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# FLAME **HOTLINE**

Facts & Logic About the Middle East

November 7, 2023

## How media use the false myth of proportionality to hide Hamas's war crimes

Dear Friend of Israel, Friend of FLAME:

*CNN's Wolf Blitzer recently attacked an IDF officer on the air for the bombing of Jabaliya, a Hamas stronghold town, in which it killed 50 terrorists, including a battalion commander, and destroyed hidden Hamas tunnels. Blitzer asked the Lieutenant Colonel incredulously if the IDF bombed Jabaliya knowing "that a lot of innocent civilians . . . would probably be killed?"*

Every time Israel defends itself, the media and others accuse it of using disproportionate force to do so, including in the current war. Yet, such an accusation is both factually false and shifts blame from belligerent forces of evil over to the righteous defenders.

It's noteworthy that the accusation of disproportionality is never made against Israel's enemies, who actually seek to maximize casualties. An equally disturbing feature of this false accusation is that it is made with no reference whatsoever to the legal definition of proportionate force.

Contrary to popular belief, proportionate force does not imply an eye-for-an-eye. It does not mean that since Hamas ruthlessly and methodically murdered 1,400 Israelis—a war crime—Israel has the right to execute 1,400 Palestinians.

Rather, it means Israel has the right to use force in proportion to its military goals—whatever is necessary to address the defined threat, focusing primarily on military targets. This is precisely what Israel is doing and has always done. It is also a reality in every war that innocent civilians will inadvertently be killed.

In Israel's case, the threat is Hamas, a designated terrorist group that openly calls for genocide against the Jewish people and the destruction of their state. Hamas is an existential threat to Israel and the Jewish people. It must, therefore, be destroyed. Since October 7<sup>th</sup>, Israel has been using force that is directly proportionate to achieving its military goal of destroying Hamas.

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**YOU OBSERVE TO KNOW THE TRUTH...  
Can Biden's Plan Beat Antisemitism?**  
President Biden's new strategy to counter antisemitism got good press. But now we need courageous action to fight rising Jew hatred on our streets and campuses.

The Administration's National Strategy to Counter Antisemitism arrived just as attacks against Jews—and especially Jewish students—are surging all over America. The question is whether Mr. Biden has the commitment to combat antisemitism free of corners of American society.

**What are the facts?**  
A Jewish center in Oxford is a traditional Colorado stadium may have gained recognition after a 19-hour program. The Palestinian activists lost a Jewish man on a New York street. An Illinois state University student's Jewish registration. A commencement speaker at USC? Law school students the Jewish state—students and faculty alike.

Though Jews are only 2% of the U.S. population, they are the victims of 67% of religiously motivated hate crimes. Reported antisemitic incidents rose by 50% to a new high of 1,047 in 2022. Moreover, hazing and intimidation of Jewish students on college campuses tripled last year, while attempts to silence Jewish students doubled, according to ADL-USA Institute. According to Jewish presentation in their Country, more than 100 U.S. Jewish students are now being Jewish identity according to a broader Center study.

**Will the President back his National Strategy with courageous opposition—no matter who the offenders are?**  
The President's National Strategy promises that officials will act to combat Jew hatred. It promises antisemitism and understanding of antisemitism. It promises the President will act to combat antisemitism. It promises the President will act to combat antisemitism. In addition, the Biden Strategy adopts the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism—endorsed by 110 nations worldwide, including 49 U.S. states.

While these principles establish a foundation for fighting Jew hatred, the Biden Strategy does not require specific and good intentions. Will Mr. Biden have the courage to oppose antisemitism across the broad spectrum of those who practice it—whether politically right or left, on matter race or ethnicity, Republican or Democrat? Such a commitment would be the true test of the President's commitment.

**Aggressively prosecute and prosecute campus antisemitism.**  
Antisemitism on college campuses opens a range of hatred, from violence and "hate" attacks, against Jews... to discrimination of Jew and Jew against students who support the Jewish state. Many of these offenses clearly violate Title IV of the Civil Rights Act. In response to these antisemitic crimes, the Administration must prosecute them aggressively. In addition, when students or faculty deliver antisemitic speeches—such as several recent commencement addresses—on the basis of the Administration, including the President, must condemn them.

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**Reverse the normalization of antisemitism in the classroom and in Congress.**  
Under the guise of "Jewish hatred," students at all levels are being indoctrinated to believe that Jewish people are "white supremacists" and that Jew is a "hateful" race. These beliefs, through influence of antisemitic propaganda—specifically because Jews were not considered "white"—and a Jewish Jew 1948 year straight against cultural power in the land of Israel. In addition, some members of Congress increasingly propagate Jew hatred with antisemitic tirades about under Jew influence and dominance the Jewish state with false accusations of apartheid—antisemitism under the IHRA definition. The Administration must quickly reverse such Jew hatred. Its antidiscrimination, ethnic studies programs and discrediting Jew hatred antisemitism by Jewish officials.

**Build solidarity and collective action to counter Palestinian hate.**  
The majority of American Jews—and American generally—do not support the Jewish state. Yet few can see beyond the Administration's aggressive antisemitism when it simultaneously attempts to gain support for Israel. The Administration must support the Jewish state. According to the most recent research by the Anti-Defamation League, 65% of U.S. Jews—some 10% of Palestinian-backed antisemitism. Indeed, the highest rates of any people worldwide. No negative Palestinian murder received Jew hatred daily in Israel. Where, the Biden Administration has given the Palestinians more than it follows—with no requirement they reduce Jew hatred. The Administration must back its commitment by identifying specific antisemitic groups.

If the Biden Administration is truly serious about combating antisemitism, it must act today against the most visible Jew of Jew hatred. That means support of prosecution on campus and on our streets, and public criticism of all who commit antisemitism—no matter what, and no political identity. Also, immediate silencing of groups that actively rise in antisemitic propaganda and hatred.

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\*FLAME is a non-profit research think tank organization to advance the interests of American Jew and Jewish people in the Middle East and to promote the Jewish state. It is not a political organization and does not take any position on any political issue.

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However, Hamas purposefully increases the danger to Gaza's civilian population by hiding among them—a war crime. Thus, “excessive” or “disproportionate” civilian deaths are directly attributable to Hamas. This topic apparently does not interest Wolf Blitzer.

Those who accuse the Jewish state of using disproportionate force simultaneously call for a ceasefire that would prevent Israel from achieving its proportionate goal of eliminating Hamas. They are hypocrites, essentially supporting Hamas.

Above all, let us not forget that if Hamas were to return the 245 hostages it kidnapped and were to surrender unconditionally, all Palestinian civilian deaths would immediately stop. Activist media reporters like Mr. Blitzer should focus on the real story: Bringing the war criminals of Hamas to justice.

**Those who accuse Israel of using disproportionate force to achieve its objective—the destruction of Hamas—are ignorant of the term's meaning according to international law.** In international law, an attack is only considered disproportionate if the incidental civilian casualties are excessive in relation to the anticipated military advantage of carrying out the attack.

In the case of the Israeli strike on Jabaliya, the anticipated military advantage gained by attacking the Hamas stronghold outweighed the potential civilian casualties—especially since so many Hamas military assets were destroyed. Residents had also been warned to leave the area. Thus, the death of civilians as a result of this attack, though tragic and regrettable, does not constitute a war crime.

In contrast, Hamas's attacks on Israel are completely disproportionate, to say the least, as there is no military advantage to be gained by purposely slaughtering civilians and *only* civilians.

Yet, Israel was condemned by “human rights” group Amnesty International, which issued a statement saying, “We call on Israel to put an immediate end to indiscriminate and disproportionate attacks which have already killed and harmed so many civilians, including over 3,000 children.” As usual, Amnesty has its facts wrong and is directing its criticism at the wrong party.

**Unlike its enemy, Israel does not indiscriminately target civilians.** In fact, Israel takes extra care to keep civilians out of harm's way. One glowing example of this is the IDF's warning to civilians in the northern Gaza Strip to evacuate for their safety.

Arsen Ostrovsky, a human rights attorney and CEO of the International Legal Forum, notes that the U.S. did not give a similar warning before taking out ISIS, nor did the United Kingdom during the war in Afghanistan. Under international law, Israel actually has no obligation to provide a warning to civilians—yet it does so anyway to minimize civilian casualties.

Hamas, on the other hand, has ordered Palestinians in northern Gaza to stay and is even blocking evacuation routes. The group bases its terrorist infrastructure in

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and around civilian buildings. Recently the IDF revealed that Hamas's main base of operations is located under Shifa Hospital, the largest hospital in the Gaza Strip.

Hamas also hoards fuel and other essential supplies from Gaza's civilian population. Thus, it is responsible for the dire humanitarian situation, not Israel. Hamas does all these things in order to maximize civilian casualties, knowing that Israel will be unjustly blamed for their deaths.

**There are now growing calls for Israel to accept a ceasefire—one that would prevent the destruction of Hamas, as they have in the past.** Indeed, Israel has already agreed to several ceasefires over the years—pausing its attacks on Hamas and letting the terrorist group continue to control Gaza. The result? The October 7<sup>th</sup> massacre—the worst atrocity committed against the Jewish people since the Holocaust.

If the Jewish people truly believe in “Never Again,” this is the time to enforce it.

Please make the point when speaking with family, friends, colleagues—or in letters to the editor—that any reporter who focuses on Palestinian civilian deaths caused by Israel's defensive war—especially those using fake death counts from the notoriously disreputable Hamas Ministry of Health—is not just ignoring, but hiding the real story.

The real story is not about unavoidable civilian deaths, but rather about the evil and depravity of Hamas war criminals and their determination to destroy the world's only Jewish state. It's also about the most moral army in the world setting out courageously to eliminate those very war criminals one by one, now on the ground, sparing as many Palestinian civilians as humanly possible.

Best regards,  
James Sinkinson, President  
Facts and Logic About the Middle East (FLAME))

P.S. You've surely seen headlines describing skyrocketing attacks on Jews in recent years and months—and you probably heard about the President's new National Strategy to Counter Antisemitism. But all evidence indicates that the Administration is *not* committed to fighting antisemites among its own voters and party officials. I hope you'll agree that we opponents of antisemitism across all sectors of American society need to speak out. FLAME's new *hasbarah*—explanatory message—“Can Biden's Plan Beat Antisemitism”—enumerates some of the antisemitic offenders most damaging to American Jews . . . and most likely to be *ignored* by the Administration. I hope you'll review this convincing, fact-based editorial, which FLAME intends to publish in the *Wall Street Journal*, *Washington Post*, *New York Post*, *Chicago Tribune*, *Houston Chronicle*, *Star Tribune* and *Los Angeles Times*. This piece will also be sent to all members of Congress, Vice President Harris and President Biden. If you agree that this kind of public relations effort on Israel's behalf is critical, I urge you to support us with

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