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To Ransom or Not to Ransom?

A History of Israeli Captives and Their Redemption.

BY ARYEH TEPPER

The PLO's first attack on Israel came in 1965, when Mahmoud Hijazi and five other terrorists attempted to bomb a water-pump station in southern Israel. Once captured, Hijazi received the second death sentence ever handed down in Israel (Adolf Eichmann's being the first). Though his sentence was later overturned, the story was far from over.

Lebanon

A new chapter began on January 1, 1970, when Fatah terrorists crossed into Israel from Lebanon and kidnapped a guard stationed in the border town of Metulla. That man, Shmuel Rosenwasser, was brutally tortured by his captors for over a year, until the Israeli government exchanged Hijazi for Rosenwasser's release: a one-for-one deal.

Nine years later, the terms had already shifted, and the price for prisoners skyrocketed. In exchange for an Israeli soldier who had been abducted in Lebanon by Ahmed Jibril's especially murderous branch of the Popular Front for the Liberation of Palestine (PFLP), the Israeli government released 76 PLO operatives, 20 with "blood on their hands."

In 1985, Israel agreed to the infamous "mother of all prisoner exchanges," again with Jibril's PFLP, trading 1150 Palestinian prisoners for three Israeli soldiers. The exchange came in for harsh criticism, with Haaretz's veteran military analyst Ze'ev Schiff writing at the time that with each successive agreement, Israel was "conceding more and more to the terrorist organizations" and thus demonstrating greater and greater weakness.

Schiff passed away in 2006, before Israeli concessions reached a previously unthinkable acme in a 2008 prisoner swap with Hezbollah. In that exchange, Israel freed five terrorists, including the notoriously savage Samir Kuntar, plus 200 bodies, in exchange for the bodies of two IDF soldiers. It was the first time that Israel traded live terrorists for corpses.

Gilad Shalit

Israelis take great pride in their commitment never to abandon one of their own, whether dead or alive, behind enemy lines. But does the willingness to pay any price to bring home fellow Israelis reflect communal solidarity, or does it instead reflect an increasingly defeatist mentality? A recent conference at Hebrew University examined the legal, psychological, and political dimensions of negotiating with terror organizations for the

release of Israeli captives. The painful dilemmas that these negotiations pose are exemplified in the heated discussion around the fate of Gilad Shalit.

In 2006, Shalit, then a twenty-year-old IDF corporal, was captured by Hamas in a cross-border raid. Since then, he has become the literal poster child for captive soldiers: His face is ubiquitous in Israeli media, and his agonized family meets regularly with the public and with government officials alike to press for his ransom. His captors in Gaza are well aware of Shalit's hold on the Israeli imagination, and have made numerous demands and threats, setting the bargaining terms at a scale of unprecedented imbalance. Thus, during the day-long conference, familial concern for Shalit went hand-in-hand with fear of the consequences of negotiating his release.

In the session devoted to the psychological dimension of captivity, Itamar Barnea powerfully evoked the horrors of the condition by narrating his experience as a prisoner of war in Syria. Toward the end of the 1973 Yom Kippur War, Barnea, an Israeli fighter pilot, was shot down and seriously injured. He spoke in heartrending detail of how, as a POW, he lost control over his environment, became utterly dependent on his captors, and was reduced to a state of childlike helplessness. Barnea, a staunch proponent of the ransom of captives, today counsels other soldiers through their traumas.

The following session, military analyst Ronen Bergman implicitly criticized Barnea's emotional approach, in terms similar to those laid out in his study of Israel's war for its POWs and MIAs, *By Any Means Necessary*: "A very thin line runs between the solidarity deriving from the good deed of ransoming prisoners and the chilling panic that deters politicians from doing what is necessary and saying what should be said, no matter how difficult."

In other words, however compelling the personal arguments for ransoming captives (and the military conscription of all Israeli citizens makes the arguments unavoidably personal), Israel ignores at its own peril the unintended—but at this point undeniable—consequences of such a calculus. By paying "any price" to bring Israelis home, Israel undermines the sacrifices made by soldiers sent to free captives—especially those soldiers who end up giving their lives during rescue operations. By rewarding terrorists, Israel weakens Arab moderates and harms Israel's deterrence efforts; and by trading living terrorists for dead IDF soldiers, Israel undermines the captors' motivation to keep Israeli POWs alive, not to mention healthy and safe.

Most perversely, by paying exorbitant ransom prices—as Israel has done in the past and as public pressure overwhelmingly favors—Israel gives terror organizations an incentive to kidnap more of its citizens. But since that situation is already in play, is there anything

Israel can do to stem the tide of its children taken into captivity, and to reduce the terror groups' motivation?

Researchers Justus Reid Weiner and Diane Morrison point out the risk factor of Israel's current policy of imprisoning terrorists:

Because Israel eschews the death penalty, Israel keeps terrorists alive in Israeli custody and thereby inadvertently creates a "bait" situation where terrorist groups attempt to free their men by ransoming newly-kidnapped Israelis.

The admittedly harsh conclusion implied in Weiner and Morrison's argument is that Israel should return to the situation that existed before Mahmoud Hijazi was exchanged for Shmuel Rosenwasser and reinstate the death penalty for terrorists. This argument was made explicitly by Ze'ev Schiff, for whom sentencing terrorists to death was the lesser of a number of possible evils:

In the fight against terrorism, we should not refrain from using the death sentence in cases involving acts of brutal murder. Somebody killed by the court is preferable to the killing of prisoners by our soldiers or the release of murderers as an act of surrender.

But the death penalty for terrorists isn't going to be reinstated any time in the near future, if ever, and in the meantime, the Israeli public continues to insist that their government is obligated to bring Gilad Shalit home, even at the cost of the release of hundreds or even thousands of Palestinian terrorists. Bergman praised Netanyahu for so far withstanding public pressure. The prime minister will most likely continue to do so, but at the same time, he must keep trying to bring Israelis to the recognition of a bitter truth: that true mercy sometimes dictates harsh policy.