

# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

In an age of rampant misinformation and the mass proliferation of unverified content, many well-intentioned people are struggling to determine the appropriate use of certain language. Unfortunately, too many are reacting to the war between Israel and Hamas in a way that indicates they have internalized age-old antisemitic tropes; are exploiting loaded terms created for exclusive use under extraordinarily rare circumstances; and are inverting cause and effect in a way that undermines the international community's ability to identify, investigate, and prosecute crimes against humanity.

We must understand history before we can understand the present. The dangerous and irresponsible use of these terms inflames tensions, contributes to an exponential rise in antisemitic attacks (a 388% increase since October 7, according to the Anti-Defamation League), creates a feeling of vulnerability that leads to more existential views on Israel's need for self defense, and perpetuates the same unhelpful narratives about the conflict that have resulted in 77 years of violence.

## The Blood Libel

Jews have been libelously accused for thousands of years of being murderous, bloodthirsty people who enjoy violence and seek it both for pleasure and for ritualistic purposes. **This is why imagery of blood in the context of Jews is ubiquitously understood as antisemitic and intended to instill fear of “the Jew,” individually or collectively, in the libel's viewer or observer. Blood libels throughout history led to pogroms, mob violence, torture and trial, and the pillaging or expulsion of entire Jewish communities—often with government sponsorship.** The Nazis made effective use of the blood libel to demonize Jews, with the rabidly antisemitic newspaper *Der Stürmer* making frequent use of ritual murder imagery in its antisemitic propaganda.

The first known documentation of the blood libel was as early as the 2nd Century BC during the Hellenistic era. But the lie was popularized through the spread of Christianity during and after the First Crusades in the 12th Century CE. This widespread version of the libel alleged that Jews murdered Christian children to bake their blood into matzah for Passover.

The popularization of the blood libel in Christianity and the timing of when the accusation would typically appear, around Passover, was associated with the so-called “original sin” of the Jewish people: deicide. According to the New Testament, Matthew 27:25, upon Jesus's crucifixion, all Jews present declared, in unison, “His blood be upon us and our children.” Some interpreted this text to mean that all Jews, from the



# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

time of Jesus's death and in perpetuity, were to be held collectively responsible for the murder of God. By making all Jewish people, everywhere and forever, irredeemably evil, the Gospel of Matthew thereby served as justification for the violent persecution and even attempted extermination of the Jewish people. The decide accusation is considered the mother of all classical antisemitism, and it birthed the blood libel.

Like all antisemitic tropes, the blood libel has morphed to fit new environments and circumstances over the centuries it has been employed. In Lvov, for example, the blood libel manifested as fears of Jewish cannibalism. During the Cold War, it shifted to political murder, exemplified by the Doctors' Plot. In Lithuania, Central Asia and the Caucasus, the blood libel was effective in putting a target on the backs of Jewish communities consistent with Soviet anti-religion campaigns.

The blood libel, like the other classical antisemitic tropes, spread into the Middle East in the 19th century. The Damascus Affair (Syria) and the Shiraz blood libel (Iran) resulted in violent persecution of those countries' Jewish communities in 1840 and 1910, respectively. A 2003 TV series broadcast in Syria and Lebanon based on the antisemitic conspiracy screed, *The Protocols of the Elders of Zion*, depicts the Jewish people as engaging in a bloodthirsty conspiracy to rule the world. Most recently, Israeli Jews have been regularly and grossly accused in Palestinian propaganda publications of harvesting the organs of Palestinian children and enjoying their violent suffering—a disgusting and dangerous myth.



**The blood libel is so ubiquitous and so historically institutionalized that people often associate Jews with bloodthirstiness, an insatiable desire for vengeance, or a religious commitment to violence against non-Jews. There is absolutely zero historical justification for these ideas and zero behavior that can be attributed to any Jewish community or polity to validate them.**

Understanding the blood libel does not mean that one cannot criticize Israeli use of force, discuss human rights abuses perpetrated by the Israeli government or bemoan the devastating civilian death toll in Gaza. It means that understanding language is important, the history of this particular language is weighty, and using words responsibly matters. **The blood libel is one of the most universal and pervasive antisemitic tropes in history, and discussing Israeli conduct in a war has consequences, including for individual Jews and Jewish communities around the world.**

# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

## Defining Genocide

The word “genocide” is a term coined by a Polish-Jewish lawyer named Raphael Lemkin in 1944 to create an internationally recognized terminology to refer to the Nazi policies of systematic mass murder during the Holocaust, including the destruction of European Jewry. The term was accepted as a defined international crime in 1948, when the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide.

Like Article 6 of the Rome Statute of the International Criminal Court, Article II of the Genocide Convention defines genocide as requiring two specific elements:

- 1) **A mental element** requiring the “intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such”, and
- 2) **A physical element**, which includes the following five acts, enumerated exhaustively: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.

The physical element is straightforward, and typically relatively easy to understand—and to prove. **However, any of the physical elements, or even a combination of all of them, without the mental element, unequivocally do not constitute the crime of genocide. That is because the victims of genocide are deliberately targeted because of their real or perceived membership in one of the groups protected under the convention** (ethnic, racial, national or religious groups). The target of destruction must be the group itself, not members of the group as individuals, and not as unintended (albeit heartbreaking) casualties of a war launched against a legitimate military target. **It is this special intent, or *dolus specialis*, that makes the crime of genocide so unique.**

According to the International Holocaust Remembrance Alliance, a “[g]enocide refers to the coordinated and planned destruction of a group of people (as that ‘group’ is defined by the perpetrators). While genocide is almost always accompanied by mass killing, this crime is an attempt to destroy the group, not necessarily to murder every member of that group. Some call genocide ‘the crime of crimes’. Others label genocide as the ultimate crime against humanity because the aim of genocide is to eradicate a part of humanity.” However, “[g]enocide differs from other crimes against humanity by the intention to completely or partly destroy a certain group of people. Other crimes against humanity do not require this specific intent to destroy a group.”

**It is important to remember that while a genocide does not, by law, require industrial scale murder, the term itself was created to memorialize the crimes of the Third Reich—primarily its systematic extermination of six million Jews, two-thirds of European Jewry, for no reason other than their Jewishness, with the intent to exterminate the Jewish people.**



# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

## Is Israel Committing Genocide?

In applying the two-pronged definition of genocide outlined above, it is clear that the second element, the physical element, is satisfied: Israel's military response to Hamas's October 7 massacre is killing, and causing serious bodily and/or mental harm, to Palestinians in Gaza.

However, the first element, the intentionality, absolutely cannot be satisfied.

First, Israel did not start this war. Israel's military response is a defensive reaction to the slaughter of innocent Israeli civilians after a violent invasion of Israel's sovereign territory by thousands of members of a designated terrorist organization. After the breach of Israel's territorial integrity in violation of international law, Hamas members committed the most heinous crimes against humanity imaginable, violating, dismembering, and murdering thousands of innocent non-combatants: babies, children, women, men, the elderly, including Holocaust survivors and disabled people. Hamas continues to hold more than 230 Israelis hostage, many of whom need critical and immediate medical attention, yet Hamas refuses to allow them access to the International Red Cross, again in violation of international law.

**Given that Israel was dragged into a war it did not start, and does not want, but simply cannot avoid, because of Hamas's depraved and nihilistic actions on October 7, it is impossible to conclude that Israel's defensive response relies on the “coordinated and planned destruction” of the Palestinian people.**

**Second, the innocent Palestinians being harmed by Israel's military response are not being targeted because of their ethnic, racial, religious or national identities. Quite the opposite: they are not being targeted by Israel at all.**

The death, physical and emotional harm, and displacement of scores of Gazans is soul-crushing for any observer with a conscience or a moral code. These people, including children and babies, deserve a better life—the protection of their inalienable rights, freedom, self-determination, and security in a state whose government sees protecting its citizens as its primary function and responsibility. Palestinian lives in Gaza have been controlled for 16 years by a corrupt, repressive, theological and authoritarian regime that does not tolerate dissent, diversity, or democratic norms of any sort. And this government, Hamas, invariably chooses its own safety over the safety of its people, hoarding and refusing to distribute food, water, and stockpiles of humanitarian aid, while using civilians as human shields to protect Hamas fighters, weapons and munitions.

Israel has a sovereign right, and in fact an absolute obligation, to act to protect its citizens from ever again experiencing the depravity of October 7. Hundreds of thousands of Israelis have been displaced from their homes in the buffer zone between southern Israel and Gaza, and none will return until the threat Hamas has proven it poses is eradicated. The urban warfare environment, the dense population of the Gaza Strip, and most of all, Hamas's brutal tactics of using its own civilians to protect its terror infrastructure make it impossible for Israel to conduct its military campaign without a profoundly painful amount of collateral damage in civilian lives. Nothing about this situation, which Hamas created, and for which Hamas alone

# **VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”**

is responsible, is humane or acceptable. **But the fact of civilian casualties does not prove that civilians were \*targets\* of the military campaign, which is a requirement for the crime of genocide. In this case, Hamas is undeniably Israel's military target, and Palestinian civilians are not being targeted, despite the tragically high civilian death toll.**

Third, Israel has no intention of destroying the Palestinian people—not in Gaza, the West Bank, Syria, Lebanon, Jordan, or anywhere else that Palestinians live. The reality is that Israel does have, and has long had, the military capacity to destroy Palestinian society, but has never done so. **Given the fact of superior Israeli military capability, it becomes obvious that if Israel had intention to destroy the Palestinian people, the population of Palestinians would have decreased substantially, not increased exponentially, over the last 75 years. In fact, the Palestinian population has multiplied more than 15x since 1948, the year of Israel's reestablishment as a Jewish state, from 950,000 then to 14.3 million today.**

**Lastly on this point: If Hamas returned the 230+ innocent people it abducted and has held hostage since October 7, and submitted to a complete surrender, the war would be over. No further Palestinian civilians would be harmed. This is undeniable, but would not be true for a state that intended to destroy the Palestinian people.**

Remembering that the word genocide was introduced into international law to define the systematic annihilation of 6 million Jews, it is utterly vicious to weaponize this term against Jews, accusing them of the same crime against humanity they themselves experienced in living memory, toward a population that grew 15x during the relevant time period.

While there are innumerable legitimate criticisms of Israeli policy toward Palestinians — domestically within Israel proper, in the West Bank where Israel and the Palestinian Authority have various levels of control over Palestinian life, and even in Gaza, where Israel has had very little control since 2005 and Hamas has fully, and brutally, dominated society — it simply cannot be reasonably or factually argued that Israel has “intent to destroy, in whole or in part,” the Palestinian people. Using the term “genocide” to refer to legitimate criticisms, including harsh criticisms, is immoral and dangerous.

No matter how absolutely devastating a humanitarian crisis becomes, and there is no argument that the situation on the ground in Gaza is a crisis, civilian casualties are a tragic fact of war. The international community cannot accept the idea that all civilian war casualties are victims of genocide, or the term will be completely devoid of meaning. War is the most horrible, most depraved part of human existence, yet the calculation is inevitably the same: kill or be killed. It is a gross abuse of the word “genocide” to describe Israelis choosing their own lives over the lives of the group which declared war on them (Hamas), which hides behind its own citizens to avoid the consequences and emotionalize the international community to pressure Israel not to defend itself.

# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

## Is Hamas Committing Genocide?

**The Hamas Covenant, first released in 1988, and its recently revised Charter, released in 2017, declare audaciously the organization’s foundational goal: “Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it.”**

Its introduction continues: “This Covenant of the Islamic Resistance Movement (HAMAS), clarifies its picture, reveals its identity, outlines its stand, explains its aims, speaks about its hopes, and calls for its support, adoption and joining its ranks. **Our struggle against the Jews is very great and very serious ... It is a step that inevitably should be followed by other steps.**”

“The Day of Judgement will not come about,” it proclaims, “until Moslems fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Moslems, O Abdulla, there is a Jew behind me, come and kill him.”

Article 30 explains straightforwardly that Hamas’s goals are not limited to the eradication of Israel, and the annihilation of more than half of the world’s remaining Jews who live there: “Writers, intellectuals, media people, orators, educators [sic]” are called upon to “fulfill their duty, because of the ferocity of the Zionist offensive and the Zionist influence in many countries exercised through financial and media control, as well as the consequences that all this lead to in the greater part of the world.” Hamas intends to exterminate all Jews, all “Zionists,” everywhere.

**There could be no clearer affirmative example, other than the text upon which this charter is based—Hitler’s *Mein Kampf*— of the “intent to destroy” element of genocide.**

**The physical element is also undeniable: Hamas has not only been killing Jews at every opportunity for decades, but on October 7, it rampaged Southern Israel, defiling and murdering 1400 innocents, abducted more than 230 innocents, and caused serious bodily and mental harm to millions more, including Jews in every corner of the globe.** It continuously sends thousands of rockets, indiscriminately, into Israeli population centers, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

**Hamas is cavalier and transparent in its attempts to commit a genocide against Israel and the Jewish people everywhere. In conjunction with its openly genocidal patron, Iran, and Iran’s other proxies, including Hezbollah, the threat of genocide against the Jewish state, and the Jewish people, becomes devastatingly apparent.**

# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

## Is it Antisemitic to Accuse Israel of Genocide?

Accusing Israel of war crimes, crimes against humanity, and the worst human rights abuses known to humankind is a strategy that has been instrumentalized over and over again to demonize and delegitimize Israel since its reestablishment as a Jewish state in 1948. As Israeli-American award-winning author and public intellectual Yossi Klein Halevi has described,

“ Antisemitism turns ‘the Jew’ into the symbol of whatever it is that a given civilization defines as its most loathsome qualities. Under Christianity, before the Holocaust and Vatican II, the Jew was the Christ killer—‘his blood be upon us and upon our children.’ Under communism, the Jew was the capitalist. Under Naziism, the Jew was the ultimate race polluter. **Now, we live in a civilization where the most loathsome qualities are racism, colonialism, apartheid. And lo and behold, [it is claimed that] the greatest human rights offender in the world today is the Jewish state.**

Halevi is essentially describing the metamorphosis of classical antisemitic tropes previously projected onto individual Jews and Jewish communities, including the blood libel, into contemporary antisemitic tropes, like accusations of genocide, ethnic cleansing, and other crimes against humanity, now projected onto the Jewish state.

The application of these tropes against Israel, its citizens, and the people who support it—“Zionists”—is an intentional strategy that dehumanizes the Jewish people, painting them as singularly evil and unable to responsibly possess or utilize, or ultimately undeserving of, systemic power or sovereignty. If it were true that Israel were the worst and most contemptible state violator of human rights on earth—a suggestion so grossly inaccurate it would be laughable if it were not so deadly—then Israel would be uniquely unworthy of empathy or international support, and crimes committed against it would be morally and even legally justifiable. This is the goal.

None of this is to say that it is not possible to criticize Israel for actual human rights violations, which happen both in times of crisis and in daily life—the unfortunate reality in every state and under every political system on earth, even those who don’t share Israel’s many domestic and geopolitical challenges. The first question to ask when considering an accusation levied against Jewish people, Jewish communities or the Jewish state, is whether the accusation is definitively grounded in fact. In times of crisis, when emotions are inflamed, people become less careful and more reactionary, and often fall for the reckless invocation of terms that are improperly, and even dangerously, applied.

Sometimes, accusations are intentionally levied as part of a propaganda strategy, confusing the well-intentioned mind and inverting the cause and effect. **In this case, invoking the term “genocide” to describe defensive Israeli military action is antisemitic, dangerous, and emboldening Hamas, which is actively attempting to commit a genocide against Israel and its citizens, Jewish and non-Jewish alike, and ultimately against Jews worldwide.**



# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

Accusations that Israel is committing a genocide, while in reality, Israel is fighting for its existence as the victim of an attempted genocide, are invoking the blood libel, the antisemitic conspiracy that Jews are bloodthirsty and seek war, destruction and bloodshed for no apparent reason. The blood libel is so absorbed and internalized in societies and human understanding that people do not have conscious knowledge of the antisemitic stereotypes they are subconsciously hosting. By invoking terms like “genocide” against the victim (Israel), and not the aggressor (Hamas), people are wittingly or unwittingly contributing to an explosive rise in violent anti-Jewish incidents around the world; participating in the destabilization of societies across the Middle East, North Africa, Europe and North America; and advancing the possibility of an even wider regional or even global conflagration. They’re also making it harder for the international community to see clearly and apply the pressure necessary and on the appropriate party to bring an end to the war. The consequences of this factual inversion could be devastating.

The Jewish people have been victims of a genocide in living memory—6 million Jewish souls exterminated, the elimination of two-thirds of European Jewry. The same people, some of whom directly survived the Holocaust and many of whom are descendants of survivors, were the victims of Hamas’s crimes against humanity on October 7. Accusing the victims of being the perpetrators is a well-known gaslighting and victim-blaming strategy that confuses observers and stakeholders, making it more challenging to understand the facts of war and making it more difficult to end the hostilities. Victim-blaming is also a strategy used to stir up antisemitism, as it was when the Nazis accused Jews of being weak and “going like sheep to their slaughter.” Antisemitism is so pervasive that people vilify Jews both for their perceived “weakness,” and for fighting back. This is the antisemitic gaslighting that Jews are experiencing in the wake of October 7, leaving the Jewish state with an impossible choice.

**The rabid antisemitism that served as the animating force of the Third Reich led to the Second World War, during which 15 million military personnel and 38 million civilians lost their lives. WWII nearly led to the destruction of humankind. This is the cataclysmic power of antisemitism, once unleashed. Every human being has an urgent moral responsibility not only to resist perpetuating it, but to proactively fight it.**

## Why is it Dangerous to use the Term “Genocide” Improperly?

**As described in great detail above, the term genocide refers to “the crime of crimes,” the worst atrocities perpetrated in the history of humankind. The word must be used exceedingly sparingly, and held sacred for those instances where it is necessary to identify, investigate, prosecute, and ultimately, end, genocides.**

War—no matter how ugly, no matter how brutal, no matter how devastating, and no matter how intense our emotional reaction—is not genocide. Death, destruction and displacement during war does not constitute genocide. Bodily and mental harm to civilians, on their own, no matter the scale, do not constitute genocide. Humanitarian crises occurring during or because of war have no relationship to the crime of genocide. **This is not an attempt to defend war, it is an attempt to safeguard human rights law and protect victims of actual genocide.**



# VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”

The global obsession with Israel, a regular feature of international institutions and convenings even outside of times of crisis, is intrinsically tied to the dynamics described above. Invoking the term “genocide” against the Jewish state serves to distract societies from their own internal failings, allowing the Jews to serve as the perennial scapegoats. The consequences apply to victims far beyond the Jewish community, including for Palestinian victims of human rights abuses perpetrated by either the Israeli government or either of the two Palestinian governments with control over Palestinian lives, the Palestinian Authority and Hamas.

All people of conscience must resist the impulse to frivolously exploit words with such weighty and intentional meaning. Degrading them in this way makes them devoid of meaning so that they cannot be accurately or appropriately applied to events that require their invocation by the international community—if our institutions are to mean anything at all. **Abusing the term “genocide” to justify overwhelming focus on Israel’s ostensible wrongdoing allows the world to be shamefully silent about actual ongoing genocides affecting tens of millions of people—for example, the Uyghurs in China, the Rohingya in Myanmar, the Tigrayans in Ethiopia, the Armenians in Azerbaijan, the Masalit in Sudan, all of whom are currently experiencing genocides, none of whom are being spoken for or defended by human rights leaders or institutions.**

## Calls for Ceasefire

By calling the Israel-Hamas war a genocide committed by Israel, activists with no national security, military strategy or geopolitical experience are reframing the war to paint Israel as an all-powerful, bloodthirsty, unilateral aggressor engaged in one-way military action in order to intentionally eliminate the Palestinian people. As described in detail above, this is a heinous misrepresentation of the facts of the war, which began with a violent invasion into Israel’s sovereign territory, the slaughter, rape, pillaging and dismemberment of 1400 innocent Israeli civilians, and the kidnapping of more than 230 innocent Israelis.

As mentioned above, **if Hamas returned the 230+ innocent people it abducted and has held hostage since October 7, and surrendered, the war would be over. No further Palestinian civilians would be harmed. Israel’s military aims have been clearly and repeatedly communicated: to return its citizens being held in captivity, and to eliminate the threat Hamas poses to the citizens of Israel. These are the terms of a ceasefire the entire international community should support.**

Calls for a ceasefire without these two demands are unacceptable, reward Hamas’s diabolical tactics, and place a burden and expectation on Israel that no other state in the world would accept. Many of the calls for a unilateral ceasefire involve demands on Israel, the victim, that are not being made of Hamas, the terrorist aggressor and instigator of this war. These calls are perceived by many Jews as a blood libelous dog whistle, painting the very vast majority of Jews who are not calling for a unilateral ceasefire as warmongering and violent, essentially entertaining the war for purposes of bloodlust and vengeance. **The framing of far too many ceasefire calls is “those who want peace” versus “those who want war”—the implication being that bloodthirsty Jews want war.** The only acceptable and human rights-oriented framing for a ceasefire, and for anyone who desires peace, requires protecting both Israelis and Palestinians by eradicating the threat of Hamas.

Call for Hamas to surrender, not for a cease-fire.

# **VIOLATING THE VICTIMS: STANDING UP TO THE DEGRADATION OF THE WORD “GENOCIDE”**

## **In Conclusion**

The war unfolding between Israel and Hamas, like all wars throughout history, is horrible by definition. The civilian death toll and devastation in Gaza are unqualified tragedies. The Jewish people mourn and grieve for every innocent life lost, no matter who they are or where they live. We mourn and grieve for the Israeli soldiers who serve with honor and courage to protect the Jewish people and to be the human guarantors of our commandment to ensure the phrase “Never Again.” The Israel Defense Forces fights not only for the people in Israel but for all the people of Israel — the Jewish people worldwide.

The IDF is also on the vanguard of the fight for democracy in a world experiencing democratic backsliding, authoritarianism, erosion of sovereignty and other international legal norms, and geopolitical instability. Israel, despite its many imperfections, is a Western democracy, and it is at war with a medieval terroristic foe. It is clear which side of this war humanity must choose, but the irresponsible use of the word “genocide” as a weapon against Israel clouds reasonable judgment and impedes moral clarity.

The hate that inspired Hamas’s October 7 attack is a hate that spans the globe. It always has and it always will, despite the relative safety Jews have experienced over the last 75 years, largely because of Israel’s sovereign existence. Attacks against Jews worldwide, violent mobs committing pogroms in major cities around the globe, pro-terror rallies with hundreds of thousands of participants celebrating the murder and defiling of Jewish bodies, unapologetic destruction of posters bearing the faces of innocent Israeli children being held hostage by Hamas—the world is thirsting for another genocide of Jews while the Israeli military responds to an attempted genocide within Israel’s sovereign border. If the word genocide is to mean anything, to protect the Jewish people or any people who experience its inhumanity, it must refer only to the unimaginable crime it was created to stop.

Israeli Prime Minister Golda Meir crystalised the ultimate challenge presented by the Israeli-Arab conflict fifty years ago, and unfortunately her words still ring true:

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**If the Arabs put down their weapons today, there would be no more violence. If the Jews put down their weapons today, there would be no more Israel.**

