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OPINION

GUEST ESSAY

Myth and Reality in Israel's Hostage Negotiations

Feb. 27, 2024 **By Dahlia Scheindlin** Dr. Scheindlin, a political strategist and public opinion expert, wrote from Tel Aviv.



A plaza in Tel Aviv called "Hostage Square," a site of protest and commemoration since Oct. 7. Amir Levy/Getty Images

Israelis were exhilarated when two hostages held by Hamas in Gaza since Oct. 7 were rescued this month in a daring raid by the Israeli military. It wasn't just the thrill of seeing the hostages alive in their families' arms. The rescue reminded many of Israel's stunning hostage rescue in Entebbe, Uganda, in 1976, when more than 100 hostages from an airplane hijacked by militant Palestinians and Germans were freed.

The Entebbe operation was quickly mythologized as proof that Israel could both save its citizens and reject terrorists' demands. But the myth of invincibility Entebbe engendered was always flawed: Prime Minister Benjamin Netanyahu's own brother was killed in the raid. And the most recent raid came with enormous cost — Gazan health officials <u>said</u> at least 67 Palestinians died in the effort to rescue the two Israelis.

Today, there is no such military option for liberating hostages on a large scale, and the negotiation effort to release Israeli hostages from Hamas's grip is not at all exhilarating.

Israelis are demoralized by weeks of opaque attempts to reach an agreement with Hamas. Hopes have been continuously raised — talks <u>are currently underway</u> for a possible new deal — but progress has been halting. Neither the Israeli leadership nor Hamas has seemed to be in a rush, leaving families of hostages frantically crying "Now!" at the gates of Israel's Defense Ministry compound, hoping the war cabinet hears them.

But which voices the ministry hears is unclear: Public demands are rife with contradictions. One <u>recent poll</u> showed that significantly more Israelis prioritize hostage release over toppling Hamas, while <u>two</u> others <u>found</u> that a majority of Israeli Jews reject the terms of a broad deal that include a cease-fire and the hostages' freedom. By contrast, these polls show that a large majority of Arab Israelis favor hostage release deals.

Perhaps Israelis aren't sure what to think, since Mr. Netanyahu has implicitly promised Israelis that they can have it all. He has insisted that the military campaign will help bring their loved ones home alive while also defeating Hamas. But the long months of war since the last hostage release come with a cost written in blood. The hostage situation is an eerie metaphor for longentrenched beliefs that Israel can fulfill fundamentally

irreconcilable aims, a mistake that has contributed to the war in Gaza and the ongoing occupation and bloodshed over decades.

The past offers ample lessons about the limited potential for hostage rescue releases. Nearly 50 years after Entebbe, there have been <u>vanishingly few successful hostage rescue operations</u>, and all too many examples of caving to kidnappers: More than 1,100 Palestinian prisoners were released in <u>1985 in exchange for three soldiers</u>; in 1996 an attempted rescue raid led to <u>the murder of a soldier</u>, <u>Nahshon Waxman</u>. (Hamas had asked for more than 200 of its prisoners to be released in exchange for Mr. Waxman.) Then, in 2011, <u>over 1,000 Palestinians</u> were released for another Israeli soldier, Gilad Shalit and it was Mr. Netanyahu himself who presided over the deal. He knows the limits of military force as a tool for hostage release, or he ought to.

Families of hostages are learning that lesson in real time. Beyond the two hostages saved this month and <u>one Israeli soldier</u> <u>liberated</u> in late October, more than 30 <u>are presumed to have been killed</u> since the Oct. 7 attacks. Three hostages <u>were killed</u> by Israeli soldiers who believed them to be terrorists, even as the captives begged to be saved.

Mr. Netanyahu has <u>repeatedly promised</u> that "only continued military pressure will bring home the remaining hostages"; indeed the phrase has been the <u>government's mantra</u> since the first hostage deal last fall. In November, the sides held a truce for about one week and Israel released 240 Palestinian prisoners, mostly women and young people <u>who had not been convicted</u>. In return, Hamas released 105 hostages.

Since then, efforts for a hostage release deal have reportedly brought demands for greater concessions sought by Hamas for hostages. The first deal in late November involved a week-long ceasefire, and low-level Palestinian prisoners, mostly women and minors who had not been convicted. But in early February, reports revealed that Hamas was demanding high-profile, high-level security prisoners convicted of serious terror charges and a longer or permanent cease-fire. Those demands have apparently been lowered in the current negotiations — but the cease-fire will be longer than the first deal, and the prisoner-release will apparently involve those convicted of more serious crimes.

At times, the leaders have shown little urgency; Hamas took over a week to respond to a draft deal from late January, with the Israeli media tracking the tense wait. The hostage families are well aware that each day without a deal brings another of the more than 100 remaining hostages closer to possible death — by their captors, or by the war.

The aims of a safe return of hostages and an unconstrained, endless war cannot be reconciled. This miscalculation is reflected in Israel's approach to the conflict at large. Israel has clung to logically irreconcilable pairs for decades. One is that Israel can permanently occupy Palestinian areas, but still be a Jewish state by having a Jewish majority. Another false pairing is that Israel can indefinitely remain an occupying power and remain a democracy. The most violent myth of all holds that Israel can stifle Palestinian freedom forever, while living in peace.

The idea that Israel can both occupy Palestinian territories and retain its Jewish majority is a political illusion. Today the <u>Jewish</u> and total <u>Palestinian populations</u> (including Israeli citizens) in the entire land are almost evenly matched. And the insistence that Israel still has a Jewish majority can be justified only by counting only Israeli citizens, not the noncitizen Palestinians in the West Bank and Gaza. Israel has conveyed to the international community since 1967 that it holds the territories under a temporary military occupation, even though each decade, Israel has made its presence and control over the West Bank increasingly permanent.

That false construction became glaringly clear in 2020, when Mr. Netanyahu <u>openly declared</u> his annexationist plans. His current coalition has asserted the <u>exclusive right of the Jewish people to all of the land</u> of sovereign Israel and the West Bank (which it refers to as Judea and Samaria). The new government established a new ministerial position within the Defense Ministry, and gave this civilian minister a range of powers over the West Bank previously held by the military, moves indicating that the occupation was moving from <u>temporary to permanent Israeli state control</u>. The position was given to Bezalel Smotrich, an avowed ultranationalist annexationist.

Occupation and democracy are another impossible contradiction. The Israeli regime governing Palestinians draws on a nearly impenetrable patchwork of undemocratic law, including residual British colonial regulations and Israeli martial law, and occupation-related cases might be heard by either Israeli civilian or military courts. These bureaucracies of military occupation and the civilian state can no longer be separated. Meanwhile, liberal democratic values have long clashed with property theft, displacement, and separate, unequal and undemocratic systems of justice.

In early 2023, the right-wing government's effort to severely weaken the independence of the judiciary shocked many Israeli Jews who discovered that, in a crumbling democracy, they too could become victims.

And yet, despite the huge pro-democracy movement that responded, there were few signs that a significant number of Israelis identified the occupation as a core cancer for democracy. In an unpublished survey I conducted last summer among Israelis ages 15-21 supported by the Alliance for Middle East Peace and the U.S. Institute of Peace, a stunning 78 percent agreed with the statement that "Israel can be a democratic state even though it

controls the West Bank and Gaza (de facto), where Palestinians cannot vote in Israeli elections." Among Jewish young people, 88 percent sided with this view over a statement that Israel could not be truly democratic under those terms.

After Oct. 7, the falsehood that Israel can have it all regarding security has been exposed. It is not possible to suffocate and sideline Palestinian self-determination, bask in regional normalization, and also live with a reasonable level of peace. And yet, many Israelis are reaching the opposite conclusion: Even before the war, surveys showed that just a minority of Israelis supported a two-state solution; during the war, that portion has declined <u>further</u>.

All nations have myths, and they're not automatically or completely wrong. But highlighting the collision course of irreconcilable positions explains why Israel must finally forgo these particular myths. Israelis ask Palestinians all the time to cede core wishes, such as the vision of owning all of historic Palestine, or the demand for full right of return for all generations of refugees to Israel.

As I walked through the plaza now known as "hostage square" in Tel Aviv on Monday, as Israeli media reports raised hopes about a deal yet again, I spoke with people maintaining a vigil in a tent with posters of hostages from Nahal Oz. While I talked with a former resident of the kibbutz who said that there was no price too high to be paid for their release, two teenage girls sat next to us, chatting. One was the daughter of a hostage; the other had been a hostage herself, released in November. It was awful to imagine erasing her, or any of the remaining hostages, from the frame, as a sacrifice to a war in which more innocent people will be killed; a war that cannot be won without laying the groundwork for the next war.

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