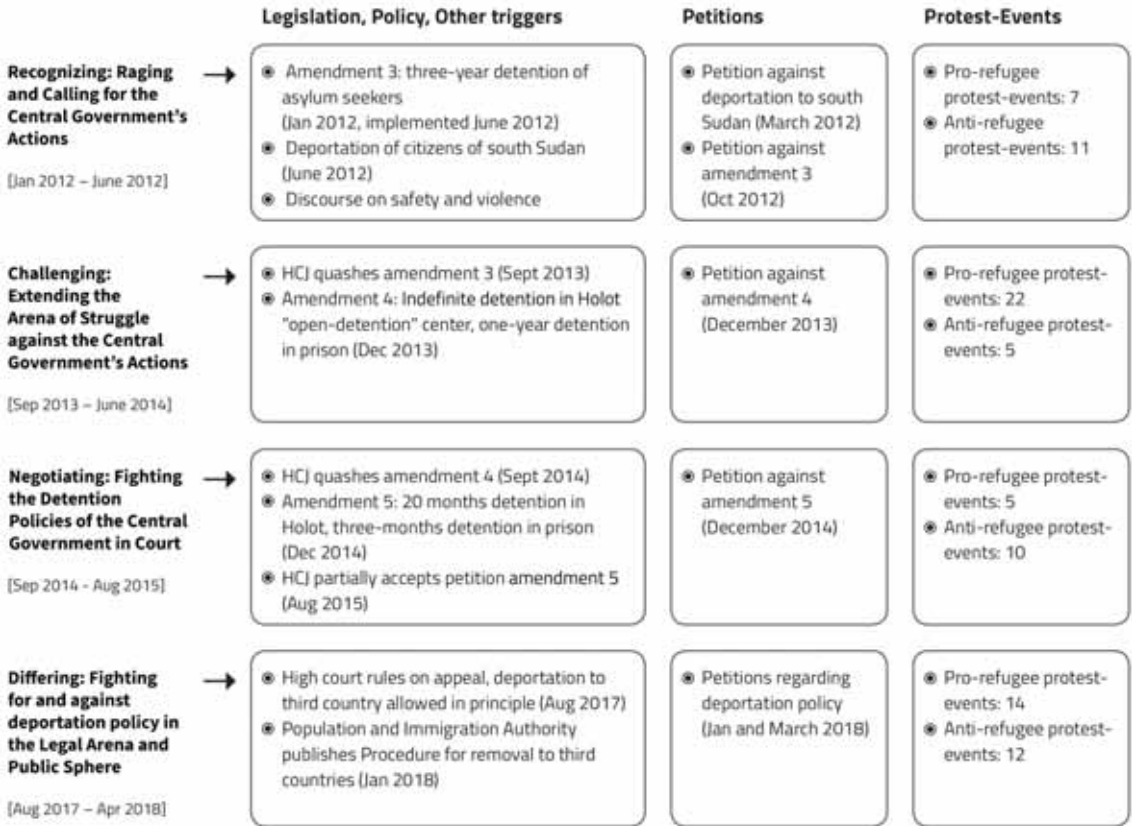
◆◆◆

Figures 5 and 6 summarize these points and shows the links among Israel's legal and policy decisions towards asylum seekers (see Berman, 2016; Kritzman-Amir, 2009; Yaron *et al.*, 2013; Ziegler, 2015), particularly in response to counter-petitions and protest events. Although the number of events reported is not high, the graph does serve to illustrate the dynamic described above in detail. This graph indicates the relationship between legislation and court petitions filed and shows that such petitions – for a period, at least – led to actual changes in legislation. It is note-worthy that this unusual dynamic,

which included the repeated annulment of legislation by the court, affected Israeli public discourse on the role and power of the HCJ and led to the introduction of new legislative initiatives by right wing parties and activists aiming to influence its status. In other words, in the process of adjudicating the asylum issue, the court became part of the agonistic conflict, with protests taking place near the home of the Supreme Court president. Moreover, it was not just that the localized physical protests made the issues at stake more tangible for the judges who were operating at the scale of the nation-state, it was the court's willingness to engage these issues in response to protests that motivated other groups to become active participants in this agonistic conflict. Stated differently, both protagonist and antagonist in the debate over asylum seekers learned from watching the negotiated dynamics of change, which in turn produced new forms of claim-making while also expanding the array of organized groups who engaged in the conflict.

Viewing these dynamics in the context of both legal dictates and citizen protests, a few points should be outlined. The 2012 peak of protest events in May did not directly correlate with new legislation or policy decisions. As described above, discourse around protest events during that time focused mainly on issues of safety and violence. The second peak, in early 2014, was a chain of events organized by supporters of asylum seekers in response to Amendment 3 to the Law for the Prevention of Infiltration and the opening of Holot. A third peak occurred during August 2017 and March 2018. During 2017, ongoing protests by anti-asylum seeker activists represented reactions to the court's ruling regarding the forced deportation to 'third countries' policy. In early 2018, with the implementation of this policy, a wave of protest events for asylum seekers replaced the series of events against asylum seekers. Finally, the reactions of anti-asylum seeker activists to the HCJ's decisions on the
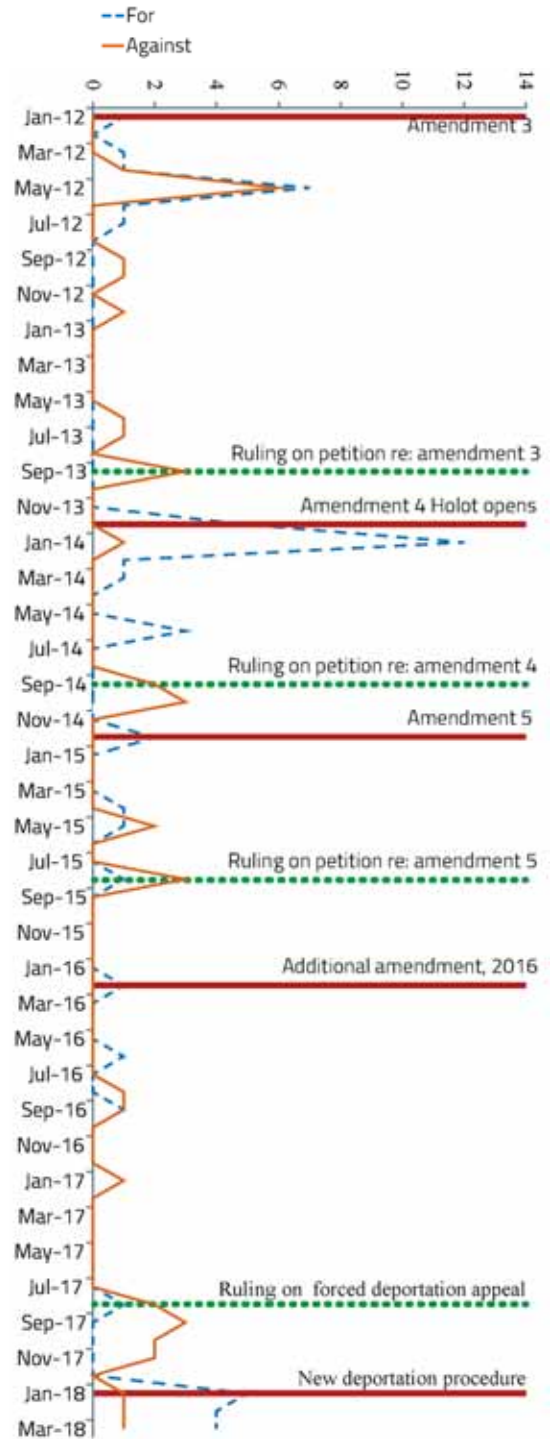
Figure 5. Periods of contestation over asylum seekers' detention and deportation policies: legislation, petitions and protests.

	Legislation, Policy, Other triggers	Petitions	Protest-Events
Recognizing: Raging and Calling for the Central Government's Actions [Jan 2012 – June 2012]	● Amendment 3: three-year detention of asylum seekers (Jan 2012, implemented June 2012) ● Deportation of citizens of south Sudan (June 2012) ● Discourse on safety and violence	● Petition against deportation to south Sudan (March 2012) ● Petition against amendment 3 (Oct 2012)	● Pro-refugee protest-events: 7 ● Anti-refugee protest-events: 11
Challenging: Extending the Arena of Struggle against the Central Government's Actions [Sep 2013 – June 2014]	● HCJ quashes amendment 3 (Sept 2013) ● Amendment 4: Indefinite detention in Holot "open-detention" center, one-year detention in prison (Dec 2013)	● Petition against amendment 4 (December 2013)	● Pro-refugee protest-events: 22 ● Anti-refugee protest-events: 5
Negotiating: Fighting the Detention Policies of the Central Government in Court [Sep 2014 - Aug 2015]	● HCJ quashes amendment 4 (Sept 2014) ● Amendment 5: 20 months detention in Holot, three-months detention in prison (Dec 2014) ● HCJ partially accepts petition amendment 5 (Aug 2015)	● Petition against amendment 5 (December 2014)	● Pro-refugee protest-events: 5 ● Anti-refugee protest-events: 10
Differing: Fighting for and against deportation policy in the Legal Arena and Public Sphere [Aug 2017 – Apr 2018]	● High court rules on appeal, deportation to third country allowed in principle (Aug 2017) ● Population and Immigration Authority publishes Procedure for removal to third countries (Jan 2018)	● Petitions regarding deportation policy (Jan and March 2018)	● Pro-refugee protest-events: 14 ● Anti-refugee protest-events: 12

Figure 6. Periods of contestation over refugee detention and Deportation policies

petitions filed against the amendments to the Law for the Prevention of Infiltration are also noteworthy. Each decision to accept or partially accept a petition (in September 2013, September 2014, and August 2015) is correlated with three to four small protest events reacting to the decision. Indeed, although this number of events is relatively small, the ongoing agonistic engagement reveals the dynamics of how legislation, the petitions and court decisions relate to public protest – with all actors both responding to and shaping the conflict at the same time.

Agonistic Conflict as a Fertile Ground for Collective Action and Social Change

The agnostic conflict around the issue of asylum seekers in Israel is an example of how both citizens and the state learned how to find an intermediate legal space in which to advance their claims without *completely* destabilizing the regime or rupturing the social contract between citizens and the state. What is the meaning of this dynamic? In responding to this question, we first address the Israeli case by discussing the ways place, scale, and tactics shape the manifestations of agonistic engagements and, second, learn from it the characteristics of agonistic conflict.

Place: Agonistic Conflict in an Ethnocratic Environment

The contestations analysed should be viewed in the context of Israel as an ethnocratic regime, as a state apparatus controlled by a dominant ethnic group to further its inter-

ests, power and resources. This implies that adversary groups are all citizens of the state with access to its symbolic institutions, and within this dynamic, asylum seekers participate in events, but they still have no voice. This evolution of protests for and against asylum seekers and of their legalization in Israel has contributed to the formation of two 'we' groups. The first group, which includes activists from the southern Tel Aviv neighbourhoods, neighbourhood committees, the city council's elected members, parliament (Knesset) members, and state authorities, advocates for policies that support exclusionary views, including incarceration and deportation. There is a correlation between this group's exclusionary views and the exclusionary narrative and policies adopted by government and official authorities. Adopting the rhetoric of official state actors, activists use slogans such as 'infiltrators taking over' neighbourhoods and demand that 'infiltrators leave our home' while also emphasizing issues of personal security and a local and Jewish identity (e.g. Brener and Fyler, 2012; Porat, 2017). The narratives of asylum seekers' opponents' advocacy undermine the legitimacy of asylum seekers by presenting them as a security and demographic threat, as an economic and social burden, and as an existential threat and a threat to the identity of the state (Duman; 2015; Weinblum, 2019).

The second 'we' group includes asylum seekers' organizations, asylum seekers, Israeli NGOs, activists, and parliament (Knesset) members that advocate for civil rights and object to deportation and incarceration. Using slogans such as 'No more jail' and 'We're asylum seekers, not infiltrators!', these actors insist on the identity of people as asylum seekers rather than as criminals or migrant workers (Lior, 2018; Lior and Levi-Stein, 2014; Tirosh, 2018, pp. 411–412). NGOs and supporter groups also provide legal, social, and medical assistance as well as support for asylum seekers (Kalir, 2015, p. 592; Müller, 2016, p. 55; Yaron *et al.*, 2013, p. 147). Three narratives framed supporters' advocacy: the

view of asylum seekers as people in need of protection and shelter; the obligation of Israel to follow international law; and asylum seekers as an economic benefit rather than an economic burden or danger (Weinblum, 2019, pp. 10–12). What is evident is that adversary groups embraced the idea of state responsibility for collective conditions: even though one group suggests views counter to those of the government or opposition, they accept that all actors operate within the current social and political configuration, even if they fight over questions of identity.

Scale: Between the Local and the National

Both groups maintain constant negotiation with state authorities, usually within the confines of the law. Between 2012 and 2018, NGOs and activists working on behalf of asylum seekers relied heavily on legal action, i.e. negotiation with the state through its own institutions to change state laws or policies (e.g. Administrative Appeal 8101/15 Zegete v Minister of Interior, 2017; HCJ 7146/12 Adam v. The Knesset, 2013). Anti-asylum seeker activists have also addressed the court and negotiated their role through demonstrations. Both groups are also active in the political arena, addressing their demands to political figures and participating in Knesset committee discussions (20th Knesset, 2018); anti-asylum seekers activists have also met with high-level politicians (Alon and Hai, 2018). Their calls to mount protest events on behalf of asylum seekers are addressed to the Israeli authorities and/or to the international community, as described above. Addressing the Israeli government and demanding the acceptance of asylum seekers in the host country implies an acceptance of the rules and institutions of that country. This was well expressed by asylum seekers during the 2013 march from Holot to the Knesset: 'We respect Israeli law, but we are not criminals and won't allow ourselves to be incarcerated for no reason' (Seidler and Arad, 2013).

Although protests against asylum seekers did include actual violent elements (verbal and physical), neither violence nor acts of civil disobedience are central features of the conflict. Most of the struggle is taking place in the legal and public spheres. At the periphery of the conflict, such acts can be found. Examples include a demonstration against asylum seekers in May 2012, which included verbal and non-verbal violence (Brener and Fyler, 2012), and asylum seekers marches, which were based on the principle of civil disobedience (e.g. Seidler and Arad, 2013). On the other hand (without implying symmetry), the moral discourse adopted by human rights NGOs advocating for the rights of asylum seekers over the years has, at some stages, excluded the other side as racist (Shamur, 2018, p, 271) or immoral, without considering the merits of arguments related to resources or the economic and social burdens placed on local neighbourhoods. Such descriptions may fall under what Mouffe describes as exclusion of the other as 'evil' (Mouffe, 2005, pp. 72–73). Although such violent discourse accompanies the struggle associated with the conflict over asylum seekers, it does not challenge the power of authorities. In general, all actors accept the fact that the state is the entity that manages and controls violence and power.

Importantly, both sides, though clearly in conflict, share some common ideas and symbolic space. First, actors on both sides ground their opposing positions and demands in the context of Jewish tradition and history and the Jewish identity of Israel (Kalir, 2015; Porat, 2017; Walla! News, 2012). Activists against asylum seekers view themselves as securing this identity, and activists for asylum seekers view the identity of Israel as including a commitment to accept asylum seekers (Kritzman-Anir, 2009). Second, actors on both sides connect their demands and positions to the wellbeing of south Tel Aviv neighbourhoods, as became especially evident with the establishment of the 'South Tel Aviv against Deportation' movement (Lior, 2018).

Tactics: Multiple Arenas of Struggle

First, although their practices vary across time and space, all participants view themselves as a 'we' group. Both sides repeatedly address the government and seek to influence policy using two main democratic tools: the court (where the state is the addressee of petitions against legislation); and the arena of public protest. Second, although the original and ongoing focus of protests is the issue of asylum seekers (and, more generally, conflicts about territory, identity and resources), the appearance of the HCJ as an arena of struggle extended the focus of protests to include questions about democracy and power relations among democratic institutions. Third, this negotiation between civil society and the state led to actual changes in policy (i.e. detention practices), which, in turn, led to further civil action, thereby creating an ongoing dynamic and contributing to an agonistic conflict. Finally, practices of action among groups are not symmetric but always occur within and are influenced by an existing structure of power. Thus, for example, asylum seeker supporters repeatedly used the court as an arena to challenge policy and legislation. However, groups that opposed asylum seekers or advocated deportation did not use this tool. This difference may imply a difference in the relation between protesters and political powers in government or, in other words, a difference in their relation to the hegemony. Although activists against asylum seekers repeatedly criticized the government, the policy advanced by the government was generally closer to anti-asylum seeker positions and demands than to those of supporters of asylum seekers.

Thus, in terms of change no resolution has been achieved and this agonistic conflict continues.

Agonistic Conflict and Change

Building on the specificities of the case, agonistic conflict should be viewed as a pro-

cessual change in the relationship between grounded protests, set in motion by the concrete experiences of residents in a particular urban location, that had a bearing on larger asylum policies and the national level powers that make such decisions. In the Israeli case, both the government and the HCJ have become key players in the conflict who are affected by and impact the dynamic of the conflict. The involvement of these institutions and the complexity and conflictual nature of taking a position on asylum, has also contributed to the endurance of the conflict and its high public profile. We thus must conclude that agonistic conflict as a form of contentious politics is not necessarily more productive than non-agonistic conflict, precisely because it can be a continuing process in which no agreement is ever reached. However, it has produced three key changes: (1) a new phase in civilian consciousness of the people's power over political actors and political orders; (2) a new phase in the participation process, which has become multilayered and produced interaction between protesting citizens and the legal sphere; and (3) a fragmentation in the homogeneity of Israeli society, which has fuelled ideological contestations.

To summarize, we have seen that agonistic conflict is a distinct form of conflict that drives engagement between citizens and the state rather than rupture, and that this engagement is built on bottom-up local-scale actions that influence actions at the national scale (figure 7). Moreover, it is the interactive nature of protest in response that drives strategies and tactics both on the part of citizens and those acting on behalf of the nation-state. This interactive learning process is built on the following three dimensions of action.

Concrete: Agonistic conflict is embodied in struggles among the 'we' groups in a society. Using varied local and contextual actions, the 'we' groups of a society manifest their response to concrete decisions made by the government with the aim of changing policy. The 'non-we' can participate in the conflict, but they will never be viewed as leaders. Such contestations have two aims: (1) responding with physical action to the more abstract and obscure decisions of the government; (2) concretizing the struggle over identity and resources as a means to open a larger public debate.

Multilayered: Shared sentiments of common purpose associated with agnostic conflict are strengthened by the linking of spatially grounded actions with legislative and judicial responses. By connecting the microscale of the urban to the mesoscale of the nation-state, agonistic conflict allows an interactive rather than linear process of change. The multiple scalar layers of agonistic conflict contribute to its robustness while also fuelling ongoing questions about performance of the regime and its representative institutions.

Bounded: Agonistic engagements build on *a specific view* of how opposition relates to governmental institutions. Furthermore, agonistic engagement, when limited to a particular object of conflict (in this case asylum seekers), also defines the boundaries of the conflict and thus does not necessarily challenge political hegemony. Rather than departing from institutions or rejecting or critiquing current apparatuses of power, agonistic engagements work to re-articulate the configuration and structures of power (Mouffe, 2013, pp. 71–74).

Thus, in its essence, agonistic conflict is bounded by the powers of the regime and its interpretation of democracy. Liberal or ethnocratic, in agonistic conflict groups validate the law and represent ruptures in the post-political condition. They engage with institutions using various tools, both formal (e.g. the Supreme Court) and informal (e.g. protests and public meetings). In that sense, agonistic conflict is system stabilizing, not revolutionary.

Agonistic Environment

Political Premises:

⊙ The political as negotiable conflicted order;
⊙ Agonism as pluralistic social order.

↓

Agonistic Conflict

Geographical Features:

⊙ Place – competition over identity
⊙ Scale – traditional hierarchical conceptualization
⊙ Tactics – the physical and institutional as interrelated

↓

Agonistic Conflict and Change

⊙ **Concrete Contestations**
  1. Responding with physical action to the more abstract and obscure decisions of the government;
  2. Concretizing the struggle over identity and resources as a means to open a larger public debate.
⊙ **Multilayered Conflict**
  Scaler layers contributing to its robustness while also fuelling ongoing questions about performance of the regime and its representative institutions.
⊙ **Bounded by the Powers of the Regime**
  Agonistic conflict is system stabilizing, not revolutionary.

Figure 7. Agonistic conflict and change.

Even so, and with all its limitations in producing fundamental change, agonistic conflict, has a major role in the post-political era because it eases the tension between institutional arrangements and the 'agonistic' nature of the social. As such, agonistic conflict could be viewed as a productive rupture in consensus politics, what Rancière saw as a moment of democracy, which is enacted by 'the part of no part': those who are within society but have no voice to participate in political structures.

NOTES

1. The paper has not thoroughly addressed the issue of race; though relevant, it is beyond the scope of the paper and requires more in-depth analysis. There is another piece that focuses mainly on the issue of race and how it was manifested in the protests (Hatuka, Place and Race: Shaping Spatial Discourse through Collective Actions (forthcoming).

2. Other key locations for protests supporting asylum seekers were incarceration points close to the border and near the Holot Open-Detention Facility, which was active between December

2013 and March 2018. This detention facility was located in a remote location near the Israeli-Egyptian border and restricted asylum seekers' movement.

3. Indeed, there are other objects of conflict, such as violence or education and welfare, and they are, in some cases, linked to deportation policies.

REFERENCES

20th Knesset (2018) Internal Affairs and Environment Committee – Meeting Protocol 705, 25 July. Available at: https://fs.knesset.gov.il//20/Committees/20_ptv_504627.doc.

Administrative Appeal 8101/15 Zegete v Minister of Interior. Supreme Court, 28 August 2017. Available at: https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\15\010\081\c29&fileName=15081010.C29&type=4.

Alon, A. and Hai, S. (2018) South Tel Aviv residents met with Netanyahu, protest against deportation resumed [in Hebrew]. *Ynet*, 4 March. Available at: https://www.ynet.co.il/articles/0,7340,L-5218411,00.html.

Berman, Y. (2016) *The Labyrinth: Migration, Status and Human Rights*. Hotline for Asylum Seekers and Migrants, the Association for Civil Rights in Israel (ACRI), and Physicians for Human Rights. Available at: https://www.acri.org.il/en/wp-content/uploads/2016/01/The-Labrynth-English.pdf.

Blumenthal, I. (2014) Tel Aviv: thousands of asylum seekers demonstrate at embassies [in Hebrew]. *Ynet*, 1 June. Available at: https://www.ynet.co.il/articles/0,7340,L-4473488,00.html.

Brener, N. and Fyler, B. (2012) Riot and arrests during a demonstration in south Tel Aviv: Foreigners attacked [in Hebrew]. *Ynet*, 23 May. Available at: https://www.ynet.co.il/articles/0,7340,L-4233445,00.html.

Brenner, N. (1997) Global, fragmented, hierarchical: Henri Lefebvre's geographies of Globalization. *Public Culture*, **10**(1), pp. 135–167.

Clemens, J. and Bartlett, A. (2010) *Alain Badiou*. London: Routledge.

Cox, K. (1998) Spaces of dependence, spaces of engagement and the politics of scale, or: looking for local politics. *Political Geography*, **17**(1), pp. 1–23.

Crouch, C. (2004) *Post-Democracy*. Cambridge: Polity.

Davis, D.E. and Libertun De Duren, N.R. (eds.) (2011) *Cities and Sovereignty: Identity Politics in Urban Spaces*. Bloomington, IN: Indiana University Press.

Derickson, K. (2017) Taking account of the 'part of those that have no part'. *Urban Studies*, **54**(1), pp. 44–48.

Dodds, K., Smith, N. and Taylor, P. (1997) A materialist framework for political geography. *Progress in Human Geography*, **21**(4), pp. 555–562.

Duman, Y.H. (2015) Infiltrators Go Home! explaining xenophobic mobilization against asylum seekers in Israel. *Journal of International Migration and Integration; Dordrecht*, **16**(4), pp. 1231–1254. http://dx.doi.org/10.1007/s12134-014-0400-2.

Dvir, N. and Ababa, D.A. (2015) Protest in south Tel Aviv against HCJ: 'blood will be shed here' [in Hebrew]. *Ynet*, 8 November. Available at: https://www.ynet.co.il/articles/0,7340,L-4689940,00.html.

Efraim, O. and Ohayon, M. (2014) Thousands of infiltrators in Rabin Square: 'Freedom'. *Ynet*, 1 May. Available at: https://www.ynet.co.il/articles/0,7340,L-4473125,00.html.

Habermas, J. (1996) Three normative models of democracy, in Benhabin, S. (ed.) *Democracy and Difference: Contesting the Boundaries of the Political*. Princeton, NJ: Princeton University Press, pp. 21–30.

Hatuka, T. (2010) *Violent Acts and Urban Space in Contemporary Tel Aviv: Revisioning Moments*. Austin, TX: University of Texas Press.

Hatuka, T. (2018) *The Design of Protest.* Austin, TX: University of Texasd Press.

HCJ 7146/12 Adam v. The Knesset. (HCJ, 16 September 2013). Available at: elyon2.court.gov.il/files/12/460/071/B24/12071460.B24.htm.

HCJ 8425/13 Gebrselassie *et al*. v Knesset *et al*. (HCJ, 22 September 2014).

HCJ 8665/14 Desete v The Knesset. (HCJ, 11 August 2015). Available at: https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\14\650\086\c15&fileName=14086650.C15&type=4.

HCJ 679/18 Kook Avivi v The Prime Minister. (HCJ, 10 April 2018). Available at: http://go.ynet.co.il/pic/news/23.1.2018.pdf.

HCJ 733/18 Feldman v The State of Israel. (HCJ, 10 April 2018). Available at: https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\18\790\006\v29&fileName=18006790.V29&type=4.

HCJ 2445/18 Hotline for Asylum Seekers and Migrants v The Prime Minister. (HCJ, 30 April 2018). Available at: https://www.acri.org.il/he/wp-content/uploads/2018/03/bagatz-2445-18-deportation.pdf.

Hotline for Asylum Seekers and Migrants (2017, December 14) Asylum Seekers in Israel –Situation Report, December 2017 [in Hebrew]. Available at: https://hotline.org.il/ asylum seekers _details/.

Hotline for Asylum Seekers and Migrants. (n.d.) 'Voluntary' Departure and Israel's plan for deportation to third countries. Available at: https://hotline.org.il/en/ asylum seekers -and-asylum-seekers-en/voluntary-departure/.

Israel Population and Immigration Authority (2018*a*) *Foreigners Data in Israel 1/2018* [in Hebrew]. Available at: https://www.gov.il/Blob Folder/reports/foreign_workers_stats_0118/he/%D7%A8%D7%91%D7%A2%D7%95%D7%9F%201.pdf.

Israel Population and Immigration Authority (2018*b*) Procedure for Removal to Third Countries (first edition). Procedure no. 10.9.005. Available at: http://assaf.org.il/he/sites/default/files/deportation%20policy.pdf.

Kalir, B. (2015) The Jewish state of anxiety: between moral obligation and fearism in the treatment of African asylum seekers in Israel. *Journal of Ethnic and Migration Studies*, **41**(4), pp. 580–598. https://doi.org/10.1080/1369183X.2014.960819.

Knesset Research and Information Center (2016) *Infiltrators Living in South Tel Aviv Neighborhoods* [in Hebrew]. Available at: https://fs.knesset.gov.il/globaldocs/MMM/9df2d286-3623-e611-80d5-00155d0acbc2/2_9df2d286-3623-e611-80d5-00155d0acbc2_11_8915.pdf.

Kritzman-Amir, T. (2009) 'Otherness' as the underlying principle in Israel's asylum regime. *Israel Law Review*, **42**(3), pp. 603–627. https://doi.org/10.1017/S002122370000073X.

Laclau, E. and Mouffe, C. (2001) *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, 2nd ed. London: Verso.

Lacoue-Labarthe, P. and Nancy, J. (1997) *Retreating the Political*. London: Routledge.

Law for the Prevention of Infiltration and Ensuring the Exit of Infiltrators from Israel (Legislative Amendments and Temporary Orders), 5775-2014 (2014). Available at: https://fs.knesset.gov.il//19/law/19_lsr_306608.pdf.

Law for the Prevention of Infiltration (Offenses and Jurisdiction) (Amendment No. 4 and Temporary Order), 5774-2013 (2013). Available

at: https://fs.knesset.gov.il//19/law/19_lsr_301620.pdf.

Law for the Prevention of Infiltration (Offenses and Jurisdiction) (Temporary Order), 5776 – 2016 (2016).

Lior, I. (2014) 1,000 asylum seekers protest at detention center in Negev. *Haaretz.Com*, 18 February. Available at: https://www.haaretz.com/.premium-1-000-asylum-seekers-protest-at-detention-center-1.5323454.

Lior, I. (2018) 20,000 Israelis protest deportation of African asylum seekers. *Haaretz.Com*, 24 February.

Lior, I. and Levi-Stein, R. (2014) Tens of thousands African immigrants demonstrated in Rabin Square; 1,500 workers strike in Eilat [in Hebrew]. *Haaretz.co.il*, 5 January. Available at: https://www.haaretz.co.il/news/education/1.2207988.

Marston, S. (2000) The social construction of scale. *Progress in Human Geography*, **24**(2), pp. 219–242.

Marston, S., Jones, J. and Woodward, K. (2005) Human geography without scale. *Transactions of the Institute of British Geographers*, **30**(4), pp. 416–432.

Massey, D. (2005) *For Space*. London: Sage.

Morag, G. (2012) Arrests and road blocking during a demonstration 'for asylum seekers' [in Hebrew]. *Ynet*, 1 November, Available at: https://www.ynet.co.il/articles/0,7340,L-4174098,00.html.

Morag, G. (2014, April 10) 'The government bends': protesting against the foreigners in Tel Aviv [in Hebrew]. *Ynet*, 10 April. Available at: https://www.ynet.co.il/articles/0,7340,L-4577588,00.html.

Morag, G. and Efraim, O. (2013) Demonstration in South Tel Aviv: HCJ judges sold us [in Hebrew]. *Ynet*, 17 September, Available at: https://www.ynet.co.il/articles/0,7340,L-4430992,00.html

Mouffe, C. (2000) *The Democratic Paradox*. London: Verso.

Mouffe, C. (2005) *On the Political*. London: Routledge.

Mouffe, C. (2013) *Agonistics: Thinking the World Politically*. London: Verso.

Müller, T.R. (2016) Acts of citizenship as a politics of resistance? Reflections on realizing concrete rights within the Israeli asylum regime. *Citizenship Studies*, **20**(1), pp. 50–66. https://doi.org/10.1080/13621025.2015.1104291.

Porat, Y. (2017) Demonstrators from south Tel Aviv near home of Judge Naor: 'Jews also have

human rights' [in Hebrew]. *Ynet*, 9 September. Available at: https://www.ynet.co.il/articles/0,7 340,L-5014207,00.html.

Mark the Completion of the Fence along the Egyptian Border. Retrieved August 21, 2018, from http://www.pmo.gov.il/English/MediaCenter/Events/Pages/eventfence020113.aspx.

Ram, U. (2008) *The Globalization of Israel: McWorld in Tel Aviv, Jihad in Jerusalem*. New York: Routledge.

Rancière, J. (1999) *Disagreement: Politics and Philosophy*. Minneapolis, MN: University of Minnesota Press.

Rawls, J. (1999) *A Theory of Justice*. Cambridge, MA: Belknap Press of Harvard University.

Rosenberg, A. (2017) Residents of south Tel Aviv demonstrated near the home of the Supreme Court President [in Hebrew]. *Ynet*, 26 August. Available at: https://www.ynet.co.il/articles/0,7 340,L-5007961,00.html.

Schmitt, C. (2008) *The Concept of the Political*. Chicago, IL: University of Chicago Press.

Smooha, S. (2002) The model of ethnic democracy: Israel as a Jewish democratic state. *Nations and Nationalism*, **8**(4), pp. 475–503.

Seidler, S. and Arad, R. (2013) By foot, in the cold, with an empty stomach: the immigrants' march to the Knesset [in Hebrew]. *Haaretz.co.il*, 16 December. Available at: https://www.haaretz.co.il/news/education/.premium-1.2192246.

Shamur, T. (2018) Melancholic citizenship in the south Tel Aviv protest against global migration. *Citizenship Studies*, **22**(3), pp. 259–277. https://doi.org/10.1080/13621025.2018.1449811.

Shemtov, N. (2014, July 2) Marching toward freedom in a fictional plot of land. Available at: https://972mag.com/marching-toward-freedom-in-a-fictional-plot-of-land/92714/.

State Comptroller (2014) *Foreigners Not Subject to Deportation from Israel* [in Hebrew] (Annual Report, 64c). Available at: https://www.mevaker.gov.il/he/Reports/Report_248/af07752c-7845-4f1d-ae97-23c45c702624/102-ver-5.pdf.

Swyngedouw, E. (2018) *Promises of the Political: Insurgent Cities in a Post-Political Environment*. Cambridge, MA: The MIT Press.

Tarrow, S. (1998) *Power in Movement: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press.

Tarrow, S. (2011) Contentious politics and social movements, in *Power in Movement: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press, pp. 16–34.

Tarrow, S. (2015) Contentious politics, in *The Oxford Handbook of Social Movements*. Available at: http://www.oxfordhandbooks.com/abstract/10.1093/oxfordhb/9780199678402.001.0001/oxfordhb-9780199678402-e-8.

Tilly, C. and Tarrow, S.G. (2007) *Contentious Politics*. Boulder, CO: Paradigm Publishers.

Tilly, C. and Tarrow, S.G. (2015) *Contentious Politics*, 2nd ed. Oxford: Oxford University Press.

Tirosh, N. (2018) Dominant news frames, society's memory, and the African asylum seekers' protest in Israel. *American Behavioral Scientist*, **62**(4), pp. 405–420. https://doi.org/10.1177/0002764218 759580.

Walla! News. (2012) Yishai: can't judge Tel Aviv residents because of their attitude towards foreigners [in Hebrew]. *walla!news*, 24 May. Available at: https://news.walla.co.il/item/2535 799.

Weinblum, S. (2019) Conflicting imaginaries of the border: the construction of African asylum seekers in the Israeli political discourse. *Journal of Borderlands Studies*, **34**(5), pp. 1–17. https://doi.org/10.1080/08865655.2018.1436001.

Yacobi, H. (2011) 'Let me go to the city': African asylum seekers, racialization and the politics of space in Israel. *Journal of Refugee Studies*, **24**(1), pp. 47–68. https://doi.org/10.1093/jrs/feq051.

Yacobi, H. (2016) From 'ethnocracy' to urban apartheid: a view from Jerusalem/al-Quds. *Cosmopolitan Civil Societies*, **8**(3), pp. 100–114.

Yagna, Y. (2014) Hundreds demonstrated in Holot against the amendment to the Law for the Prevention of Infiltration [in Hebrew]. *walla!news*, 27 December. Available at: https://news.walla.co.il/item/2814288.

Yaron, H., Hashimshony-Yaffe, N. and Campbell, J. (2013) 'Infiltrators' or asylum seekers? An analysis of Israel's policy towards African asylum-seekers. *International Migration*, **51**(4), pp. 144–157. https://doi.org/10.1111/imig.12070.

Yaron, L. (2018) 25,000 Protest in Tel Aviv against Israel's asylum seeker deportation plan. *Haaretz.com*, 24 March. Available at: https://www.haaretz.com/israel-news/25-000-protest-in-tel-aviv-against-deportation-of-asylum-seekers-1.5938048.

Yiftachel, O. (2006) *Ethnocracy: Land and Identity Politics in Israel/Palestine*. Philadelphia, PA: University of Pennsylvania Press.

Ziegler, R. (2015) No asylum for 'infiltrators': the legal predicament of Eritrean and Sudanese nationals in Israel. *Journal of Immigration, Asylum and Nationality Law*, **29**(2), pp. 172–191.

Keywords: Asylum seekers; Agonistic conflict; Contentious politics; Detention policies; Israel; Jerusalem; Protests; Tel Aviv