

Hamas is Actually Responsible for Deaths for Which the New York Times Blames Israel

by Hugh Fitzgerald



The *New York Times* has again published an article on the 11-day Gaza war that accuses Israel of “possible war crimes,” and in its coverage, reports only the version of events given by Hamas, while ignoring what the IDF had to say about its targets on Al Wehda Street.

The tear-jerking title of the *Times*’ story was “[Elder of Zion](#), June 18, 2021:

As the article shows, Israel didn’t bomb the apartment building – if that was the target, the IDF would have issued a warning.

The IDF always issues warnings before it bombs an inhabited building. It does this in several ways: by telephoning, by emailing, by leafleting, and by the “knock-on-the-roof” practice of dropping non-explosive or low-yield devices on the roofs of targeted civilian homes as a prior warning of imminent bombing attacks to give the occupants time to flee. If it does not target civilian structures without providing such a warning.

While Hamas wishes to increase the number of civilian casualties among its own people, Israel tries always to minimize the number of innocent Palestinians who may be wounded or killed. If it did not issue a warning to occupants of the building in question, that could only mean that the building was not being targeted. The Times states:

In an interview, an Israeli military spokesman, Lt. Col. Jonathan Conricus, said that on the morning of May 16, several Israeli aircraft fired 11 missiles along a 200-yard stretch of Al Wahda Street, aiming to destroy a tunnel and command center beneath it. Drone video filmed soon afterward by the Israeli military showed a row of craters left in the road by GPS-guided bombs.

But while most of the adjacent buildings remained standing, the Abul Ouf Building collapsed in what the official described as “a freak event.”

The military had not known the exact location of the command center, nor how far it extended under nearby buildings, Colonel Conricus said. When the bombs exploded deep underground, they unexpectedly dislodged the Abul Ouf Building’s foundations, he added.

Elder of Ziyon adds:

The Independent, which [reported about this on May 24](#), confirmed this:

When questioned about the purpose of the attack, the Israeli army said Hamas, the militant group that runs Gaza, bears responsibility for “intentionally locating its military infrastructure under civilian houses, thus exposing civilians to danger.”

Hamas locates its weapons and launching pads inside, or very near, civilian structures such as schools, hospitals, apartment buildings, and stores. This practice serves a dual purpose: first, the civilians are involuntary shields whose presence may discourage Israel from attacking a target if the IDF feels that resulting civilian deaths would be too numerous; second, if Israel does attack, any civilian casualties will become grist for the propaganda mill of Hamas, shedding its crocodile tears for the “civilians murdered by the criminals of the Zionist state.”

Hamas has built in Gaza a gigantic network of underground tunnels – some that skirt, and others that snake directly under, civilian structures. In order to destroy parts of this 300-mile network of tunnels, the Israelis necessarily will be weakening the foundations of buildings sitting on top of, or near to, those tunnels. For Israeli pilots, it is hellishly difficult to try to destroy the tunnels without unduly weakening the foundations of buildings that are close to, or directly on top of, some part of that tunnel network. The Independent continues:

It [the IDF] said “preliminary” investigation into the attack found that Israeli aircraft struck “underground military infrastructure” that was located under the road.

“The underground military facilities collapsed causing the foundations of the civilian houses above them to collapse as well leading to unintended casualties,” a statement read.

Elder of Ziyon comments:

Hamas built tunnels directly underneath buildings. When the tunnel walls collapsed, the buildings above did as well.

Ridiculously, the NYT publishes Hamas' denial that their tunnels are underneath civilian centers:

Hamas has acknowledged building a network of tunnels under Gaza for military purposes, but in a news conference on May 26, Yahya Sinwar, leader of the Hamas political wing in Gaza, denied that any of them lay under civilian areas, dismissing the accusation as "baseless."

However, the United Nations believes Hamas built at least one military tunnel under a U.N. school.

Yet Hamas has claimed that it has built 500 kilometers of tunnels in Gaza – and none of it beneath civilian centers?

It's inconceivable that there are no buildings anywhere in Gaza that sit on top of some part of those 300 miles of tunnels. Elder of Ziyon continues:

One other detail about Wahda Street that the Independent mentions, but not the New York Times:

The air raids turned one of the busiest streets in Gaza, and the main access point to the strip's chief hospital al-Shifa, into a crater-marked moonscape.

It is well known that Hamas has a major headquarters in the basement of the Shifa hospital. This strongly indicates that Hamas has tunnels leading from the hospital itself to the rest of the "metro" network. (Wikipedia confirms that Shifa is at the end of Wehda Street.)

The NYT pretends to be evenhanded in discussing whether war

crimes were committed:

Rights experts said the use of such powerful weapons in a dense urban environment put civilian lives at risk and was a possible war crime. And if Hamas installed military facilities underneath residential areas, that too is prohibited under the laws of war.

Based on just the reporting in that article, it is clear that Israel did not commit any war crimes. Most of the buildings along the route did not collapse, and clearly the Israeli military commanders did not expect the Abul Ouf building to be destroyed.

They had not issued warnings to residents of the building because they had no intention of hitting it.

To be a war crime, it must be determined that the military knew it was likely that there would be unacceptable civilian casualties, which is clearly not the case here....

The Israeli pilots did not intend to, and did not, hit the Abul Ouf building. Its collapse was unintended, the result of strikes on tunnels near to, but not underneath, that building. As the IDF spokesman, Lt. Col. Jonathan Conricus, said, it was a “freak event.”

The 22 civilians who died when the Abul Ouf building collapsed owe their deaths not to Israel, which did not target the building, but to Hamas. The terror group is the guilty party, for having dug its enormous network of tunnels crisscrossing underneath Gaza and located beneath so many of its civilian buildings. Those tunnels were, and remain, a legitimate military target, for they were used by Hamas to move both fighters and weapons throughout the Strip, undetected by Israel. Under international law, those tunnels, whose sole purpose was military, could be legitimate targets, as long as

Israel took precautions to minimize civilian deaths. This Israel did, by warning occupants in buildings directly over the targeted tunnels to leave. But the Abul Ouf building was not situated just above a tunnel, nor did Israeli pilots target it; its collapse was the result of its being, unpredictably, too near to a tunnel that had been destroyed by Israeli bombardment, leading to a weakening of Abul Ouf's foundation, and the consequent crumbling of the building. This result was highly unusual, and unexpected by the IDF. It was a "freak event." It was not the result of a deliberate targeting. This was an accident of war, not a war crime. These are different things.

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