

## ***D A T E L I N E M E I***

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### **The Shalit Deal and Counter-terrorism**

P R Kumaraswamy

**O**ne prisoner for 1,027 convicts! At first sight, the asymmetry looks unusual, unprecedented and even dangerous; especially if the country in question is Israel, which has been at the forefront of counter-terrorism. The prisoners who were freed are not ordinary car thieves but 'security prisoners' with innocent blood on their hands. Many of them were accused and convicted for their role and involvement in terrorist attacks against civilians and a sizeable portion of them were serving multiple life terms.

Not only did Israel free them to secure the release of one soldier but they also enjoyed popular support and approval for the swap deal. Prime Minister Benjamin Netanyahu, who was at the receiving end of criticism from both inside and outside the country, suddenly emerged as a winner. How does one explain this unusual development? Does the deal establish a precedent for hostage taking and thereby become a setback for counter-terrorism operations worldwide?

One has to go behind headlines and credit. Persons familiar with counter-terrorism would know that by successfully carrying out the Entebbe operation in July 1976, Israel has established an extremely demanding benchmark. Its success in rescuing the passengers of the Air France flight from the hijackers proved that Israel has the determination and ability to fight terrorism. Since then, no-surrender-terrorism has become an article of faith for the Israeli government and people. Many other countries sought to emulate this; some successfully but many others miserably.

At the same time, one has to remember that during the past three decades Israel has freed about 7,000 prisoners in return for the freedom of 19 Israelis and to secure body parts of eight Israelis who were killed in military operations. Till date the largest of such an exchange took place in 1985 when Israel freed 1,150 prisoners in return for three soldiers who were captured in Lebanon. The person who endorsed the swap deal with the Lebanese militant group Hezbollah

was Defence Minister Yitzhak Rabin, who as Prime Minister ordered the Entebbe Operation less than a decade earlier.

Palestinians claim that since the June 1967 war over 600,000 persons have been held in Israeli prisons for a week or more. As a result, on a number of occasions, Palestinian militants kidnapped Israeli soldiers with the explicit purpose of using them as hostages to secure the freedom of their brethren. There were a few such attempts to secure the release of Sheikh Ahmed Yassin, the blind cleric and founder of Hamas. He was eventually released by Israel in 1997 over the Masha'al affair, when its agents unsuccessfully tried to kill Hamas leader Khalid Masha'al in Amman. The mission ended disastrously for Israel and severely dented its relations with the Hashemite Kingdom of Jordan. In return for the release of its captured agents, Israel agreed to free Yassin. His freedom however did not last long and in March 2004 he was killed in an Israeli airstrike in Gaza city.

In short, prisoner swap has been an integral part of the Arab-Israeli conflict and has been pursued as a political strategy. The Shalit deal is neither exceptional nor unprecedented. The deal, however, poses a few interesting dimensions. At the outset, the swap deal indicates Israel's failure to secure Shalit's freedom by any other means. The manner in which the kidnapers kept Shalit in secret locations posed an insurmountable challenge to the Israeli intelligence and its rescue missions. Indeed, it is a miracle that Shalit remained alive despite the long and bloody Gaza war that lasted 22 days in late 2008 in which over 1,200 Palestinians were killed in the Gaza Strip.

Two, the ill-fated Second Lebanon War of 2006 was another reminder of the futility of military operations to secure prisoner release. Despite its military campaign that lasted 34 days, Israel was unable to secure its soldiers, whose kidnapping by Hezbollah led to the war. In the end the bodies of the two soldiers came in a coffin through an exchange deal with the Lebanese militant group. Thus, Shalit's swap was inevitable.

Three, the deal also brought forth the public's support for Shalit and his family. What began as a family campaign days after his kidnapping in June 2006, gradually galvanized into a national agenda. For a country that enjoys acrimonious debates on every issue, Shalit symbolized the basic attitude of the Israel Defence Forces: never leave behind a soldier. Even those who were extremely uncomfortable with the idea of freeing convicted Palestinians were prepared to go along with the deal. Wish the price was lesser, was their refrain.

Four, both supporters and critics of the swap deal know that the Shalit deal was not a substitute for counter-terrorism. The heavy 'price' will force Israel to re-look its counter-terrorism strategy, not just the military part but also the political aspects as well. So long as there are Palestinian detainees in Israeli prisons, the sword of swap will always be there. Already some members of Hamas warned of future kidnappings to secure the freedom of all Palestinian prisoners.

Five, while it is too early to describe the deal as a shift in Israeli policy towards Hamas, the timing and manner of the deal has weakened the Mahmud Abbas-led Palestinian Authority. Already some started seeing the deal as payback time for the Palestinian bid for statehood in the UN. The Shalit deal has also undermined the status of Abbas before the Palestinians – the militant Hamas has accomplished what the negotiation-oriented Abbas and Fatah could not – freedom for Palestinian prisoners.

Six, though important, the deal will not minimize the cycle of violence. There are fears within Hamas that Israel might kill Palestinians who were freed under the Shalit deal. At least in public, no Palestinian freed under the deal has expressed remorse for his or her actions. Moreover, within days after the deal Hamas militants have started firing rockets into Israel from the Gaza Strip. Thus, another cycle of violence is not far away.

Seven, comparisons between the Shalit deal and our own Kandahar episode is inevitable. While the NDA government was vilified for the terrorist-passenger swap, not many asked the central question: *did the security establishment come up with a workable rescue plan?* For India the swapping of terrorists for hostages is the first option; for Israel, it is the last option. Therein lies the key lesson.

### **P R Kumaraswamy is Honorary Director of MEI@ND**

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