Pidiyon Shebuyim and negotiating with terrorists

Kidnappings and Taking Hostages
Kidnappings and the taking of captives are not a new story. It was a widespread practice in antiquity, so much so that the prohibition against human trafficking was legislated no less than in the Ten Commandments. Yes! Just as you hear it. The eighth commandment, “Thou shalt not steal,” does not mean not to steal another’s property but not to “steal people,” not to “kidnap,” which, by the way, the Tora condemns with the death penalty.
The Mitzvah of Rescuing Prisoners and Its Exceptions
The Talmud also highlights the efforts that must be made to rescue a captive person (all this, it is worth clarifying, applied when Israel did not have a state or an army to defend itself). According to Jewish law (Maimonides, Hilchot Matanot Aniyim, 8), rescuing captives is a fundamental precept (Pidyon Shebuyim), and it is considered the highest form of performing Tzedakah. It generally involved refugees whom pirates or slave traders had captured. The Gemara thus illustrates the importance of this Mitzvah: If a Jewish community is raising money to build its synagogue and then finds out that there is a Jewish captive, the community must use those resources to free him. Furthermore, even if the money has already been invested in buying construction materials for the synagogue, these must be returned or resold. That money must be used to rescue the captive.
The history of the efforts that Jews have made to rescue prisoners is fascinating and very long. But I’ll leave those details for another time and now refer to a caveat that the law of Pidyon Shevuyim records.
“One should not pay too much for the ransom of a captive.” One should not pay above the “market price.” The economic value of a human being, the latter, is complicated to understand in our time. Still, in the past, human trafficking was “legal.” There were slave markets in which people’s prices were standardized. And why do the Sages prohibit paying an excessive price for a Jewish captive? If the community is willing to pay any price for a Jewish brother, it would encourage traffickers to take more Jewish prisoners, thus putting Jewish lives in greater danger.
The Hostages of October 7
Now that we understand this, let’s look at the dilemma experienced in the State of Israel these days. The tragedy of October 7, 2023, left a horrible toll of more than 1300 Israelis massacred and nearly 300 kidnapped. In November, the government of Israel was able to release more than 100 hostages by interrupting the war against Hamas for ten days and releasing low-risk Palestinian prisoners. At this moment, there are about 135 hostages left. Although this number is that of people who have been missing since October 7, it has not been possible to verify if they are alive or dead. By the way, neither the International Red Cross nor the United Nations has demanded information from Hamas about the Jewish prisoners. Inexplicably, neither the US nor Israel has demanded that Hamas provide this information in exchange for receiving humanitarian aid in Gaza.
Back to the negotiations, Hamas’s two main conditions for releasing the Jewish hostages are:
1. That Israel releases hundreds of Palestinian terrorists, many of whom have killed Israelis in the past.
2. The total cessation of the war and Israel’s permanent withdrawal from Gaza.
Let’s analyze these two conditions and see if the price demanded of Israel is within what is reasonable or excessive—or detrimental—to release the prisoners.
No Negotiations with Terrorists
The best illustration to understand the potential consequences of negotiating with terrorists is to remember what happened with Gilad Shalit, a young Israeli soldier who was kidnapped by Hamas and was in captivity for more than five years between June 2006 and October 2011. More than 1,000 terrorists were released in exchange for the life of this soldier. But once free, more than half of these terrorists returned to violence and have injured and killed many Israelis. The most notorious of these terrorists released in exchange for Gilad Shalit is Yahia Sinwar, the current leader of Hamas, who organized the massacre of October 7. In other words, at least 1300 Jews have been killed directly or indirectly by the terrorists who were released in that negotiation!
On October 17, 2011, prophetically, Professor Louis Rene Beres of Purdue University argued against the release of Shalit. In an opinion column in the Jerusalem Post, he wrote the following:
“No modern government has the right to release terrorists in exchange for its own kidnapped citizens, military or civilian. According to current international law, each state is primarily obligated to protect its citizens. However, it seems that tomorrow, Israeli Prime Minister Benjamin Netanyahu will exchange Palestinian terrorists for the kidnapped IDF soldier, Gilad Shalit. Any exchange, as humane as it may be for Shalit and his family, would endanger thousands of other Israelis.”
Can Israel repeat once again the mistakes of the past, which have cost so many lives? Hamas has repeatedly said that as soon as it can, it will repeat the massacre of October 7. How many more Israelis will die if Israel releases Hamas’s dangerous terrorists?
Suspending the Attack on Rafiah (Rafah)?
The other condition Hamas puts forward is for Israel to end the war and withdraw from Gaza. This would mean Israel’s defeat in this war and that the hundreds of young Israeli soldiers already dead in this conflict—without counting the thousands of injured—have lost their lives in vain.
Suspending the war when Israel is about to win it would present Israel as weak, “yielding to pressure,” and that perception would attract more attacks from its voracious enemies in the Middle East.
Incredibly, the world is siding with Hamas and not with Israel when Israel is about to enter the city of Rafiah in the southern Gaza Strip and finish defeating Hamas.
For those unfamiliar with the geography of Gaza, it may be a bit difficult to understand why Rafiah means so much in this conflict. I will try to explain it as briefly as possible. First of all, a quarter of Hamas terrorists remain active in Rafiah, including many who actively participated in the massacre of October 7. But beyond that, Rafiah has fundamental geopolitical importance. The Gaza Strip borders the west with the Mediterranean Sea, the north and east with Israeli territory, and the south with Egypt. The border with Egypt is supposedly closed, but in reality, there are dozens—or hundreds—of tunnels that connect Gaza and Egypt, and through these tunnels, there is constant trafficking of weapons, financial resources, and fighters that reach Hamas. To reach these tunnels, one must pass through Rafiah. If Israel does not conquer Rafiah and leaves this border open, Hamas will continue to dominate Gaza, obtaining resources, money, weapons, fighters, etc.; in short, it would leave the massacre perpetrated by Hamas and would allow this terrorist organization to continue attacking Israel. In the past, Israel attacked Gaza to defend itself from Hamas attacks and bring security to Israeli citizens. Still, it never went all the way, and the consequences were devastating. But this time, after the most significant attack on Jews since the Holocaust, I think it has to be different. This time, Israel’s forces will enter Gaza and have already destroyed hundreds of war tunnels and are one step away from ending the terrorist organization and establishing its permanent military presence in Gaza to prevent future attacks.
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The United States and Gone With the Wind To understand the strategic importance of Israel conquering Rafiah, all you have to do is pay attention to the impressive and unprecedented pressure that Israel is under right now from all the countries of the world, and unfortunately, with the US leading the way! The anti-Semitic demonstrations at US universities, even if disguised as other causes, are aimed at pressuring the US to pressure Israel and the Jewish army NOT TO ATTACK RAFIAH. At the moment I started writing this article, US Secretary of State Anthony Blinken is in Israel trying to convince Netanyahu to make more concessions to reach an agreement with Hamas. Surely the US will offer guarantees that if Israel yields to Hamas’s demands, the US will defend Israel. I wouldn’t want to be in the shoes of the Prime Minister of Israel, and I pray that HaShem continues to give him emotional strength and does not yield. But why can’t Israel trust its ally, the US?
Because those who forget history are doomed to repeat it.
Let me explain. According to Israeli journalist Amit Segal, one of the things that convinced Sharon was that President Bush told Sharon something like: “Don’t worry, if something goes wrong, the US will have your back. We won’t allow the Palestinians to attack Israel.”
Watch here in X https://twitter.com/amit_segal/status/1785059019150823796 the wonderful interview of this Israeli journalist with the anti-Israeli journalist from CNN Christiane Amanpour. I couldn’t find this video on YouTube or anywhere else. Is it because it doesn’t correspond to the anti-Israeli narrative?
What did Israel’s main ally’s promises in 2005 accomplish? Absolutely nothing. Can Israel repeat the same mistake now in a much more delicate situation?
I pray and ask you to pray that BORE OLAM grants Israel’s political and military leaders the wisdom and courage they need in these critical and delicate times.
AMEN



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How did our ancestors deal with a hostage crisis?

When Lot was rescued from Sodom, Abraham gathered an army of over 300 people, pursued and defeated those who had captured Lot, and liberated him and all the prisoners of Sodom. There were no negotiations, only a military operation (Genesis 14:14-16).

When Dinah, the daughter of Jacob, was raped and then kidnapped, Jacob’s sons, Simeon and Levi, pretended to negotiate to surprise the inhabitants of Shechem. Surprisingly, they attacked the city, killed all the men who resisted, forcibly rescued Dinah, and set the city on fire (Genesis 34). There were no negotiations with the kidnappers, they showed no mercy to the terrorists or the citizens of Sodom, nor did they consider the disproportionality of their violent response. And indeed, this disproportionate reaction created a psychological terror that seized the neighboring peoples and deterred them from attempting aggression against the children of Israel.

NO NEGOTIATIONS WITH TERRORISTS. THE MILITARY RESPONSE MUST BE DELIBERATELY DISPROPORTIONATE SO THAT THE ENEMY UNDERSTANDS THAT IT IS NOT IN THEIR INTEREST TO MESS WITH ISRAEL.