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Commentary

Reading into the prisoner swap deal *between Hamas and Israel*

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The recent deal between Hamas and Israel, concluded on October 6, 2011, led to the release from Israeli prisons of 1,027 Palestinian male and female inmates, against the release of one captive Israeli soldier, Gilad Shalit. Although the prisoner swap came as a surprise to most observers, because of the absence of indications suggesting the agreement in the preceding days, the developments in the general political scene in the region show that the main parties of the deal, Hamas, Israel, and Egypt, were simultaneously in need of the deal. The question of how the deal was made takes the observer to examine the motives of Israel and Hamas in showing flexibility and the desire to complete the deal, and to examine the consequences. Here we highlight the reasons Hamas and Israel had to come to agreement, and how they each capitalize on the deal to make specific gains at each other's expense.

As for the Hamas movement, we observe a set of reasons that together made it approve the prisoner swap deal with Israel. One is that the deal brought the movement back to the surface again, months after being in the shadow of "Arab Spring" revolutions. The Hamas movement was in need of an action to regain popularity and strengthen their position with the Palestinian street. The movement wanted also to convey a message to the international community and specifically the US and Europe that it is not a source of conflict in the region and that it is possible to talk to and deal with the group. It is not unlikely that Hamas will seek to reap the fruits of this unexpected deal, by enhancing its credibility and political position after years of international isolation, and to ultimately get the blockade imposed on the Gaza Strip lifted.

Hamas also realized that now was a historic chance to sign this deal, with the Egyptian attitude changed after the revolution, and the Egyptian Military Council willing to achieve this feat to strengthen its own position at home. In addition to changes in Egypt, the political winds in Israel were blowing as the movement wished, after Israeli Prime Minister Benjamin Netanyahu and his intelligence chief expressed their willingness to conclude the deal. Hamas eventually decided to accept the required concessions to conclude the deal in return for the release of as many prisoners as possible, as its military wing had failed several times to capture more Israeli soldiers to boost their demands.¹ Perhaps the movement also wanted to convey a message that Israel's most extremist far-right government has negotiated with a movement that it has been labeling as a "terrorist" organization. Nevertheless, a negotiated deal has been signed, and the Hamas movement does not rule out the possibility of another one in the future.

Hamas concluding the deal shows its willingness to change the political attitude towards the Egyptian Military Council, to forge an alliance with the new Egyptian leadership, to make a record for Egypt as a sponsor and mediator that succeeded to seal a deal which all previous mediation failed to conclude, and to restore warmth to the bilateral relations as a source of

¹ Majed Abu Diak, *Prisoner Deal: Conclusion Motives*, <http://www.aljazeera.net/NR/EXERES/CA2821BD-A459-481B-9079-23EBDD432279.htm>

support for future alliance with Egypt. Hamas sees Egypt as its political horizon and geographical extension, especially in light of the rising role of Islamist movements there.

The cost of keeping Gilad Shalit was also an important reason for Hamas to sign the prisoner deal quickly. It is known that the Palestinian people, especially in the Gaza Strip, paid a high price for capturing the soldier. Thousands were killed, injured, or arrested, and homes were destroyed. The thousands of Palestinians arrested included a large number of Hamas leaders and MPs. The infrastructure of the Gaza Strip was ruined by Israel, which placed a tight blockade on the small territory. All of these Israeli actions were committed in the name of Gilad Shalit, and under the pretext of searching for him.

On the Egyptian side, the Egyptian leadership was keen on accomplishing the deal through mediation, because this would strengthen the position of the Military Council at the Egyptian domestic level, help overcome the crisis in relations with Tel Aviv, and get more freedom to deal with the Rafah Crossing issue. The announced prisoner deal coincided with an Israeli apology to Egypt for recently killing five Egyptians, and Israeli government acceptance of the deployment of an Egyptian battalion at Area C in the Sinai Peninsula. The relationship between Cairo and Tel Aviv had seen hard times since last June, especially after Israeli soldiers shot and killed five Egyptian soldiers at the border, and the Israeli embassy in Cairo was attacked by demonstrators as Egyptian authorities barely managed to secure the escape of embassy staff from the angry crowds.² Both events led the Egyptian street to demand the Military Council abrogate the peace treaty with Israel, summon the Egyptian ambassador, close the embassy in Tel Aviv, and freeze all official contacts. Egyptian officials seemed to be keen on containing the consequences of these two events with the lowest possible damage. The new Egyptian leadership was in dire need of the prisoner swap deal in light of the obstacles and challenges it faced, and the wide criticism from the Egyptian public. Egyptians were beginning to view the relationship with Israel in terms of the outcomes of their revolution, calling for reconsideration of the peace treaty and the drawing up of an effective national agenda to address the power imbalance between Cairo and Tel Aviv and restore Egyptian “dignity.” Egypt thus wanted to absorb this overwhelming Egyptian public momentum against Israel and prove commitment to the Egyptian revolutionary aims and principles, which in part refer to restoration of Egypt's natural and leading role in directing Arab interests and causes, including the Arab-Israeli conflict. The Egyptian leadership perhaps wanted to prove to the public that it had detached itself from Hosni Mubarak and his regime with regard to its relationship with Israel.

² Hassan Abu Taleb, *Politics and Strategy in Gilad Shalit Deal*, Swiss Info, <http://www.swissinfo.ch/ara/detail/content.html?cid=31367504>

In this context, Cairo managed to play an effective role in concluding the deal without pressure or sensitivities among the parties. This was clearly evident in remarks praising the Egyptian role made by Khaled Meshaal, Hamas Politburo Chief, and also evident in the appreciation expressed by Israeli Prime Minister Benjamin Netanyahu.

On the Israeli side, much talk has been going around about motives behind the Israeli government signing of the deal. The advantages of the swap deal for Israel have been discussed with a focus on the moral dimension. Israeli commentators and politicians have called the deal with Hamas a “moral victory,” in connection with the implicit solidarity contract between society and state on the one hand, and the army and its personnel on the other. As for the disadvantages of the deal, commentators point to the strategic damage of the swap process and its direct repercussions on security and the political process. Strategically, the swap deal has been said to undermine Israeli deterrence in face of its enemies, as it has been portrayed as a country that can be blackmailed and eventually subdued.³

Despite the fact that the prisoner swap deal was concluded, according to the Israeli media, for having no other option of getting information to militarily secure Shalit’s release, the Israeli scene while signing the deal indicates that the government of Israeli Prime Minister Benjamin Netanyahu wanted to achieve several goals at once at this specific stage. Such goals include easing international isolation, downplaying the domestic protests calling for social and economic justice, relieving pressure on Netanyahu's government in light of criticism from the Israeli street and from the international community, and blurring the popular gains achieved by Palestinian President Mahmoud “Abu Mazen” Abbas in the course of his attempt to obtain full membership for Palestine at the United Nations. As for the reasons why the Israeli government signed the prisoner deal, they can be summed up in the changes experienced by Arab nations in the age of “democratic revolutions,” described by Netanyahu as “storms raging the Middle East.” The Israeli leadership feared that such changes would close the door on the possibility of retrieving Shalit in the future. In light of the upcoming parliamentary and presidential elections in Egypt, Tel Aviv saw the future as a very worrying scene. Because of multiple players in the Egyptian arena, Israelis feared a potentially hostile Egyptian government coming to power. Such a government may not have viewed Gilad Shalit’s release as in its best interest.

The Israeli public turned out to be in consensus over the release of Shalit, as an overwhelming majority of the Israeli public supported the deal with Hamas. In another interesting twist, the Israeli media reported that the approval of Netanyahu and Defense Minister Ehud Barak is attributed to their intention to attack Iran. Dealing with Iran requires clearing the table of all

³ Mohammed Bedir, *Lessons of Shalit Deal: Jabotnisky “wisdom” turned against Israel*, Al Akhbar Lebanese Newspaper, 25/10/2011, <http://www.al-akhbar.com/node/24385>

pending files, including the “Shalit file,” as it would be difficult to secure his release in the wake of attacking Iran. What is clear is that Netanyahu wanted to score a victory to restore his popularity, get out of the bottleneck he was in, and make himself appear before the Israeli public as a man who fulfilled his earlier promise to obtain the release of Shalit, a promise which the former Kadima government failed to fulfill through multiple means. The deal boosts Netanyahu’s chances to win the next Knesset elections.

One cannot ignore the importance of changes of perception and attitude among decision-makers. Especially in the ranks of Israeli security service chiefs who had previously opposed the deal such as Shabak Director Yuval Diskin and Director of the Mossad *Meir Dagan*, such changes had a significant effect on Netanyahu’s decision to approve the concessions Hamas was looking for and seal the deal.

Summary and Further Analysis

The latest prisoner deal is the 38th in the history of deals concluded between Arabs and Israelis since 1984. Each deal had its own determinants, facts, and circumstances, and this latest deal has several implications. It may end up creating a situation that will govern future negotiations to resolve the crisis of Palestinians detained by Israel, as the deal refutes the assumption that Israel would not release detainees “whose hands are stained with Israeli blood.”

Another implication of the deal that cannot be underestimated is that political winds always change and there are no absolute or ultimate stances. The essence of this deal is an attempt to obtain political gains and overcome crises for different parties. Hamas, Israel, and Egypt, given the “storm” passing through the region, all had vital interests bringing them to the table to make the historic deal. Israel wanted to get out of isolation and solve its crisis of negative publicity in the media. The Netanyahu government, under domestic and foreign pressure, wanted to show the ability to take positive initiative. Hamas wanted to restore its popularity and public support, of which it had lately lost much. Egypt wanted a political achievement to help it regain its role of leadership in the Arab world, a role put on hold for many years by the former regime of Hosni Mubarak.

Despite the gains announced by each party to the deal and the fact that the deal has more significance than just being a mere swap of prisoners, nothing is different on the ground. Nothing changed in the conflict between Hamas and Israel, as Israel still considers itself at war with “terrorist” organizations. Hamas considers the deal a victory for the concept of resistance, over the concept of negotiation of the Palestinian Authority. Interestingly, the Palestinian Authority call for a transition from authority under occupation to an internationally recognized,

independent state, would in the future make the issue of prisoners a subject of negotiation between two independent nations, of which Hamas would be a part of.

Regardless of the comments and criticisms of this deal, and despite the fact that it is a historic moment for Palestine in light of the power imbalance in favor of Israel, Palestinian people and factions, especially in the Gaza Strip, paid a very high price for capturing Gilad Shalit. Hundreds of civilians and militants died and many more were injured, arrested, and detained. Palestinians arrested and imprisoned because of Shalit greatly outnumber those released by the deal. Issues to be addressed now and in the days to come include determining the fate of more than six thousand Palestinians who remain in Israeli prisons, ensuring the safety of released prisoners from any future threat of Israeli arrest or assassination, and working for Palestinians to capitalize on this deal internally and externally.

Media Portrayal of the Shalit Deal

When the deal concluded between Hamas and the Israeli government and resulted in exchanging more than one thousand prisoners for only one, some wondered who the winner was. Was it Israel, for doing whatever it took to secure the valuable release of their soldier? Was it Hamas, for forcing Tel Aviv to accept such an imbalanced equation and pay the high price of 1,027 prisoners for only one? Why was the desire for Shalit's release enough to break Jewish taboos and release hundreds of Palestinian prisoners arrested for shooting Israeli soldiers?⁴ Does Israeli culture provide clues concerning the answer to this question? Why did Israel before feel no hesitation in exchanging hundreds of Arabs alive for the remains of one soldier, one that had been dead for many years? Does Israel honor life and care for its citizens this much, or is this simply propaganda mastered by the Israeli media machine?

Before trying to find answers to these questions, it must be said that Israel, since emergence, has been drawing a picture telling the public that it sends its citizens to war giving no care for the sacredness of their lives, because it is a state with a functional role based mainly on war. To cover up this role, its media machine starts working if a soldier is killed or captured, and Israel employs every possible means to get him back, alive or dead, and to prevent his or her capture in the first place. This is necessary for youth education, soldier morale, and its image in local and global media as a powerful, dominant state with a message. If not for this, soldiers would decline to go to battlefronts, the contradictions would come to surface, and consequently the state would

⁴ Fayez Abu Shamala, *Why did Israel make concessions in prisoner issue?*, <http://www.felesteen.ps/details/25549>

lose prestige with a collapsing image, and would fail to play its functional role.⁵ This is evident in the attitude of the Israeli government and media towards the issue of soldier Gilad Shalit. Abdulghani Salamah says, “Israel has successfully employed the Shalit issue in its favor from the beginning to the open-ended finale.” When he was captured, the world saw a false picture of him. He was turned by the media from a soldier in a war mission bombing civilians in Gaza, who may have killed children and women, into an unfortunate soldier, a victim of Palestinian “terrorism.” Then the media turned the attention of the whole world to his family home, which became a destination for those who stand in solidarity with Israel. He was portrayed as a son, a boy yearning to get back to his mother. When Shalit returned though, the media provided a different picture of him to the Israeli military and citizens, a picture of a hero warrior returning from captivity in his elegant military uniform. As soon as military leaders received him, he was brought back to the way he was before his capture, and placed upon a tank to restore the image of “the invincible Israeli soldier.”⁵

The scene was widely shown in the Israeli media upon the release. Before first appearing on television, Shalit’s look was awaited. Would he be in civilian clothing, or in military uniform as in his first picture after captivity? That first picture was of important significance.⁶ In the beginning, TV reporters were kept away from Shalit as much as possible. In Haaretz, Amos Harel said:

What the citizens have seen at home was a series of very short video images screened well by protection devices with which the Israeli army has surrounded him out of fear for privacy of him and his family. As soon as he was handed over to the Israeli side, he was rushed to a military base, where he changed the “Gazan shirt” to wear a new Israeli military uniform with the rank of Sergeant Major he was promoted to while in captivity.⁷

During the Israeli media coverage of the Shalit release, it was noticeable that a large part had been dedicated to the “picture,” underlying its importance and significance in forming impressions on public opinion and stances. The army had been keen on conveying an implicit message to the Israeli audience through the use of Shalit military photos. It was noticed how Shalit stood in military uniform saluting Israeli Chief of Staff Benny *Gantz*. *Gantz used this scene as evidence that the Jewish state does not abandon its soldiers. In a message conveyed to his army, Gantz said that the high price paid by Israel for releasing captive soldier Shalit proves that Israel is ready to pay a high price for its soldiers, as related to the “morals” of the*

⁵ Abdulghani Salama, *Against 1000 – Who is the winner in Shalit deal?!*, Civilized Dialogue, <http://www.ahewar.org/debat/show.art.asp?aid=280212>

⁶ A female anchor in Israeli Channel 2 commented on Shalit’s appearance on Egyptian TV, saying: “Shalit appears in an uncomfortable way. It is very cruel to have the soldier sit down and ask him questions this way.” A reporter commented that “it is uncivilized and barbaric.”

⁷ Amos Harel, Haaretz, 19/10/2011

army.⁸ Gantz did not miss the opportunity to indicate to others the significance of Shalit being in military uniform, saying, “The Israeli army is proud of Shalit’s steadfastness and resolution over the years of his detention.”

Netanyahu justified the prisoner swap deal with Hamas, saying that he approved it because he refused to repeat the scenario of Israeli pilot Ron Arad, whose fighter jet went down in Lebanon 25 years ago, and whose fate is still unknown. This indicates Israeli culture toward its soldiers taken captive, as the issue of Ron Arad and those missing after the Israeli withdrawal from South Lebanon was very hard for Tel Aviv to cope with. The prisoner release, according to Nawaf Al Zarw, strikes deep in Jewish culture. Both Hezbollah and Hamas have made good use of the fact.⁹ Al Zarw believes that Israel’s commitment to the release of its soldiers emphasizes the centrality of the Israeli human element.¹⁰

Consecutive Israeli governments had adopted a very hardline policy toward “prisoner swap and release” bargains. Palestinian prisoners were considered “saboteurs” or “terrorists,” and not prisoners of war.¹¹ There are prevailing Israeli impressions that this deal was not the best way to negotiate because it too greatly served the interests of Hamas. Israeli leaders believe that a swap deal is the last option, not the first, and that there are many other ways that should first be tried. The prisoner swap deal involved many risks, most notably the release of thousands of prisoners, posing a terrible nightmare in the view of Israeli strategists.

This may have been reflected in a Haaretz newspaper article after the Shalit prisoner swap deal, in which it said, “The Israeli army has given clear orders to soldiers not to let themselves fall in captivity at the hands of Palestinian resistance groups under any circumstances.” In the report published on Tuesday, October 18, the newspaper cited an infantry battalion commander in the Israeli army as saying to his soldiers:

⁸ Hani Habib, *Deal and Media Message*, Al Ayam Newspaper, 19/10/2011, <http://www.al-ayyam.ps/article.aspx?did=177125&Date=>

⁹ Nawaf Al Zarw, *Decoding Israeli Culture!*, <http://www.arabs48.com/?mod=articles&ID=55723>

¹⁰ In *Foreign Policy* magazine, Aaron David Miller says: “Israel’s motives in doing the deal are much simpler to understand. The determination to retrieve soldiers left behind on the battlefield -- dead or alive -- is a commitment deeply grounded in Israeli culture and history.”

¹¹ Abdulghani Salama

Under no circumstances should you allow a new Gilad Shalit to emerge. You must prevent this no matter what the price is. You should shoot at the captors even if this would kill the captive Israeli soldiers.¹²

Most, if not all, of the efforts exerted by the Israeli government over the last five years to release Gilad Shalit were not only an expression of humanitarian spirit or sympathy with his family, but were also in part Israeli society feeling shame that Hamas had successfully kept him all that time despite the constant search for him. Israeli leaders and decision makers strive to defend the image of their state, their soldiers, and their existence. **Shalit's capture reminds them of the fact that they are no longer able to protect their citizens, while they are the people who have pursued their "enemies" all over the world, and have lately put pressure on Egypt to reveal the place of five Nazi officers who have been said to live on its soil!**¹³

In short, Israel has established its existence on a deterrence system against its "enemies" using roots that are planted at home and abroad inside the Western system. Such roots made Gilad Shalit the world's most famous man, as the media and country leaders spoke a lot of him in several public events. He was made a "hero in spite of himself," as Israeli writer Amos Harel likes to call him. In coverage of Shalit's release, the Israeli media proved to be security affiliated. It transmitted a picture to a society based on a feeling of "strength, invulnerability, and deterrence." This is not surprising, as Israeli soldiers are conscripted, while political leaders dressed as civilians actually come from the ranks of Israeli military generals and intelligence officers.

¹² *Israel to its soldiers: We do not want a new Shalit*, Al Mesryoon Newspaper, 18/10/2011, <http://www.almesryoon.com/news.aspx?id=82754>

¹³ Yasser Zaatra, *Shalit who makes occupation community feel shame*, <http://www.turess.com/alfajrnews/35871>