At What Cost?: On the Redemption of Hostages in Jewish Law
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The news last Sunday that Hamas terrorists had executed six of the Israeli hostages, including one who was also an American citizen, has shaken the Jewish world.

Their names were Hersh Goldberg-Polin, Eden Yerushalmi, Ori Danino, Alex Lobanov, Carmel Gat, and Almog Sarusi. We hold their families in our hearts and pray that their memories will always be a blessing.

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Their murders were despicable crimes against humanity, committed by Hamas and Hamas alone. Everyone knows this.

And, yet, from the depths of unimaginable national pain and exasperation, hundreds of thousands of Israelis took to the streets this week to vent their anger with Prime Minister Netanyahu and his government for failing to secure the hostages' release before it was too late.

Whether that criticism is fair or not, I leave it to the analysts to say.

Tonight, I want to name what I believe to be the case, which is that the right answers to the decisions the Israeli government faces are far from clear-cut—and that's not unique to this particular moment.

When it comes to how to handle hostage situations, Jewish tradition has long understood that it is no easy matter. Far from it: These are deeply complex, tragic, anguishing, no-win situations.

In a podcast interview yesterday, the Israeli journalist Amit Segal said that, as much as we might empathize with the protestors in the streets of Israel, it's important to try to look at the situation as if we were the ones sitting in the Israeli cabinet room right now—as though the decision of whether to make a hostage deal, and on what terms, was ours to make.

Now, I have no idea to what extent Jewish teachings are informing the actual government's decision-making; but, tonight, let's imagine that, if this chapel was the cabinet room, we would want to consult Jewish texts for guidance.

We would find our charge of leadership in the opening verse of this week's parashah, Shoftim: "You shall appoint magistrates and officials for your tribes, in all the settlements that Adonai your God is giving you, and they shall govern the people with due justice." (*Deut.* 16:18)

OK. So, in this situation, when Hamas has slaughtered 1,200 of our people on October 7, continues to hold about 100 of our citizens in captivity, and just executed six of them in cold blood, what does it mean to govern with justice?

Shortly after October 7, the government stated two objectives for the war with Hamas: (1) to destroy Hamas so that it could never commit another October 7, and (2): to bring the hostages home.

If we agree that both of these objectives are just—and, for the sake of this sermon, let's assume so—what do we do? Well, let's look at the text.

The first thing we might think of is the famous dictum of the Talmud: "*kol Yisrael aravin zeh ba-zeh*—all Jews are responsible for one another." Hamas is holding 100 of our people in dark tunnels under the threat of execution and who knows what else. Clearly, we have a responsibility to get them out.

At the same time, this dictum tells us we have a duty to provide security to all our citizens and protect them from slaughter—including the IDF soldiers who lay down their lives to defend our country and to go on hostage-rescue missions.

This is really hard.

As Segal said, kidnapping is among the cruelest—and most *effective*—war tactics because it causes the enemy such terrible anguish.

This is why Maimonides, the great codifier of halakah (Jewish law) says that "there is no commandment as great as the obligation to redeem captives."[1] It's even more important than building a synagogue and giving food and clothing to the poor, he says, because the condition of a hostage is the most miserable, most vulnerable, most imperiled existence of anyone on earth.

Anyone who turns their eyes away from this obligation to bring hostages home, he says, violates a whole array of commandments, including "do not stand idly by the blood of your kinsman" and "love your neighbor as yourself."

If, God forbid, any of us or someone we love were held hostage—like Hersh, Eden, Alex, Almog, Ori, and Carmel—we wouldn't want our family or our government to give up on us and leave us to die.

Can you even imagine? Your child, your parent, your sibling, stolen away and kept in dark tunnels in the belly of the earth for almost a year, in God knows what kind of conditions? It's unthinkable.

So, maybe that's the answer: If we're the Israeli cabinet, we are duty bound by Judaism to do whatever it takes, pay any price, make any concession, strike any deal we have to in order to get the hostages home.

But it's not that simple.

After stating unequivocally that there is no mitzvah as important as redeeming captives, Maimonides goes on to put limits on the rule.

In the very next paragraph, he states that "we do not redeem captives for more than they are worth…so that enemies will not pursue after people to take *them* hostage." He adds that "we do not assist hostages in escaping…so that the enemies will not excessively oppress the hostages in their captivity and use harsher measures in guarding them."[2]

Now, how you determine how much a hostage is worth is a question I have no idea how to answer. And yet, it is absolutely a calculation that the cabinet members have to make—and a very grim one, to say the least.

In any case, Maimonides says the reason for both these limits on redeeming hostages is, interestingly, a principle we know well: "*tikkun olam*"—by which, in this case, he means the well-being of the world.

In other words, the halakah understands that to pay an excessively high ransom or to go in and try to rescue a hostage from captivity could potentially have dangerous repercussions for the world.

This is not just a feature of the Middle Ages; there are clear examples of this in the very recent experience of modern Israel.

In 2011, Prime Minister Netanyahu agreed to release more than 1,000 Palestinian terrorists in exchange for the return of IDF soldier Gilad Shalit. It's a gruesome irony, as you probably know, that one of the prisoners released in that deal was Yahya Sinwar, the Hamas leader who ordered the October 7 massacre and the execution of the six hostages last week.

And just this week, it was reported that Hamas executed the six hostages in retaliation for the IDF's recent rescue of the Israeli Muslim hostage Qaid Farhan Alkadi. And Sinwar has reportedly instructed his guards to shoot the hostages the minute they discover Israeli soldiers closing in.

So, the halakah's ambivalence about how to handle hostage situations—insisting, on the one hand, that the obligation to bring hostages home is the highest religious duty of all; and, on the other hand, that carrying out that duty at any cost could prove disastrous for the world—highlights the reality that, in these situations, there is often deep tension between humanitarianism and security; tension between the imperative to end present-day suffering and the imperative to prevent future suffering.

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Kol Yisrael aravin zeh ba-zeh—all Jews are responsible for one another. Those appointed to lead the Jewish state have an obligation to govern the people justly, and to concern themselves with the welfare of *all* their citizens.[3]

If we're the cabinet members, this means we have a responsibility to get the hostages out and we have a responsibility to ensure the security of our country and its residents, now and in the future.

This feels like an impossible task. God willing, people who are smarter and savvier than we are can figure some way out.

But it seems to me that, at the very least, we should try to be a bit more circumspect in our pronouncements about what the government ought to have done, or ought to do now.

And, as much as we hope for it, we should probably temper our expectations that Israel can both crush Hamas *and* bring all the hostages home, and all will be fine in the end.

Amit Segal said yesterday that, in fact, the stakes for Israel right now couldn't be any higher. He believes the future of the Jewish state will be determined over the next decade, and that this war with Hamas is only the first stage, with Hezbollah and Iran looming on the horizon.

Statecraft is hard in any circumstance, let alone in wartime, when you're facing a hostage situation of unprecedented proportions and the fate of your country hangs in the balance.

I can’t imagine having to navigate this—can you?

I’m not saying the people in power are making good decisions or bad ones. The truth is, I don’t know enough to know—and I will not be so arrogant as to pretend to know.

All I can say is, those are unenviable chairs they sit in. And they need our prayers.

Avinu shebashamayim, God in heaven, rock and redeemer of Israel, bless the people and the State of Israel. Shield it with Your lovingkindness, envelop it in Your peace, and bestow Your light and truth upon its leaders, ministers, and advisors, and grace them with Your good counsel. Strengthen the hands of those who defend our holy land, grant them deliverance, and adorn them in a mantle of victory. May You ordain peace in the land and grant its inhabitants eternal happiness.

1 Maimonides, Mishneh Torah, Gifts to the Poor 8:10
2 Ibid., 8:11
3 Maimonides, Mishneh Torah, Kings and Wars 2:6