

Never again?

written by David M. Weinberg | 14.11.2025

With almost all Israeli hostages held by Hamas in Gaza now freed, and before Hamas seizes more hostages, Israel must reconsider its policy on this matter and take decisive steps to settle the score.

First of all, it is time to acknowledge that reasoned public debate on this important issue has been squelched by the overpowering campaign of the Hostage Family Forum - in support of the mass release of Palestinian terrorists in exchange for Israeli hostages *bechol mechir*, "at any price."

Any deviation from the politically correct line - "*bechol mechir*" - as dictated by Einav Zangauker and company led to doxxing, silencing, even violent shaming. Public discourse was distorted by the very well-funded megaphones of Kaplan Street.

After all, everyone knows - because this has been true in every previous case - that released Palestinian terrorists assuredly will strike again, with God-only-knows how many Israeli casualties in the future. The release of over 2,000 terrorists, including hardened and experienced Palestinian mass murderers, certainly will incentivize future kidnappings, pour gasoline onto the terrorist fires already raging in Judea and Samaria, and catapult Hamas towards its intended takeover of Judea and Samaria.

Thus, repeated deals over the past two years to release Palestinian terrorists for Israeli hostages held in Gaza might have been the most necessary thing in the world to do, but it also may be the most disastrous thing Israel has done. The cost will pay out over a prolonged period, and it will be steep.

Up until this year, the 2011 deal for Gilad Shalit was the worst: More than 1,000 terrorists including Yahya Sinwar were released in exchange for Shalit. In fact, almost the entire Hamas command structure that planned the Simchat Torah (October 7, 2023) assault on Israeli towns and cities, which killed over 1,200 Israelis on one day, was made up of terrorists released in the Shalit deal.

Mahmoud Qawasameh, for example, a terrorist released in the Shalit deal, planned the kidnapping and murder of the three teenagers Naftali Fraenkel, Eyal

Yifrach, and Gilad Shaer in Gush Etzion in 2014. He was re-arrested by the IDF earlier this year while hiding out with other terrorists in Shifa Hospital in Gaza City, and released again in last month's US-brokered hostage deal.

In fact, under the Trump administration's hostage and ceasefire 20-point plan, Israel released more than 1,950 Palestinian terrorists, including 250 who were serving life sentences for deadly attacks, as well as an additional 1,700 more Palestinians arrested since October 7, 2023. This is on top of a previous batch of about 2,000 Palestinian security prisoners released by Israel back in February as part of an earlier deal to free some Israeli hostages.

And once again, like all previous times, the Israeli "security establishment" confidently (and I say, misleadingly) has assured Israeli politicians and the public that it "will know how to manage the situation," i.e., how to track the terrorists and crush any nascent return to terrorist activity without too much harm done. But this has never proven to be true. Every deal involving the release of terrorists has led to much bloodshed, planned and carried out by these released terrorists.

So much so that two decades ago, Israeli leaders decided that a stop had to be put to this precarious situation. A committee headed by former Supreme Court President Meir Shamgar was appointed in July 2008 to recommend to the government principles for conducting negotiations for the retrieval of prisoners, hostages, and missing persons.

Its conclusions, apparently very restrictive (meaning that no more mass terrorist releases would ever be possible under Israeli law and policy) were purposefully held back until after Shalit's release in 2012 and then classified as "top secret" - and were never formally adopted by any government. Several legislative proposals based on Shamgar principles have since been floated, but somehow they have always flopped.

One example: Yesh Atid chairman Yair Lapid proposed legislation in 2015 that would make it illegal to free more than one terrorist for any one Israeli civilian or soldier held hostage. Unfortunately, that bill never passed.

Alas, in the face of such Israeli delinquency, Hamas and its jihadist compatriots have learned that kidnapping Israelis pays handsomely. And so, it is only a matter of time, almost an inevitability, that they will attempt to snatch and torture more hostages.

They assuredly will do so, unless Israel resolutely changes policy – defying the overwrought campaigns that until now have distorted clear strategic thinking on this matter.

DIRECTLY RELATED to the urgent necessity for a new strategic policy on handling terrorists and terrorist demands is the need to severely punish Nukhba terrorists – those barbarians who were the rapists, torturers, and executioners of October 7, many of whom proudly filmed and broadcast their atrocities.

Some 250 such sub-human Palestinians have escaped judgement until now – not one has yet been indicted – because Jerusalem feared that prosecuting them would derail efforts to free the innocent Israeli hostages held by Hamas. And so they wait peacefully in Israeli jails for a next hostage-terrorist release deal.

Now is the time to harness the full force of Israeli justice against them. In my mind, this means setting up a special court for genocide and war crimes, and applying the death penalty in some cases (with life imprisonment for the rest with no possibility of release).

This is because the monstrous attacks in which these butchers participated should not be treated merely as acts carried out by an assortment of isolated terrorists, with each terrorist tried only for his individual share of slaughter according to pinpoint evidence against him.

Rather, they need to be hauled up before an Israeli court of justice and indeed before the virtual tribunals of the world as Islamo-Nazis who knowingly were carrying out an attempt to slaughter all Israelis and exterminate the State of Israel – as Hamas leaders clearly planned and openly boasted about.

Consider this an Israeli version of the Nuremberg trials of 1945-46 against Nazi leaders, whose purpose was not only to mete out resounding justice against Nazis but to expose and record for posterity Nazi plans, ideology, and crimes. So too with Hamas. Its annihilationist agenda must be unmasked and delegitimized; its denialist supporters shamed; and its spirit crushed.

The war crimes trials of the Nukhba will provide a platform for the survivors of the southern Israeli towns and cities that were targeted by the terrorists, and for the survivors of the Nova festival massacre too, to testify in court while their searing recollections of being attacked are fresh, and before Palestinian and

global anti-Israel denialism takes further root.

The war crimes trials must also inevitably expose the enthusiastic support that Hamas received from the Palestinian Authority, from Turkey and Qatar, from radical Moslem organizations (many parading as benevolent Islamic “charities” in the West), and from foul fellow travelers around the world.

I can hear the pragmatic-cautious and liberal-humanist objections already. It will be argued that show trials and death sentences only create more Palestinian “martyrs” fueling further Islamo-Nazi war against Israel; and that executions are not in keeping with “Jewish values.”

I say that the “pragmatic” objection is poppycock, and the “humanist” (or faux “Jewish”) objection a disgrace.

A show trial with death sentences would be worthwhile, effectual, and exceedingly ethical. It would affirm Israel’s intentions to win its wars against all enemies and would assert the Jewish People’s commitment to leading the world in a moral battle against true evil.

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