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Genocide Or Human-Shield Assault: The Judgemental Controversy Of The Israel-Gaza War

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ABSTRACT

The vicious sting of the October 7th 2023 assault that grossly violated the territorial integrity of the State of Israel and precipitated the outburst of the ongoing gruesome war was a demonstration of the escalation of tensions that have defied a plethora of reconciliation attempts by the United States and the United Nations. It has been a cycle of bloodshed that has littered the entire landscape of Gaza with the corpses of civilians and Hamas fighters. Pages of international dailies have been painted with gory pictures of a great slaughter; and the streaming tears of survivors have created a global empathy for the Palestinian Arabs. The intensity of unprecedented bombardments of infrastructures and the chilling number of deaths send a frightening sensation down the spine. The over fifty thousand (50,000) acclaimed deaths of the Palestinian civilians inflicted by the Israeli Defence Forces (IDF) has generated a global accusation of a genocidal agenda perpetrated by Israel against the Palestinian people. Shelving sentiments, this paper attempts an objective, careful and thorough assessment of the characteristics of the conflict in a bid to ascertaining if it is a demonstration of textbook genocide as acclaimed by empathy-driven observers or an unfortunate assault on the human-shield Hamas fighters have unscrupulously adopted in their military antics and guerrilla warfare. There are international laws prohibiting non-military locations such as hospitals and schools as targets in war, but when a non-military location is used for military and war purposes, it loses its civilian status. The loss of civilian status exposes such locations to military assaults. An intentional assault on civilians is different from casualties resulting from the loss of civilian status that exposes civilians in such locations to danger. The use of hospitals and schools as operational bases by Hamas has radically reconfigured the original status of those locations into military formations permitted to be assaulted in war. This ugly reality should generate a global outcry intended to accuse Hamas of crimes against humanity predicated on exposing civilians to such degree of catastrophe and gruesome deaths.

Keywords: Genocide, Human-shield, War, Hamas, Israeli Defence Forces

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1. INTRODUCTION

The age long volatility of the Palestinian region, which has defied a plethora of initiatives and deprived carefully orchestrated shuttle diplomacies believed to have capacities to douse tensions, of anticipated outcomes, continues to dent the reputation of the United Nations and ridicule her mission of pursuing world peace and security. World Wars (1914-1918 / 1939-1945) were fought within timeframes and ended with enduring treaties (Versailles and Paris), but these eruptions in the Middle-East, which have engineered several military confrontations (1948 war of Independence, 1956 Sinai Campaign, 1963 Six-Day war, 1973 Yom Kippur war, etc.) have become a reoccurring decimal threatening to constitute one of the streams of defying global crises that may metamorphose into another round of a global conflict; a Third World War, which is greatly feared and anticipated to likely have a very gruesome consequence of ushering in the end of humankind.

The October, 7th 2023 invasion of the Israeli territory by the soldiers of Hamas, precipitated the latest episode of warfare, which has proved to be the longest fought and is gradually spiralling into a regional war following the inclusion of Hezbollah of Lebanon, Houthi rebels of Yemen and Iran. A very recent statistical data as published on the 4th of July, 2025, by the United Nations Relief and Works Agency (UNRWA) for Palestine Refugees as supplied by the Ministry of Health in Gaza, clearly indicates there are about fifty-seven thousand and twelve (57,012) deaths recorded since the October 7th invasion of Israel and the full scale military expedition launched by the Israeli Defence Forces. In the West Bank, the same UNRWA published document espoused a nine hundred and fifty-seven (957) Palestinian deaths.

An aerial view of the landscape of Gaza reveals ditches cracked wide open, neighbourhoods disintegrating and some communities submerged completely under rubbles. Most part of Gaza can no longer be recognized even by former residents owing to the magnitude of catastrophe that accompanies one of the deadliest retaliations in the history of modern warfare. Medical facilities and refugee camps that are ordinarily supposed to constitute safe havens have become primary targets of military assaults. The United Nations-run school that served as shelter for displaced people in Gaza has not been excluded as a target for Israeli artillery (Al Jazeera, 2024) The Al-Ahli Arab Hospital, Al-Shifa Hospital, Indonesian Hospital, Al-Quds Hospital, Al-Amal Hospital and so many other medical facilities have suffered heavy bombings. In the process, a number of healthcare workers have been killed. The OCHA reports (2025) unpleasantly espouses that about 1,400 healthcare workers had been killed as at the time of filing this report. Other disturbing reports postulate that healthcare workers have also constituted prisoners of war in Israeli detention. (Sankar, 2024).

It is expedient to espouse that the attack on medical facilities, schools and other soft targets are not intentional to signal a genocidal agenda. The Israeli intelligence, which is critically acclaimed as one of the best in the world has been the architect designing the coordinates of the gunfire. If hospitals and schools have become targets, then the Israeli intelligence has detected the background operation of Hamas in those locations. There was a case of an explosion in one of those hospitals inflicted by a misfired Palestinian rocket (Peter, 2023). And there was a CCTV footage retrieved from the famous Al-Shifa hospital showing the fighters of Hamas dragging some prisoners of war captured in the invasion into the hospital facility (BBC, 2024).



These are evidences capable of substantiating the fact that the IDF was not intentional about attacking hospitals and those non-military targets, but had spotted signs of Hamas' operations and needed to respond appropriately. The Israeli army said their strikes are precisely targeted at cells of terror operatives, rocket-launching positions, weapons, and other Hamas and Islamic Jihad terror infrastructure. (Luke & Tol, 2025).

Also, if healthcare workers have become prisoners of war in Israeli detention, then plausible evidences must have shown that there are some non-combatant members or associates of Hamas who are ceremoniously or unceremoniously involved in the struggle. For instance, the CCTV footage, which revealed the use of the Al-Shifa hospital as Hamas' operational base unequivocally underscores the medical personnel as aiders and abiders of the cause of Hamas.

2. CHARACTERISTICS OF THE ISRAEL-GAZA WAR

It could be argued that when cultural sentiments and religious solidarity are entertained in appraisal exercises on matters such as constitute the centrepiece of this discourse, objectivity (whether scientific or relative) is not just punctured, but suffers a great defeat. In the spirit of relative objectivity, it could be argued that Hamas intentionally and mechanically incited a global empathy through propaganda for the purpose of achieving the ultimate goal of a global pressure on Israel for the attainment of Palestinian statehood. Firstly, it is baffling how empathy-driven observers sufficiently rely on the Ministry of Health in Gaza, which is obviously controlled by Hamas, to furnish the media with figures of civilian deaths. And so far, it has been announced that there are over fifty thousand civilian deaths recorded since the start of the war. A few questions are craving for answers: what is the authenticity of these published figures from the Hamas controlled Health ministry in Gaza? Do these figures capture casualties recorded in the camp of Hamas?

Gabriel (2024) expresses awareness of the debate on published death figures in the ongoing Hamas-Israel war, which does not differentiate the fatality figures for civilians from those of Hamas fighters; and expresses a deeper concern evolving around the absence of the validity of the published figures. He espoused the result of his experimented comparison between figures published by Gaza's Ministry of Health and those published by the Hamas controlled Government Media and spotted a huge disparity. This simply portrays an uncoordinated campaign, which lacks respected validity to be taken seriously. Peter (2023) resonating the same position about the published death figures, which do not differentiate the fatality of civilians from those of Hamas combatants, cited a case of an explosion in a hospital caused by a misfired Palestinian rocket. If the figure of such self-inflicted deaths is added to the list, it professionally does not reflect transparency in reporting.

Undoubtedly, the anti-Israel campaign accusing Israel of genocide and crimes against humanity as witnessed across several theatres in the world stem from the chilling number of civilian deaths Israel is accused of inflicting on Gazans. This hurried judgement that bypassed objective scrutiny makes the global accusation of genocide and crimes against humanity levelled against Israel of no substance. Luke and Tol (2025) in their report espoused how the group that coordinated the anti-Israel protests in the United States used unverified figures published by the Hamas-run Gaza Health Ministry in inciting people to rage.



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Hamas may have successfully achieved a global pressure on Israel as several anti-Israel campaigns were held in several locations across several countries even in Europe and America, but that pressure is almost futile as it has not successfully moulded the policy of the Israeli government into the fashion projected in the blueprint behind the breaking of the political logjam. As a matter of fact, Cookie (2024) is of the opinion that the accusation of genocide failed to get traction simply because it is unprovable.

Secondly, the chances of the attainment of statehood, which the international pressure was supposed to achieve for Hamas has been pushed farther away; as a matter of fact, that dream of a Palestinian State is plunging deeper into murky waters where it is most likely never to resurface. Though a number of nations even in Europe have been calling for the creation and recognition of a Palestinian State, the Israeli war objectives have successfully created a more complicated problem for that campaign. The heavy bombardments from sophisticated artilleries have levelled the high-rise edifices and have made rubbles of a once beautiful architectural landscape that was to be adopted in establishing a Palestinian State. This is systematically suspending the campaign for the establishment of a Palestinian State, and rather introducing a call for the rebuilding of war-torn Gaza.

The humanitarian crises in Gaza is overwhelmingly depressing that the creation of a State naturally moves from being fundamentally pursued, and the need to survive and overcome health threatening plagues readily occupy centre stage. People who are hungry, sick, homeless and exposed to the fear of sudden death will ask for food, shelter and medicine, instead of a State or political identity. It may be unfair to assert that Hamas did not strategize properly, because most times it is difficult to determine a bad policy from home; the efficacy of a policy is originally tested in the environment where it is intended to yield results.

This failed policy outing readily reminds of the Appeasement Policy of 1938 designed to help Britain and France avert another European continental war, but eventually failed as Adolph Hitler launched an act of aggression that precipitated World War II, even after being appeased with Sudetenland. It could be inferred that the Israeli intelligence quickly interpreted the intentions and blueprint behind the Hamas led invasion of Israel and meticulously designed strategies that went beyond countering the objectives of the blueprint to further frustrating the goals the blueprint was originally intended to achieve.

3. HUMAN-SHIELD

It is quite understandable that the art and act of freedom fighting could prominently feature a number of antics and strategies for the purpose of achieving set goals and objectives. The characteristics of the conflict portrays a premeditated plan by Hamas to have Israel hedged in and tactically brought to a negotiation table. So, on the 7th of October, 2023, Hamas fighters ventured the Israeli territory, slaughtered over a thousand people and went away with over two hundred prisoners of war held hostage in their cells. It is not unusual to subscribe to the need for the Israeli people to retaliate, defend themselves and ensure such ugly incident never reoccurs. And to ascertain that such assault never reoccurs for the purpose of national security, it was not also unusual for the Benjamin Netanyahu led government to openly declare the destruction of Hamas as a major objective of the Israeli military campaign in Gaza.



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The assumption of Hamas to power in Gaza in 2006 marked a turning point in the Israel-Gaza debacle. Gaza has been a shredding thorn that has proved to be a fundamental threat to the Israeli national security. If Hamas could have successfully beat the Israeli intelligence, crossed her borders and gruesomely murdered and raped civilians, then the deliberate intention to completely obliterate Hamas could be considered objective for national security owing to the fact that if Hamas has another opportunity to explore, a catastrophe the State of Israel may not be able to easily recover from may be meted.

However, it is expedient at this juncture to carefully observe another dimension of the conflict, which holds sufficient evidences weighty enough to turn the table of accusation against Hamas and hold her responsible for the degree of massacre civilians have been exposed to in the course of the war. Soldiers in the Israeli Defence Forces (IDF) are colourfully dressed in their military regalia, but the soldiers of Hamas are dressed in mufti. This implies that the Israeli soldiers are easily identified for target in a warfront, but it is extremely difficult to identify and differentiate Hamas fighters from civilians. This military antics adopted by Hamas subjects the IDF to extraordinary intelligence gathering for the purpose of identifying Hamas soldiers as prospective targets in the war.

So, Israel is on the one hand struggling with the handicapped situation of applying extreme intelligence to fish out Hamas fighters and on the other hand developing strategies to eliminate them. It could be inferred that Hamas has adopted this approach for the purpose of frustrating the Israeli soldiers and frustrating their war objectives. This ghost-mode antic is further strengthened by intentionally situating their cells and operational bases within civilian convergences such as hospitals, refugee camps and residential areas. The idea is to deter or drastically reduce catastrophic aggression from Israel, assuming that Israel would consider the plight of the civilians and be constrained by it. This constrain would help Hamas score cheap goals against Israeli soldiers who are visible for target.

Hamas may have also relied on international laws prohibiting attacks on hospitals, schools and other civilian dense locations as a way of setting Israel up for a propaganda of global accusation of crimes against humanity and genocide. Hamas must have inferred that Israel would not choose to observe international laws at the expense of allowing Hamas survive. So, a strike on hospitals where Hamas strategically chooses to situate its base would expose Israel to a global accusation. But an online article published by NGO MONITOR proves the contrary as it succinctly espoused that:

...hospitals and other medical facilities lose their civilian status if “they are used by a party to the conflict to commit, outside their humanitarian functions, an ‘act harmful to the enemy’.” Examples provided by the International Committee for the Red Cross include “a hospital used as a base from which to launch an attack; as an observation post to transmit information of military value; as a weapons depot; as a centre for liaison with fighting troops; or as a shelter for able-bodied combatants.”

There are published video footages that overwhelmingly authenticate this ghost-mode antics by Hamas. They hold enough evidences capable of incriminating Hamas and ending the ugly propaganda against Israel. All along, Hamas denied allegations of operating from hospitals and within other human convergences; and consistently pushed for a global propaganda intended to make Israel look bad and accused of crimes against humanity. But with the video footages including the one from the Al-Shifa hospital, Israel was able to



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largely substantiate that claim and prove a pivotal point of not hunting for civilians but for Hamas fighters who shield themselves within civilians.

It must also be registered that Israel has not been indiscriminately bombing hospitals and other soft targets; as a matter of fact, Israel must be credited for choosing to be magnanimous enough to openly announce to civilians to evacuate those locations before their artilleries unleash heavy gunfire. Several video clips published on Al Jazeera, BBC, CNN and other international news channels are available to substantiate this fact. The truth is that, if Israel had a clearly defined genocidal agenda against the people of Palestine, those announcements that informed the exodus or movement of Gazans from one location to another would not have been necessary. But whenever the Israeli intelligence identifies a target where Hamas operates from, civilians would be advised to move away to allow a seamless attack on Hamas and a destruction of its operational bases.

Collateral damages are almost impossible to avoid in war. This is not to plausibly explain the killing of civilians, but to state the obvious and espouse that the killing of civilians would have been minimal or drastically reduced if Hamas fighters had chosen to fight like honourable soldiers who truly believe in the Palestinian cause. But their war antics intended to frustrate the Israeli war objectives has undoubtedly exposed that depressing number of civilians to premature death. Another dimension of the war that frustrates intelligent observers is the fact that this war has been ongoing for about twenty-two (22) months and Hamas is yet to restructure the pattern of operation to at least prove a point.

The argument is this; if Hamas claims to be fighting for the liberation of the Palestinian people and adopts a strategy (ghost-mode) that has exposed thousands of civilians to death by operating from within civilian convergences, why is Hamas still operating that strategy? This strategy should have been discontinued to prove that point; but to have continued with the same strategy leaves sincere observers to helplessly believe that Hamas perhaps has ulterior motive that is making this disturbing number of casualties not important to them.

4. CELEBRATION OF EXCHANGE OF PRISONERS

Another trajectory that undermines the idea of freedom-fighting and saddens the heart of observers is how the weight of the burden of the alarming number of deaths is readily pushed aside and enough room is created for celebrating released prisoners. And so far, just a few hundreds of Palestinian prisoners have been released. Upon observing, one is tempted to think - Did Hamas expose over fifty thousand people to death just to free a handful of prisoners? Is this about the release of Hamas fighters from Israeli detention or about the pursuit of a Palestinian cause and the establishment of a Palestinian State? Does the intention to release Hamas fighters from prison outweigh the release of the Palestinian people from captivity and the urgency for a global political identity? It is expedient for the leadership of Hamas to prove that over fifty thousand people were not exposed to death just for the release of a handful of prisoners from Israeli detention.

5. GENOCIDE OR HUMAN-SHIELD ASSAULT

According to Article II of the Genocide Convention of 1948 the crime of genocide is established when there is an intention to eliminate or destroy members of a group either in whole or part. It could be recorded that in the early days of the declaration of the State of



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Israel (1948), the Palestinian Arabs vowed to destroy the State of Israel. When Hamas came to power, it also adopted the same objective. This sufficiently reiterates that the Palestinian Arabs first declared their intention to destroy Israel. And it is not on record that Israel ever declared an intention to destroy the Palestinian people. It was in the wake of the recent war that Israel declared its intention of eliminating Hamas, a group that has been designated a terrorist organization since 1997 by the United States. The intention to eliminate a perceived terrorist sect considered a fundamental threat to national security is not equal to the intention of destroying the Palestinian people. As a matter of fact, the Israeli government pointedly espoused that Hamas had oppressed the Palestinian people for too long; therefore destroying Hamas was also for the good of the Palestinian people.

What manner of a freedom-fighting organization would expose the people it claims to protect and fight for to such jeopardy? How can Hamas claim to be fighting for the liberation of the Palestinian people and the establishment of the Palestinian State and yet uses human-shield that has caused the death of over fifty thousand people? How can Hamas sacrifice the very people it claims to fight for in its war antics? The IDF is not intentionally killing civilians. Hamas is responsible for dragging these civilians into the crossfire.

Therefore, there ought to be a global outcry intended to compel Hamas to desist from using human-shield by moving its operational bases far away from hospitals and other civilian convergences. By so doing, the parameters of the war would be properly defined and warring parties would be allowed to define their fate. It is important to reiterate this all important and determining point, which robustly underscores the centrepiece of this discourse. When schools, hospitals and other non-military locations are adopted for military and war purposes, they instantly lose their civilian status and become permitted to become military targets. If Israel had gone all out in indiscriminately bombing non-military targets and killing civilians, then the accusation of genocide would have been substantiated.

But Israel has been precisely targeting military formations and installations, and unfortunately, hospitals, refugee camps and residential locations have featured in the list owing to the reconfiguration of their original status as engineered by the military behaviour of Hamas. Although there are international laws prohibiting assaults on non-military targets, it has been espoused that non-military targets lose their civilian status when adopted for military purposes. So the war strategy of adopting hospitals, schools, recreational centres and other non-military locations for military and war purposes is responsible for the radical change of status that has helplessly exposed civilians in those locations to assaults. Unfortunate situations like these do not portray genocide owing to the absence of registered intention to eliminate Gazans.

The reality on ground sufficiently proves an unfortunate human-shield massacre informed by the strategy Hamas has unscrupulously decided to adopt in the ongoing war. So, instead of accusing Israel of war crimes and genocide, there should be a global outcry tagging Hamas as an instrument of destruction and genocide the Palestinian cause is plagued with. The humanitarian disaster, destruction of infrastructures and unprecedented casualty of civilians should all be blamed on Hamas.



6. CONCLUSION

The IDF could pretend not to know that Hamas uses human-shield and indiscriminately unleashes terror on both Hamas fighters and civilians. But the timely and constant warnings that precede shelling from the Israeli artilleries undoubtedly shows how magnanimous and empathy-driven Israel is, and her determination to salvage the people of Gaza from oppressive Hamas. Those warnings exonerate Israel from the accusation of genocide as it clearly shows that Israel is not interested in the massacre of civilians, but to dismantle the human-shield Hamas slides into in achieving selfish war objectives detrimental to the people of Gaza. The radical reconfiguration of the original status of those non-military locations (schools, hospitals, refugee camps, residential locations) engineered by Hamas has created an unfortunate human-shield assault.

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