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# RSIS COMMENTARIES

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## The Israel-Hamas Prisoner Exchange 2011

By Damien D. Cheong

### Synopsis

*Israel's decision to release more than 1000 Palestinian prisoners in exchange for Cpl. Gilat Shalit, who was captured by Hamas in 2006, is a political triumph for the Islamist movement. How Hamas leverages this new injection of political capital to enhance its domestic legitimacy will be interesting to watch.*

### Commentary

12 OCTOBER 2011 will be celebrated - albeit with reservations - by many Israelis and Palestinians. Cpl. Gilat Shalit, the Israeli soldier who was kidnapped by Hamas in 2006 will be released after five years in captivity. This is gratifying news for families, friends and supporters who have lobbied hard to secure his freedom. In the Palestinian territories, many will witness the release of friends, family and relations who have been incarcerated in Israel for violent and non-violent offences.

The Israel-Hamas agreement that Shalit would be released for 1027 Palestinian prisoners is surprising in light of the inability of both sides to reach a compromise after years of negotiations. Both parties have obviously demonstrated incredible flexibility in arriving at this consensus, and the question this raises is "why now"?

### Engaging the Israeli Government

For Hamas, the geopolitical changes that have occurred, are occurring and will occur in the following months could have adverse political effects on the movement. As such, Hamas' focus seems to be more on ensuring its political relevancy than engaging Israel in conflict. At the top of its priorities is to maintain and indeed secure its domestic legitimacy, which has come under intense strain over the last years.

Hamas' relationship with the Government of Israel (GOI) is highly complex. Despite its ideological abhorrence towards Israel, the movement has, nevertheless, demonstrated a willingness to negotiate with the GOI. Hamas is mindful that its responsibilities as a governing authority necessitate flexibility in dealing with the GOI, especially since the GOI controls the movement of goods and people into Gaza.

Dialogue between Hamas and the GOI has been, for the most part, utilitarian and often antagonistic. However, increasing domestic pressures affecting both parties pertaining to rocket attacks, airstrikes, the blockade of Gaza, prisoners and the Gilad Shalit affair seem to be compelling them towards lesser confrontation (at least in the short term).

For Hamas the humanitarian crisis -- civilian casualties, severe damage to infrastructure and punitive measures inflicted by Israel -- which result from attacks erode the movement's political support. To subject the Gazan

population to a sustained aerial bombardment campaign and/or a major Israeli incursion like Operation Cast Lead is political folly, especially when it is becoming increasingly difficult for Hamas to justify attacks on the usual ideological, moral and religious grounds.

Hamas' kidnapping of Shalit was intended to provide the movement with leverage over Israel in terms of a prisoner exchange. Public pressure to secure the release of Palestinian prisoners has been steadily mounting, and in the absence of any noteworthy political triumph in the last five years, a successful prisoner exchange at this juncture would afford the movement substantial political capital.

It is for this reason that Hamas was anxious not to jeopardise negotiations with the Netanyahu government, and was quick to assure the Israeli government, through the Egyptian channel, that it was not interested in escalating tensions following the 18 August attack along the Israeli-Egyptian border.

### **Support and Criticism of the UN Statehood Bid**

Many Hamas leaders believe that the recent UN statehood bid was a futile gesture that would not bring the Palestinians closer to realising their nationalist aspirations. This view is justified. For as long as the UN Security Council does not unanimously support the bid, the UN General Assembly's recognition of an independent Palestinian state would be a symbolic gesture at best even if significant diplomatic gains are made.

However, despite its pessimistic view, the movement did not want to impede the process, although it did voice its objections to it. This was because: (a) the UN statehood bid was the only feasible strategy at the time given the ineffectiveness of past Palestinian strategies (violent and non-violent), the current diplomatic impasse and the absence of alternatives to resolve the conflict; (b) many ordinary Palestinians supported the bid; and (c) it was interested in forming a unity government with Fatah.

For Hamas, the outcome of the bid is not as important as the fact that it would once again be co-partners with Fatah in the Palestinian Authority. This would ensure its political relevance until the next legislative elections slated for 2012.

### **The Syrian Uprising**

The alliance between Hamas and Syria was formed in 1999 following the movement's expulsion from Jordan. Hamas established its headquarters in Damascus where it received arms, funding and training from Syria as well as Syria's patron Iran. Assad's brutal crackdown on protesters and the attack on a Palestinian refugee camp by Syrian troops have put a tremendous strain on Hamas' relationship with both these regimes.

Syria and Iran have made it clear that they expect Hamas to unequivocally support the Assad regime. However, in light of the anger many Palestinians feel toward the regime for its draconian handling of the uprising, doing so would marginalise many of Hamas' supporters and negatively impact its political support. To appease the regimes, Hamas has refused to criticise the Assad government and has stopped anti-Syrian demonstrations in Gaza. Such gestures have not placated Syria or Iran, and as a consequence, the Islamic Republic has reduced its financial contributions to Hamas.

Hamas faces an uncertain future if the Assad regime is deposed. Its base of operations in Syria as well as its financial and logistical support would be lost. The movement is reportedly planning its exit strategy, which involves shifting its headquarters to another Arab country. To that end, Hamas leaders have of late made goodwill visits to Egypt and Qatar. Even if the migration plan is successful, it remains unclear how the movement will address the loss of its substantial financial and logistical support.

### **Hamas' Options**

Hamas' quest for domestic political legitimacy is contingent upon its actions in the domestic and international arena. To that end, it can adopt two approaches:

Firstly, Hamas should try to work constructively with Fatah in the unity government. This will be arduous as the movement will face resentment and resistance by many elements in Fatah, and attempts will surely be made to undermine it. Nevertheless, a major advantage of cooperating with Fatah is the lifting of sanctions imposed on the Gaza Strip, which would help alleviate the current humanitarian crisis.

Secondly, the movement must continue to cultivate positive relationships with other Arab and non-Arab states including Israel. Although this would be extremely challenging, given its Islamist ideology and the expected scepticism of those countries it approaches, the advantages for the movement in terms of enhancing its international credibility are significant. It will thus have to demonstrate more pragmatism and ideological flexibility to build confidence.

The coming months will bring about more changes in the Levant, and Hamas like any other directly involved player, will make adjustments and readjustments. Its trajectory will be of great interest and concern to supporters and critics alike.

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