

Dear DOJ investigators: why was Shireen Abu Akleh wearing flak jacket and a helmet?



Two young journalists reporting from the war zone

by Lev Tsitrin

Anyone entering a construction site must wear a hard hat. This is a general safety rule, usually reinforced by a sign reading “hard hat area.”

Why? Because at a construction site the chance of an accident is high, just by the nature of the place. With mortar still not firmed up, with bricks that may slip out of one’s hand and land on someone’s head, with floors having open pits and channels for wiring and piping, with moving machinery all around and piles of construction materials, a construction site is a place where one can trip and fall, or get hit by something. Hence, one has to be protected – and yet, for all

the safety measures, deadly accidents at construction sites are not unheard-of. Awareness and preparedness can and do minimize such occurrences, but do not eliminate them entirely.

Construction sites are not the only zone of danger. Far more dangerous are areas of military conflict, with bullets flying in every direction. No one there is safe, even the parties not participating in the fight.

Needless to say, it is best for civilians to run away from fighting – and they usually do, to judge by reports of refugees running from wars. Yet sometimes people stay: either they have nowhere to run, or they are simply trapped in place. When something happens to them, they become the “collateral damage” of war.

And at times, civilians intentionally come inside a combat zone. Consider journalists – people with a professional duty to inform the wider public of what happens on the battlefield.

Journalists do not shoot, and therefore should not be a target of those who do. To stress their non-combatant status, they mark themselves with a large word “PRESS” that should be visible from afar. And yet, they do not just rely on the goodwill of those who fight, but like those at a construction site, they protect themselves the best they can, with body armor and helmets. Just as bricks should not fall but occasionally do, there should be no bullets flying where journalists are, but – who knows?

Al Jazeera journalist Shireen Abu Akleh surely knew the routine, and on May 11, 2022 when she came to cover a firefight between Palestinian terrorists and Israeli troops, she was prepared – she wore a helmet and a flak jacket. Yet, for all this, she got hit by a bullet and died.

Then, the blame game began – the blame game that focused on Israel’s intentions. Clearly, everyone understood that unintentional killing was a tragedy, not a media sensation

that Palestinians craved, hoping to show to the entire world that Israelis were so brutish and uncivilized that they deliberately targeted an unarmed journalist who was a woman to boot, so as to prevent the truth from reaching the broader public. This would have been a propaganda bonanza on so many levels. That her death was a direct result of Palestinian terrorism no matter who pulled the trigger (if not for it, there would have been no Israeli arrest raid, and she would not have died) was, to Palestinians, no obstacle.

Salivating at the prospect of smearing Israel with the blood of an innocent woman who only did her job, Palestinians went into overdrive: they refused to participate in a joint investigation to determine the actual cause of her death, they performed the autopsy without the presence of Israelis, they refused to present the bullet that killed her, they announced far and wide that, without a shadow of doubt, she was killed – intentionally – by the Israelis.

Since she was a journalist, the news organizations joined the cause of one of their own, and did their own investigations, all blaming her death on an Israeli soldier but, to Palestinians' distress, without making the all-important claim of deliberate targeting; since there was an exchange of fire, such claim would have been unprovable and therefore, impossible to make.

Finally, to pierce the fog of war and propaganda, and to get to the bottom of the controversy and thus extinguish it, the Americans pressured the Palestinians into presenting the bullet for joined investigation – which went nowhere, the bullet being far too damaged to tell anything. So, it all came down to who was where when the fatal shot rang, and the Israelis admitted to a high possibility that it may have been an Israeli soldier who fired the shot, though not precluding that it was a Palestinian terrorist who shot her – and categorically denying intentional purpose that the Palestinians tried so hard to establish.

Now, half year after the event, [comes the news](#) that Palestinians prevailed on the US Justice Department to do its own investigation. Israelis say they won't cooperate, and its not clear what its results will be.

DOJ will decide what it will decide; I won't try to guess what their investigation will find out. To my mind, however, no inquiry had asked the question that is most relevant to what happened to Shireen Abu Akleh, the question that ought to have been asked – the question of why did she wear protective gear at all? Israelis were not supposed to shoot at her because she was a journalist. Ditto the Palestinians. No fire to be directed at her by the fighting opponents, why wear a helmet and a flak jacket at all? That she did so seems illogical, if not irrational.

Unless, of course, she knew that she was in a danger zone where bullets fly back-and-forth, and hence was not safe, needing protection – just as the one who visits a construction site where everything should be in good order but occasionally, isn't. If so (and it is clearly so) – why the outrage at her death, rather than mere sorrow? Wasn't it just a work accident like some unfortunate accidents at construction sites which occasionally happen despite the best work safety preparedness? They happen because of weird confluence of errors, rather than by deliberate malice. They are accidental deaths, not deliberate murder – something, sad to say, that the industry expects to happen occasionally, something that everyone does their best to prevent, something against what people buy insurance policies.

And such is the case of Shireen Abu Akleh's death. She came to do her job being fully aware of its risks – and became part of the statistics of journalistic mortality in war zones. That's all there is to it. Blowing her unfortunate death into something else – into Israeli inhumanity, which Palestinians so badly tried to prove all along, now trying to get the US Justice Department to do the hit job for them – is a blatant

attempt at propaganda, not at finding out the truth, the truth being that, irrespective of who pulled the trigger, she was killed by Palestinian terrorism. And, of course, there is another truth – that her job of reporting from a war zone was dangerous, and that she was fully aware of it – and this danger, unfortunately, materialized.

The lesson of her death – like of the deaths of so many others, Israelis and Palestinians – is that Palestinians should end their intransigence. They should acknowledge the legitimacy of Israel and choose peace rather than terrorism and war. There is nothing else to learn from Shireen Abu Akleh death – even if the US Justice Department investigates it.