

Foreign Workers, the Impact of a Non-Jewish Migration on Israeli Citizenship

*Les travailleurs étrangers ou l'impact d'une immigration non-juive sur la
citoyenneté israélienne*

Caroline Rozenholc



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Introduction

In a reflection on the topic of migrations in the Israeli/Palestinian space and the inter-cultural relations they generate, this paper wishes to discuss the legal impact of the foreign workers' presence in Israel over the last years.¹ The discussion presented hereafter is based on a PhD research project² which explored identity and territorial constructions in the global city of Tel Aviv today. This project was conducted over four years, between 2005 and 2008, in the south of Tel Aviv, and more specifically in the area of the Florentin neighborhood.³ In the course of fieldwork observations and interviews, the "question" of the foreign workers and the political steps the Israeli government took in reaction to their presence was raised. In fact, the sustained presence of the foreign workers' population in the southern neighborhoods of Tel Aviv directly connects their presence, although "foreign," to the double issue of identity and territory through citizenship – a hot topic in the Israeli-Palestinian context as a whole and in the Israeli society in particular. This article will emphasize the major change the presence of foreign workers and their children born in Israel have brought in this legal area. And it will also point out why that change – crucial in itself and by its potential – remains very modest quantitatively speaking.

In order to do so, we will first give an overview of the foreign workers' community. Second, we will try to put the foreign workers' labor force into perspective, so as to understand its presence in the country as well as the various ways Israeli society has responded to it. Doing so, the article will outline how contextualizing is without a doubt necessary to understand at once the presence in and the responses of the "host" society. In this sense, discussing the notion of "community" will give some insight on the way Israeli society – itself an extremely diverse and fragmented society – perceives foreign workers. And here again, even if, worldwide, migrations involve a few people, the discussion will show how questions raised by migratory situations give a better understanding of political and social issues of the host countries themselves (Israel in this case).

To sum things up, this article presents a study of the foreign workers' community in Israel today by examining first what, in the Israeli mid-1980s socio-political context, favored the appearance of a durable work immigration in Israel and, second, by tracing the changes this migratory movement brought to the country's self-definition. Our study will not focus on the changes brought about by daily encounters and everyday interactions between non-citizens and citizens (even if the inter-cultural relations between foreign workers and Israelis got deepened by the fact that foreign workers live in Israel, work with and for Israelis, are seen in the streets, bring their children to school, and hold "ethnic businesses"). The focus will be on the legal changes generated by the migrants' presence, knowing, nonetheless, that both daily life and legal matters are connected and, most probably, inseparably so.

"Foreign Workers": a homogeneous category?

The common expression of "foreign workers" (*ovdim zarim* in Hebrew) designates people thought of as non-Jewish migrants and non-Arab workers. The stigma would be, most probably, of a Filipino sitting on a bench with an elderly person whom he/she is looking after, or of an African cleaning woman. As such, foreign workers are fully acknowledged as part of Tel Aviv's life and functioning, and are therefore quite visible. While they are associated with domestic work such as home and office cleaning

¹ As we will see further on, the presence of foreign workers in Israel also has an impact on the Palestinian society but we will focus here more on the impact it had on the Israeli society. Of course, and to some extent, both are connected.

² This PhD in Geography was completed and defended in May 2010. Its French title is: "Lire le lieu pour dire la ville. Florentin : un quartier de Tel-Aviv dans la mondialisation (2005-2009)."

³ Today, Florentin is a neighborhood of about 4,500 inhabitants. Located in the southern part of the city of Tel Aviv, it is bounded by Jaffa Street in the north, by Ha'alyah Street in the east, and by Salame Street in the south. According to statistical divisions, Abarbanel Street bounds it on its west side. The latest Municipal Master Plan however designates the area between Abarbanel and Elifelet Streets as being part of the Florentin neighborhood too. Florentin adjoins the Neve Shaanan and Neve Tseddek neighborhoods.

or care-giving, they can actually be found in both agriculture and construction as well. At the beginning of 2000, foreign workers were an estimated 240,000 individuals (Willen, 2003). They then constituted “a salient feature in Israeli society” (Kemp *et al.*, 2000: 100), even when one thinks of it in terms of numbers and not in terms of those numbers’ social implications. Today however, after a drastic policy of undocumented workers’ deportation⁴ for a few years, even if these workers are still a feature of Israeli society, they are much less salient. Still, the southern neighborhoods of Tel Aviv, the surroundings of the Central Bus Station, and parks and public spaces are still common places where one can meet them. In fact, even though they have been facing difficult living conditions (unemployment, police arrests, etc.) over the last few years, 60 to 80,000 foreign workers were still living in the Tel Aviv-Jaffa metropolis by 2003 and they then represented a quarter of the city’s total population (Willen 2003: 249).

Often represented as Asians, the foreign workers actually come from different continents and from dozens of different countries.⁵ This varied group includes people from Europe – Romania, for instance – from several African countries – Nigeria, Ghana, Sierra Leone, Niger, Senegal, Ivory Coast, to mention a few – from Latin-America – Colombia, Mexico for example – from Asia – and here we need, of course, to mention the Philippines, Thailand and China, but also Nepal.⁶ The very fact that a single “name” is used to designate such a heterogeneous reality is also of interest. It gives an idea of how these people are perceived: as a single population, or even more, let us say, as a single function: workers. Let us stop a little more on the denomination itself. Why “foreign workers” and not “migrant workers”?

This question can be answered in a few ways. To begin with, the term “migrant” in Israel only qualifies Jewish migrants settling in the country. Indeed, “new migrant” (*oleh chadash* in Hebrew) is a status in itself. This newcomer status extends over several years from the date of arrival and includes rights of citizenship, rental subsidies, free or reduced-cost Hebrew classes, and subsidized mortgage (Alexander, 1997: 4). But if the workers cannot be qualified as “migrant” workers, what is the emphasis on their “foreignness” exactly saying? What sense does “foreign” convey? Three points are relevant here. First, the construction of the Hebrew expression for “foreign workers” recalls the phrase “*ovdim me ha’shtachim*”: workers from the Territories. In a general understanding, this expression refers to Palestinian workers from the Territories⁷ who commute to Israel every day. These workers were employed from the end of the sixties to the nineties, broadly speaking, when they came to be replaced by foreign workers. The names of both groups refer not to the workers themselves but to their geographical origin – inferring a foreign (or an “out-of-the-society”) social status. Second, the term “foreign” reinforces and makes clear that the foreign workers are not expected to settle in Israel. The Israeli government only perceives the presence of foreign workers as temporary, even if the latter are an acknowledged component of society (Berthomière, 2005: 246); and this is what the latest immigration policy tends to demonstrate. Third, as different authors have mentioned it, *ovdim zarim* could point to a lack of consideration as it contains biblical connotations of paganism – “foreign work” – *avoda zara*, often translated in English as “idolatry.” How then did Israel find itself home of about 250,000 non-Jews, non-citizens, trans-national migrant workers (Willen, 2003: 246), knowing that this population would eventually challenge the divide between Jews and non-Jews on which the country is built (Rosenhek, 2003, in Willen 2003) and functions?

Labor market and political context: why is there an economic migration to Israel?

In our attempt to answer the question, we need to go back to the context in which this foreign migration took place. The first element is that this important migration took place in a society which already was – and still is – a migrants’ society. Israel is a society built on and through different waves of migrations, the country’s ideological core of Zionism constituting a call for the “return” of Jews from all over the world to Palestine, and then Israel. Until now, fifty years after the creation of the State, this “gathering of the exiles” continues to have very concrete effects. For example, the Sephardi-Ashkenazi divide remains a major political and socio-economic rift in society (Alexander, 1997: 4). To understand

⁴ The implementation of this policy started in 2001 with the creation of what is called an “immigration police.”

⁵ In the course of an interview held in 2005, a Senegalese foreign worker mentioned that there were in Israel people coming not only from all African countries but also from all African ethnic groups.

⁶ “Although they are called foreign workers, each one of them lives in his/her own community. There are different communities and Africans and Filipinos don’t mingle,” taken from an interview with the manager of *Kadima*, a national after-school program for deprived children devoted in its south Tel Aviv branch to foreign workers’ children (2005).

⁷ “*Ha’shtachim*” – “the Territories” refers, in a general consensus, to the Territories Israel has been occupying since 1967.

the extent to which migration impacts Israeli society, let us put it in figures. In 1995, first generation migrants (*i.e.* people born outside the country) constituted 40 % of the Jewish population, while about 25 % of the population was made of second-generation migrants (Yishai, 1999: 78). Today, the numbers would actually be even higher, a last migration wave bringing about one million individuals born outside of Israel to settle in the country during the 90s.

But although the foreign workers' immigration takes place in a country of migrations itself, it needs a different frame of analysis than the one habitually thought of in the Israeli context. This immigration is a non-Jewish economic migration, aside from the pattern of the usual immigration to Israel. Therefore, David Bartram's proposition of analyzing it in the Israeli socio-political context itself is quite relevant. Bartram's analysis (1998) will shed light on how migrant workers, by settling in Israel, not only respond to but also increase the complexity of the inter-cultural relations that already exist.

Some historical background

From 1993 on, Israel has let in and has imported large numbers of foreign workers to such an extent that in less than ten years, they constituted about 10 % of the country's labor force. To understand the mechanisms underpinning this "system," Bartram's argument of Israel "predisposition" to seek out foreign labor is most informative. For David Bartram, the entry of foreign workers in the Israeli work market can only be understood by combining structural factors and political issues. First: because Israel constituted itself on the different waves of migration, the country is characterized and functions to a large extent on ethnic segmentation. True in all sectors, it is more specifically the case in the labor market. Second: Palestinian workers entered and have been integrated in the Israeli labor market since and during the long-term occupation of the West Bank and Gaza. Third: Israeli employers got used to relying on a cheap and important labor force. Fourth: in the 90s, massive immigration from the former Soviet Union began, resulting, among other things, in an urgent need for a rapidly available large number of housings.

How do the four aforementioned elements interconnect? Also, how do they connect to the foreign workers' presence in Israel? The question of the segmented labor market itself will not be dealt with; we will simply keep it in mind while addressing the question of the Palestinian workers the foreign workers came to replace. In 1967, after the occupation of Palestinian territories by the army as a result of the Six-Day War, economic growth coincided with the Ministry of Finance's and the employers' need for a cheap labor force. Giving work to Palestinians from the territories occupied by Israel was also perceived as a way to stabilize the region (Bartram, 1998: 305 and 306). Palestinian workers thus entered the Israeli labor market. And as non-citizens they integrated it at the bottom end, within a society that was already very stratified. As a result, they found opportunities mostly in construction, agriculture, and services. After a few years, in the mid-1980s, about 110,000 Palestinian workers were employed in Israel.⁸ During those years, foreign workers represented only 0.2 % of the country's labor force.⁹

Surprisingly – in retrospect – the start of the first Intifada in 1987 did not bring any radical change regarding the issue of Palestinian employment in Israel. In fact, the country's borders remained relatively closed to any foreign immigration, as the Israeli government was mostly afraid of creating any situation in which foreign workers would settle in the country, rendering the already complex "identity" situation even more complex eventually. In this context, the employment of Palestinian workers constituted a way to elude and a way to solve this "identity" question, all the more so since Palestinian workers were not allowed to stay overnight in Israel and had to go back home after each day of work (some, with the help of their employers nevertheless spent the night in Israel in order to save money and time). But if the number of foreign workers didn't really grow in that same time period, what changed was the pressure employers started to put on the government. Eventually, the economical argument won over when, in 1989, the former Soviet Union collapsed and 200,000 Jews arrived in Israel. The need for immediate housing was then so important that, quoting Bartram, "replacing Palestinians with Russian Jews thus became something of a national mission" (1998: 310). But again, as Bartram puts it, in a very stratified labor market and with stigmatized employments, "Russian Jews had no more reason than other Jews to want 'Arab jobs'" (1998: 310), all the more so since the Russian immigrants were some of the most qualified immigrants in Israel. On the question of citizenship in Israel, we need to add that one of the impacts of the arrival of former Soviet Union immigrants on Israeli society was the first recognition of

⁸ Less than half of them had work permit which, at the time, was not considered so much of a problem.

⁹ In 1984, 1,400 permits were issued; in 1987, 3,000.

non-Jewish immigration in the country. According to W. Berthomière (2002; 2005: 249), the Russian immigrants integrated the question of non-Jewish immigration within Israel “in an endogenous way.” More than a third of those migrants had a non-Jewish spouse. With these Russian immigrants, a strained gap between citizenship and Jewishness among immigrants to Israel appeared for the first time.

After 1989, importing workers started to be perceived as the answer to Israel’s difficulties, even as a panacea to solve many of its problems. It was supposed to help reduce the presence of Palestinians and thus increase personal security; it was supposed to solve housing problems for new immigrants thanks to the work of this new cheap labor force; it was even supposed to help advancing the “peace process” by increasing separation between Israelis and Palestinians (Bartram, 1998: 304). Along with this new course of action, a radical turn was taken with the increase of Palestinian terrorist activity. In March 1993, the government announced a general closure of the Territories. The employers accused the government of depriving them of their labor force and they initiated a trial at the Supreme Court. The government capitulated and agreed to issue several permits to foreign workers before the end of the trial. Afterwards, the number of permits issued to foreign workers increased following a clear pattern. After each terrorist attack, the government would close the borders; employers would ask for more foreign workers; the government would comply and grant about 20,000 permits each time (Bartram, 1998: 314).

Between 1989 and 1996, the number of work permits given to Palestinians from the West Bank and Gaza decreased almost ten times, while work permits issued to non-Palestinian workers increased more than thirty times. From about 7 % of the employees in Israel, Palestinians came to represent less than 1 %, while the percentage of foreign workers went from 0.2 % to 5 % – from 105,000 to 19,000 and from 3,400 to 103,000 permits respectively (Berthomière, 2006). Those numbers show how the foreign workers obviously replaced the Palestinian workers. But it is important to add that at the same time, the foreign workers found themselves the target of governmental policies. In 1996, the Ministry of the Interior claimed that 100,000 workers overstayed their visa and started deporting them.¹⁰ A distinction was then made between legal and illegal workers; a difference that can be slight if we look at the different ways one becomes an illegal worker in Israel. Here are the few ways a legal worker becomes illegal:

- overstaying a work visa;
- overstaying a tourist visa;
- getting pregnant¹¹;
- leaving one’s employer, since work permits are issued to the employers themselves and not to the workers¹². Passports are stamped with a work visa carrying the name of the employer¹³;
- changing trade, since work permits are issued for a specific trade¹⁴.

Bartram concluded his article ten years ago by stating that foreign workers would not be allowed to “naturalize” as full members of Israeli society. What is the situation today?

The government’s and the municipality’s responses to work migration

According to the 2007 estimates, there are now less than 200,000 foreign workers in Israel; about 102,000 of them are legal and 90,000 are illegal. About 40,000 foreign workers reside in Tel Aviv, concentrating in the southern part of the city, in the area of the Central Bus Station and the adjacent neighborhoods – Neve Shaanan, Shapira, Ha’tikva, Florentin. Until 1998, the mayor (R. Milo 1993-1998) deliberately avoided the question of foreign workers, not wanting to contravene the national policy or governmental decisions. In 1998, Ron Huldai’s campaign for the Tel Aviv municipal elections centered on this very issue.

Right after Ron Huldai’s election, *Mesila* – “path” or “rail” in Hebrew – was created.¹⁵ *Mesila* is an information and help center for the foreign community.¹⁶ It is a public service created by the

¹⁰ “An interministerial committee adopted in August 1996 a goal for deporting 1,000 illegal workers a month (...) In all 1995, 950 illegal workers were deported” (Bartram, 1998: 317).

¹¹ According to interviews held in 2008 at *Mesila* with social workers.

¹² This system is common in many countries of the Middle East.

¹³ “This bonding of foreign workers to a specific employer, who can make them illegal simply by dismissing them, encourages massive exploitation. Many migrant workers in fact abandon their exploitative ‘legal’ employer in order to earn better wages, thus entering the illegal worker population” (Alexander, 1997: 9).

¹⁴ <http://www.gov.il/FirstGov/TopNavEng/EngSituations/ESMigrantWorkersGuide>

municipality as an answer to the important presence of foreign workers in the city. Let us simply recall that when the center was created, migrant workers constituted a population of 80,000 individuals, including singles, families, and children. *Mesila* also represented the recognition that foreign workers, by living and working in the city, constituted a part of the life and of the social structure of Tel Aviv and therefore deserved rights and services like any other residents. Today, after years of a more or less intensive deportation policy, the needs of the foreign workers' population have drastically changed. Once a community with specific businesses, shops, churches, and highly developed social networks, it is now much weaker. In only two years, between 2002 and 2004, the number of foreigners registered as unemployed by *Mesila* rose more than ten times, going from 2 % to 27 %. If the deportation policy had structural effects on the community, it also brought major changes within the families, especially because the deportations – a main objective of the immigration policy – concerned mostly men. The idea of the government in setting up such a policy was that men, often fathers, would take spouses and children with them. This, obviously, did not happen, as 90 % of the women in the foreign workers' community are now single mothers.¹⁷

This policy seemed to have had a double goal: first, to decrease the number of illegal migrants; second, to avoid the rooting of families and the creation of a “second generation” in Israel. With this policy, the government openly started fighting against the durable settling of non-Jewish families in the country. But instead of decreasing the number of children, the implementation of this policy had – as often – the opposite effect. To understand why the number of children rose, we now need to present a regulation voted recently at the Knesset and look at children themselves.

In the summer of 2005, the Knesset adopted a law – a one-time regulation, to be more precise – to grant residential status to the foreign workers' children, under certain conditions. Criteria were quite restrictive and only a few hundreds of children fulfilled them. To be eligible, children had to be born in Israel, from parents who entered the country legally, even on tourist visas they eventually overstayed. They also had to be six years old and above at the time of the regulation (July 2005). First meant for children from age ten and above, with much pressure and lobbying from different organizations the regulation was extended to include children from age six. To obtain their permit, children also needed to speak Hebrew, which, in fact, most school-age children do as they usually attend public schools. Indeed, Israel signed the international treaties calling for equal education for all children, regardless of their parents' status, and in fact, Israeli public schools accept all children regardless of their parents' status (Alexander, 1997: 17). Taking all conditions into account, 600 among 2,200 children in Tel Aviv, and probably 3,200 children in the whole country fitted in. These children's siblings – about 300 in Israel – also became legal. We can then say that altogether, a total of 900 children got “legalized”; at age twenty-one, after their military duty, they may be granted Israeli citizenship.¹⁸

The parents of the 900 children who obtained a “resident status” also saw a change in their situation. The parents got an “A5” permit – to be renewed every year – granting them all civil rights, except the right to vote.

In this case, a very precise example shows how much the question of foreign immigration is linked to the specificity of the Israeli/Palestinian context. Some of the foreign workers' children obtained the legalization of their status after their father was deported. Those fathers were therefore entitled to get a legal status and a residence permit themselves. For fear that the Palestinian families separated after the 1967 war would take advantage of this law to reunite, a condition was added. Today, a deported father is allowed back in Israel only after his child has spent a year in the army. Since Arab Israelis don't enroll for compulsory military service, this added condition is, without a doubt, an innovation quite specific to the local context. Regardless of all those restrictions, in a country where citizenship is gained mainly through ethnic lineage, this shift from *jus sanguinis* to *jus soliis* is a real change. It is true, however, that ethnic belonging has not always been the only way to obtain Israeli citizenship. Indeed, Arabs who can

¹⁵ There are several NGOs devoted to helping foreign workers – let us only mention *Kav La'oved* or Physicians for Human Rights – but *Mesila* is interesting in the sense that it is run by a public body: the municipality itself.

¹⁶ *Mesila* is an acronym for “*Merkaz Sioua ou Meida la Kehila Ha'zara*”.

¹⁷ According to *Mesila*'s employees, it is the case in the Philippine community in particular. Often, however, families break apart and some of the children remain in Israel while others leave the country with the deported parent.

¹⁸ At age twenty-one, the grown up children can choose between Israeli citizenship or returning to “their” country.

prove ongoing residence in Israel between May 1948 and 1952 – when the Law on citizenship was enacted – are also entitled to it (Dieckhoff, 1999).

Today, rumor has it that each worker on his way out of the country will be granted 500 dollars. This recent proposal will surely echo, for the French audience, the 1997 French government's attempt to send migrant workers home by granting them 10,000 francs on departure. This "million Stoléru" did not prove so efficient in France, and time will tell if this measure will prove to be more efficient in Israel.

Conclusion

The analysis of the impact of the foreign workers' presence in Israel reveals questions of identity. It also shows how this non-Jewish work immigration tackles crucial issues – national identity / national security / massive immigration / the need for cheap labor force – and how much these issues are intertwined. It also sheds light on contradictory situations where migration can become the temporary answer to migration; where foreign migrants are imported and are considered necessary for a successful integration of Jewish migrants. The topic therefore also raises questions about the Jewish character of the State and the ways by which one becomes an Israeli citizen. This reshaping of the notions of citizenship and identity has been expressed through the importation of a foreign labor force, through the ensuing attempt to massively deport illegal workers, and, at the same time, through the one-time regulation granting legal status to a new community within society. This reshaping will even give the country a new type of "nationals" at the time the foreign workers' children will become full citizens.¹⁹ This very fact should be emphasized as it proves the efficiency of the migrants' participatory practices as well as their successfully negotiated integration in Israel. As Adriana Kemp puts it, the foreign workers have enlarged the whole Israeli public sphere through a global discourse on human rights (Kemp *et al.*, 2000: 94, 98). Nevertheless, this success needs to be balanced by the government reactions – however various and changing – which show a clear resistance to incorporating new members, non-Jewish immigrants, into the Israeli society. And there stands probably what authors like William Berthomière (2005: 243) call "the limits of an Israeli cosmopolitanism." In between great success and strong limitation, we could conclude by saying that if the foreign migration surely resulted from the country's barring the Palestinian work force, it is also a semi-opening to the "foreign," to a more distant Otherness. Time, then, will tell more about its impact on society and on future migrations.

Caroline Rozenholc takes part in several research programs. She has been teaching Urban Geography and Geopolitics since 2009 and holds a PhD in Geography (2010). In her thesis "The neighborhood of Florentin: for a new reading of Tel Aviv. Sense of place and identification in the globalization era," she explores the sense of place in the urban context of globalization. As a result of her ongoing effort to joint various analysis scales, her work presents a multi-faceted analysis of the neighborhood of Florentin as a prism through which one observes the place, the city, and the transformations of the Israeli society at large. caroline.rosenholc@univ-poitiers.fr

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¹⁹ Israeli citizens include Jews, Arabs, Druze, and Circassian nationals. Until recently, ethnicity was mentioned on everyone's identity card.

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