

## **Pidyon shvuyim: Redeeming the Captives**

We meet our patriarch Abraham—the first Jew—in *parashat Lech L'cha* which begins in Genesis, chapter 12. The opening words of this portion are some of the most well known words in the Torah. God tells Abraham to “go forth” from his native land, along with his wife Sarah and nephew Lot, to a “land that I will show you.” For several chapters we read about Abraham’s journey. Chapter 14 includes a more obscure part of the narrative, one that we tend to skip over teaching in Sunday school and even in Torah study. It is a bit confusing, especially with so many names that are hard to pronounce and a battle that is difficult to follow.

The story goes as follows:

A confederacy of five kings ruled the area surrounding the Dead Sea in ancient Israel. They were, however, vassals to four larger powers. After thirteen years of being controlled and paying taxes, they staged a revolt and went to battle. The four more powerful kings quelled the uprising and emerged victorious. In their conquest to subdue the five kings, they pillaged cities and took hostages, one of them being Abraham’s nephew Lot who was living in the city of Sedom. The Torah explains how a fugitive from this war, escaped captivity, found Abraham, and told him what happened to Lot.

Abraham quickly assembles a militia of 318 men with the objective of rescuing Lot from his captors. Abraham’s rescue operation is successful. They retrieve Lot, all of his possessions, as well as the women and other people who were taken hostage along with him. The text then goes on to the next story without ever returning to this one. This is the first story in our tradition about a Jew being taken hostage. Unfortunately, it is not the only one.

One of the great Talmudic scholars and poets of his time, Rabbi Meir of Rottenburg, known as the Maharam (1215-1293), was kidnapped by King Rudolf I of Hapsburg in the year 1286. Rabbi Meir tried to escape Germany with his family due to the harsh edicts against the Jewish population. He was caught close to the border and put in jail. The king demanded a large ransom for his release. The rabbi was adamant that Jews not give in to the demands of the king and pay an exorbitant amount

for his release. He used a line from the Mishnah dissuading his community, “We do not ransom captives for more than their value, for the sake of public good.”<sup>1</sup> Meir was ultimately held hostage for eight years and died in captivity. Even after his death, the king refused to release Meir’s body for a proper Jewish burial and it wasn’t for another 14 years before his remains were finally laid to rest. This only happened because a wealthy German Jew paid an extravagant amount to recover his remains so they could be buried according to traditional Jewish practice.

Lot’s story might be the first in this horrific genre that we are all too familiar with these days, but Rabbi Meir’s is the one that highlights the tension between Jewish law and our strong impulse to go to whatever lengths to free Jewish hostages.

The mitzvah of redeeming captives is called *pidyon shvuyim* in Hebrew. According to Jewish tradition, this is not just any mitzvah, but a “great mitzvah”<sup>2</sup> or a *mitzvah rabbah*. The rabbis of the Talmud viewed captivity as even worse than starvation or death, thus freeing a hostage from their predicament is tantamount to bringing someone back to life from the dead. Since any mitzvah may be broken to save a life, also known as *pikuach nefesh*, it follows that *pidyon shvuyim* carries the same weight. This is partly why I think it is important to talk about this mitzvah on the holiest night of the year. Learning about this mitzvah and then praying for the release of the 101 souls still in captivity in Gaza is of higher importance than our own spiritual journeys. This year, and hopefully this year alone, *teshuvah* can take a back seat to *pidyon shvuyim*.

In my research on the topic from our sacred texts, it should come as no surprise that I found many points of view. I will first share the opinions supporting this mitzvah at any cost and then the counter opinions which are just as compelling. It is no wonder that Israeli leadership, Israeli intelligence, Israeli citizens, and the global Jewish community are all over the map as to the pressing question of what ought to be done to get our brothers and sisters back home. I wish I had the answer.

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<sup>1</sup> Mishnah Gittin 4:6

<sup>2</sup> Bava Batra 8b

Not only does the Talmud teach that *pidyon shvuyim* is a *mitzvah rabbah*, but Maimonides, who lived hundreds of years after the Sages, also shares this opinion. He wrote in the Mishnah Torah, which is one of our main sources of halakha from the 13th century:

*The redemption of captives receives priority over sustaining the poor and providing them with clothing. Indeed, there is no greater mitzvah than the redemption of captives. For a captive is among those who are hungry, thirsty, and unclothed and he is in mortal peril. If someone pays no attention to his redemption, he violates the negative commandments: "Do not harden your heart or close your hand" (Deuteronomy 15:7), "Do not stand by when the blood of your neighbor is in danger" (Leviticus 19:16), and "He shall not oppress him with exhausting work in your presence (ibid. 25:53). And he has negated the observance of the positive commandments: "You shall certainly open up your hand to him" (Deuteronomy 15:8), "And your brother shall live with you" (ibid. 19:18), "Love your neighbor as yourself" (Leviticus 19:18), "Save those who are taken for death" (Proverbs 24:11), and many other decrees of this nature. There is no mitzvah as great as the redemption of captives.<sup>3</sup>*

According to the Rambam, the task is paramount and the failure to redeem a captive breaks several negative and positive mitzvot.

The Shulchan Aruch is the other major compendium of Jewish law. While the Mishnah Torah was geared more to the Ashkenazic community in Europe, Joseph Caro's Shulchan Aruch from the 16th century, was focused on Sephardic traditions. On this specific topic, it mirrors much of its Ashkenazic predecessor, however, it does add some new insights. It teaches:

*There is no mitzvah as great as redeeming captives. Therefore, if one has designated money for any other mitzvah, they can redirect it to redeeming captives...  
Every moment that one delays redeeming captives, where it is possible to do it sooner, it is as if one is spilling blood.<sup>4</sup>*

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<sup>3</sup> Mishneh Torah, Mishneh Torah, Hilchot Matanot Aniyim 8:10-11

<sup>4</sup> Shulchan Arukh, Yoreh De'ah 252:1-6

The Shulchan Aruch doesn't just teach that we will break several mitzvot for not freeing captives, but it goes so far as to say that wasting time is equivalent to murder, so long as it's possible to perform the mitzvah.

The first point it makes, however, is quite interesting. If one has designated money to go towards accomplishing one mitzvah, they can redirect it to *pidyon shvuyim*. This is based on an earlier teaching from a famous 13th century rabbi, Jacob ben Asher, known as the Ba'al ha-Turim, whose father happened to be a student of Rabbi Meir of Rottenburg. He teaches:

*If one has designated money for any mitzvah, they can reassign it in order to redeem captives. And even if they have designated it for the construction of a synagogue, and even if they have bought the wood and stones...for construction, [in which case] one is not allowed to sell them for the purposes of another mitzvah, [one is nevertheless] allowed to sell them in order to redeem captives. But if one has already built [the synagogue] then they should not sell it.<sup>5</sup>*

Lastly, I found a commentary on a Talmudic passage which says how one may redeem a captive “for whatever [amount of] money that they demand.” If a life is threatened, “we redeem the captives for more than their value.”<sup>6</sup> In other words, we may pay any price to bring a hostage home. No amount is too high as a single life is priceless. Each life is a whole universe.

Although the rabbis recognized *pidyon shvuyim* as a “great mitzvah,” they also understood that there are considerations to be made before jumping at the chance to release a captive. In the days before the State of Israel and Jewish sovereignty, *pidyon shvuyim* could only be achieved monetarily. That is, by paying a ransom as opposed to a Jewish army rescuing the hostages à la Abraham. And this led to the obvious question of, “How much is too much?” The concern has always been that if we pay too high a ransom then we might encourage more future hostage-taking.

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<sup>5</sup> Tur, Yoreh Deah 252:1

<sup>6</sup> Tosafot on Gittin 58a:10:1

This was the mindset of Rabbi Meir when he quoted the Mishnah, which is our first code of law after the Torah.

*We do not ransom captives for more than they are worth.*<sup>7</sup>

The Talmud adds to this teaching by explaining how paying high prices for captives might become a burden on the community. In addition, we don't want our enemies to take advantage of our paying excessive ransoms by capturing more people.<sup>8</sup> Will it have been worth it if the community goes bankrupt in the process?

The Shulchan Aruch agrees in part to this, but it opens up the possibility for paying a ransom, teaching:

*An individual can redeem themselves if they wish to. And for a great scholar, or even one who is not a great scholar but is a sharp student with the potential to be a great individual, we redeem them with a large amount of money.*<sup>9</sup>

Even Jacob ben Asher weighed in on this line of reasoning, writing:

*We do not redeem captives for more than their worth...And even if one's relatives want to redeem him for more than his value, we do not let them, but a man is allowed to redeem himself with everything he owns, and so too for his wife since she is like his own body.*<sup>10</sup>

Paying a ransom will likely lead to two negative outcomes. The captors will continue to kidnap Jews since they know that Jewish communities will pay a heavy price to get their loved ones back and by paying such high ransoms, there is the problem of public impoverishment. The only option then is for the financial onus to be on the individuals themselves. Placing a

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<sup>7</sup> Mishnah Gittin 4:6

<sup>8</sup> Gittin 45a

<sup>9</sup> Shulchan Arukh, Yoreh De'ah 252:1-6

<sup>10</sup> Tur, Yoreh Deah 252:1

large burden on the community appears to be a widespread concern in our sacred texts.

This rabbinic cost-benefit analysis debate spanning hundreds of years and several continents is all theoretical until a Jew is actually taken hostage. Take for example, the story of Gilad Shalit.

In the summer of 2005, 19 year-old Gilad had just finished high-school and began his compulsory three year service in the Israeli army. Shalit opted for a combat unit and soon joined a tank division. On June 25, 2006, just a couple months before his 20th birthday, Hamas terrorists infiltrated the Israeli border, killing two Israeli soldiers and wounding four others. Shalit, wounded in the attack was abducted into the Gaza Strip where he was held as a hostage for 5 years. Hamas gave Israel terms for a prisoner exchange shortly after Shalit's capture. They demanded the release of approximately 1,000 Palestinian prisoners for Shalit's freedom. No agreement was reached.

In October 2009, Egyptian and German officials brokered a deal where Israel agreed to release 20 female Palestinian prisoners in exchange for video footage of Gilad, as a way to show his parents that he was still alive.

Throughout the duration of Gilad's captivity in hell, his parents, much like Hersh Goldberg-Pollin's parents, advocated tirelessly for their son's freedom. They lobbied Israeli politicians and the public. I remember watching the massive demonstrations and marches in Jerusalem calling for a deal to release Gilad. Finally, on October 18, 2011, Israel and Hamas settled on a deal that would exchange Gilad's freedom for more than 1000 Palestinian prisoners, many of whom were violent criminals and terrorists themselves. In a most unfortunate plot twist to this story, one of the released prisoners was Yahya Sinwar, the evil mastermind of the October 7 pogrom and the highest ranking member of Hamas.

During Shalit's captivity, Israeli public support for a deal was close to 80% even though they knew what it would cost. The country wanted their son back home. It felt personal.

On the other hand, counter-terrorism soldiers protested the deal to release over 1000 terrorists for one hostage. In an October 2011 Israel National News article, journalist Gabe Kahn writes,

*Active duty and reserve soldiers from elite counter-terrorism units who risked their lives during previous missions to capture terrorists submitted a petition to the Netanyahu government protesting the wholesale release of terrorists in exchange for the release of kidnapped Gilad Shalit after six years in Hamas captivity.*

*The organizers write, "We, soldiers past and present, vehemently oppose return of terrorists to their homes, which undermines years of work and raises the overall risk of soldiers being killed in the line of duty, "We are very hurt by the cabinet's attitude on this matter, and the next time we soldiers are asked to stop terrorists again we will have to think twice about whether it is worth risking our lives to capture killers who will only be released again. We the undersigned demand that the State of Israel not release murderers we will only have to risk our lives yet again to capture later in our service."*

*Deputy Prime Minister and Minister of Strategic affairs Moshe Yaalon predicted the Shalit deal will result in "tens if not hundreds" of Israeli deaths.<sup>11</sup>*

Tragically, Moshe Yaalon's prediction came to fruition on October 7, 2023. It is a terrible question to ask oneself now whether it was worth it or not. Since his release from captivity, Gilad Shalit has traveled the world, gone to university, written a sports column, and best of all, he started a family by marrying his beloved, Nitzan.

For over a year the global Jewish community has been praying for the release of our Israeli brothers and sisters in Hamas captivity. You have seen the massive demonstrations in Israel. Our hearts burst with joy when we saw hundreds released in late 2023 during a brief ceasefire, and when we heard of successful missions that freed several from the tunnels

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<sup>11</sup> Kahn., Gabe. "Counter-Terror Soldiers Protest Shalit Deal." *Israel National News*, Israel National News, 14 Oct. 2011, [www.israelnationalnews.com/en/news/148760](http://www.israelnationalnews.com/en/news/148760).

in Gaza. And our hearts broke when we heard the news of the murders of 6 hostages in August.

At this moment it is believed that there are 101 hostages still in Gaza that were kidnapped by Hamas on October 7, 2023. About 33 of these individuals are thought to be dead.

Tonight, on the holiest night of the year, when the gates of prayer are open and according to Psalm 34, God is especially close to the broken-hearted whose spirits are crushed, we pray for the safe return of the remaining hostages. This is my one and only prayer right now.

Seven Americans remain in Gaza. The four we hope that are still clinging to life are:

Keith Siegel, 65  
Sagui Dekel-Chen, 36  
Edan Alexander, 20  
Omer Neutra, 22

These are the names of the other souls that we pray for are and will not forget:

Hisham Al-Sayed 37  
Hamzah Al Zayadni 24  
Yosel Al Zayadni 54  
Liri Albag 19  
Matan Angrest 22  
Karina Arievid 20  
Ohad Ben Ami 56  
Agam Berger 20  
Gali Berman 27  
Ziv Berman 27  
Ariel Bibas 5  
Kfir Bibas 1.5  
Shiri Bibas 33  
Yarden Bibas 34  
Elkana Bohbot 35  
Rom Braslavski 20



Eliya Cohen 27  
Nimrod Cohen 20  
Ariel Cunio 27  
David Cunio 34  
Evyatar David 23  
Itzchak Elgarat 69  
Daniella Gilboa 20  
Guy Gilboa-Dalal 23  
Romi Gonen 24  
Emily Demari 28  
Judi Weinstein-Haggai 70  
Maxim Herkin 36  
Eytan Horn 38  
Yair Horn 46  
Tsachi Idan 50  
Biban Joshi 23  
Ofer Kalderon 53  
Segev Kalfon 26  
Bar Abraham Kuperstein 23  
Naama Levy 20  
Or Levy 34  
Oded Lifshitz 84  
Shlomo Mansour 86  
Avera Mengistu 38  
Omri Miran 47  
Eytan Abraham Mor 24  
Gadi Moshe Mozes 80  
Tamir Nimrodi 19  
Yosef Chaim Ohana 24  
Alon Ohel 23  
Avinatan Or 31  
Eli Sharabi 52  
Omer Shem Tov 21  
Tal Shoham 39  
Idan Shitivi 29  
Doron Steinbrecher 31  
Alexander Sasha Troufanov 28  
Omer Wenkert 23  
Ohad Yahalomi 50

Arbel Yehud 29  
Arie Zalmanovic 85  
Matan Zangauker 24  
Pinta Nattapong 36  
Bancha Duchruyawach 30  
Surasak Lamau 31  
Sathian Suwankam 35  
Sasiwan Pankong 37

There is a set of prayers in Jewish liturgy called *Nissim B'chol Yom*, or the blessings for “our daily miracles.” One of these blessings reads:

*Baruch atah Adonai, eloheinu melech ha'olam, matir asurim.*

Blessed are You Adonai our God, who frees the captive.

*Baruch atah Adonai, eloheinu melech ha'olam, matir asurim.*

*Baruch atah Adonai, eloheinu melech ha'olam, matir asurim.*

*Baruch atah Adonai, eloheinu melech ha'olam, matir asurim.*

God, who hears our prayers, please answer this prayer. Bring them home.