

“All the News  
That’s Fit to Print”

# The New York Times

**THE WEATHER**  
Today, mostly sunny skies, dry conditions, cold, high 39. **Tonight**, clear skies, chilly, low 35. **Tomorrow**, plenty of sunshine, milder, high 55. Weather map appears on Page B12.

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**NEWS ANALYSIS**

## Civilian Dead Not Sole Issue In Law of War

*Idea of Proportionality, and Response by Israel*

By STEVEN ERLANGER

JERUSALEM — The international laws governing war are unfeeling. They give more precedence to military advantage than to civilian harm. They do not consider comparative numbers of dead or wounded. They ask commanders in the field to judge, often very quickly, the military advantage of an attack, the nature of the threat they face, what means they possess to counter it and what feasible measures they can take to reduce the expected damage to civilians and civilian infrastructure.

That complicated calculus, known as “proportionality,” is deeply flawed, lawyers say, because it balances essentially incompatible things. And each attack must be judged separately, to decide if it is within the boundaries of a legal act of war. “The law of war is cold,” said Emanuela-Chiara Gillard, an associate fellow at Chatham House, the London think tank, who previously worked as a lawyer for the Red Cross and the United Nations. It does not, she added, “address our concerns and moral outrage over civilian death.”

After Hamas invaded Israel and killed some 1,200 people, Israel retaliated in force. But the televised images of devastation in Gaza and the large asymmetry in deaths, especially of civilians, have created an uproar in the Arab world and parts of the West.

But in war, symmetry and proportionality are unrelated. Proportionality is a key component in determining the legality of an act of war. It is not merely a question, lawyers said, of fairly balancing the death tolls on either side of a conflict’s ledger. Instead, it is a matter of determining whether, at the moment the decision to launch any attack is made, the expected military advantage outweighs

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LAUREN DECICCA FOR THE NEW YORK TIMES

**Hostage’s Prayer Came True**  
A Thai farmworker clung to hope during nearly 50 days of captivity in Gaza by dreaming of reuniting with her boyfriend. Page A14.

## The Troll Army That Wages Trump’s Meme War

By KEN BENSINGER

The video, called “Let’s Get Ready to Bumble,” is a slick mash-up of President Biden’s verbal slip-ups and his stumbles, set to a thumping 1990s dance track. And when it was played on a big screen at Trump rallies late last year, it consistently drew laughs and jeers from the crowd.

But Donald J. Trump thought he could improve it.

So the former president asked an adviser to pass along a few notes to one of the video’s creators: It should include a clip of the president falling off a bicycle, he suggested, and another of him flubbing a line in a recent speech.

The video’s co-creator — Bryan Heestand, a product engineer in Ohio who goes by the anonymous handle C3PMeme — rushed to incorporate the former president’s edits. He was delighted, he said

A Flood of Crude Posts, Cheered On by the Former President

much of the year flooding social media with content that lionizes the former president, promotes his White House bid and brutally denigrates his opponents.

Much of the group, which refers to itself as Trump’s Online War Machine, operates anonymously, adopting the cartoonish aesthetic and unrelenting cruelty of internet trolls.

Cheered on by Mr. Trump, the group traffics freely in misinformation, artificial intelligence and digital forgeries known as deepfakes. Its memes are riddled with racist stereotypes, demeaning tropes about L.G.B.T.Q. people and broad scatological humor.

Their most vulgar invectives are often aimed at women, particularly those seen as enemies of Mr. Trump. In one video, the former United Nations ambassador Nikki Haley’s face is pasted on the

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## Christmas Tree Farms Give Wildlife a Valuable Gift: Sanctuary

By CARA BUCKLEY

A few years after the Society for the Protection of New Hampshire Forests started a Christmas tree farm, Nigel Manley, who oversaw the operations, began noticing some interesting developments among the rows of fragrant balsam and Fraser firs lining the land.

In the spring, areas around the younger trees drew ground nesters like bobolinks — songbirds that migrate to and from South America — killdeer and woodcocks, who availed themselves of the open spaces to perform their courtship flights and rear their young. Deer hid their fawns in long grasses. Waxwings and robins nested in older trees, their young fledging many months before harvest. Mice and voles living on the land drew foxes and migratory raptors such as kestrels and harriers, who feasted on the cornucopia each time the grass was mowed.

In these climatically perilous times, when the cooling and oxygenating properties of trees have never been more valued, it seems counterintuitive to support chopping them down. Yet, the ecological benefits of real Christmas trees are why many environmentalists endorse them over the fake, petroleum-based versions that are shipped from half a world away.

Christmas tree farms can func-



CHRISTINNE MUSCHI/REUTERS

Balsam firs at a nursery in Quebec. Tree farms can function much like young forests, ecologists say.

tion much like young forests, said Andy Finton, a forest ecologist with the Nature Conservancy in Massachusetts. Two to three saplings are generally planted for every tree harvested, and, according to Jill Sidebottom, a spokeswoman for the National Christmas Tree Association, Christmas tree farms are often cultivated on otherwise unused farmland, allowing growers to keep their green spaces.

“They’re pulling carbon from the atmosphere,” Mr. Finton said of the trees. “They’re cleaning the air and, in many cases, cleaning the drinking water. They’re keeping the landscape undeveloped, preventing impervious surfaces,

by giving economic incentives to landowners.”

With intense development pressures and accelerating loss of natural woodlands, he said, tree farms can provide habitats for wildlife, especially birds and mammals that prefer open spaces at forest edges.

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## Tesla Recalling 2 Million Cars Over Autopilot

*This article is by Jack Ewing, Cade Metz and Derrick Bryson Taylor.*

Tesla’s reputation for making technologically advanced cars suffered a blow on Tuesday when the company, under pressure from regulators, recalled more than two million vehicles. U.S. officials said the automaker had not done enough to ensure that drivers remained attentive when using a system that can steer, accelerate and brake cars automatically.

The recall by Tesla, the world’s dominant maker of electric vehicles, was its fourth in less than two years and the most significant to date. It covers nearly all cars the company has manufactured in the United States since 2012, including its most popular, the Model Y sport-utility vehicle.

Tesla accounts for about half of the electric passenger cars sold in the United States, but its market share has been slipping as General Motors, Hyundai, Ford Motor and other automakers have begun selling electric models. In addition, recent public statements by Elon Musk, Tesla’s chief executive, have been widely interpreted as antisemitic and offended some customers. The recall amounts to another dent in the company’s image.

“There’s no question” that the

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## IN CLIMATE FIRST, PACT SEEKS SHIFT ON FOSSIL FUELS

### A NONBINDING ACCORD

Nations Agree to Hasten ‘Transition’ From Oil, Gas and Coal

By BRAD PLUMER and MAX BEARAK

DUBAI, United Arab Emirates — For the first time since nations began meeting three decades ago to confront climate change, diplomats from nearly 200 countries approved a global pact that explicitly calls for “transitioning away from fossil fuels” like oil, gas and coal that are dangerously heating the planet.

The sweeping agreement, which comes during the hottest year in recorded history, was reached on Wednesday after two weeks of furious debate at the United Nations climate summit in Dubai. European leaders and many of the nations most vulnerable to climate-fueled disasters were urging language that called for a complete “phaseout” of fossil fuels. But that proposal faced intense pushback from major oil exporters like Saudi Arabia and Iraq, as well as fast-growing countries like India and Nigeria.

In the end, negotiators struck a compromise: The new deal calls on countries to accelerate a global shift away from fossil fuels this decade in a “just, orderly and equitable manner,” and to quit adding carbon dioxide to the atmosphere entirely by midcentury. It also calls on nations to triple the amount of renewable energy, like wind and solar power, installed around the world by 2030 and to slash emissions of methane, a greenhouse gas that is more potent than carbon dioxide in the short term.

While past U.N. climate deals have urged countries to reduce emissions, they have shied away from explicitly mentioning the words “fossil fuels,” even though the burning of oil, gas and coal is the primary cause of global warming.

“Humanity has finally done

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PETER DEJONG/ASSOCIATED PRESS

Sultan Al Jaber, center, at the COP28 summit in Dubai.

## Impeachment Inquiry Approved, Despite No Proof of Biden Crime

By LUKE BROADWATER

WASHINGTON — The House voted on Wednesday to formally open an impeachment inquiry into President Biden, pushing forward with a yearlong G.O.P. investigation that has failed to produce evidence of anything approaching high crimes or misdemeanors.

Republicans said the vote was needed to give them full authority to continue carrying out their investigation amid anticipated legal challenges from the White House. Democrats have denounced the inquiry as a fishing expedition and a political stunt.

G.O.P. leaders refrained from months from calling a vote to open an impeachment inquiry, given

the reservations of mainstream Republicans, many of them from politically competitive districts, about moving forward without proof that Mr. Biden had done anything wrong. Instead, Kevin McCarthy, the speaker at the time, unilaterally announced one in September as he was facing pressure from the far right to deliver on its priorities, including impeaching the president.

But Wednesday’s vote underscored how the political ground has shifted, with Republicans unanimously willing to endorse an inquiry even as some empha-

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**Japan Wants Stronger Military**  
An aging population poses obstacles as the nation faces security threats from China and North Korea. PAGE A4

**New Urgency Grips Ukraine**  
With Western support softening, Vladimir V. Putin’s bet on outlasting Kyiv and its allies looks stronger. PAGE A11

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The Supreme Court will hear a case challenging the F.D.A.’s approval of the commonly used medication. PAGE A17

**Wasting Food for Migrants**  
Thousands of uneaten meals are being thrown away every day in New York. On Nov. 6, 5,000 were tossed. PAGE A19

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Federal Reserve policymakers left interest rates alone but projected three quarter-point rate cuts in 2024 as their inflation outlook improved. PAGE B1



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Sukeban, a women’s wrestling league featuring Japanese performers, could really take hold in America. PAGE D7

**Building His Own Utopia**  
Dryden Brown has an ambitious goal: to create a city on the Mediterranean coast. Exactly how is unclear. PAGE D6

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Indhu Rubasingham will head the venerable London institution where plays including “War Horse” and “The Lehman Trilogy” originated. PAGE C1

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Speculation swirled that Shohei Ohtani was heading to Toronto. But the jet was carrying a different dealmaker: Robert Herjavec of “Shark Tank.” PAGE B9

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**Charles M. Blow** PAGE A25



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**‘Brooklyn Nine-Nine’ Captain**  
Andre Braugher, an actor best known for playing stoic officers on two acclaimed but very different police series on television, was 61. PAGE B11

