Surveillance & Society

Dialogue

Returning the Gaze of Surveillance: The Murder of Shireen Abu Aqleh

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Abstract

The murder of Palestinian-American journalist Shireen Abu Aqleh in Jenin refugee camp in May 2022 has generated extensive debate about how she was killed. Israeli authorities claimed that Abu Aqleh was killed by Palestinian gunfire, circulating a video captured by Palestinian fighters from the morning of Abu Aqleh's death that showed the use of arms within the camp. Yet independent investigations have shown that this video—captured and circulated by Palestinians to document resistance activities—was used, in conjunction with other evidence, to disprove Israeli authorities' claim. In this paper, I examine the role of the datafication of everyday life, the authority of interpretation, and the importance of counter-data production as a disruptive tactic in the aftermath of Abu Aqleh's murder. In contemporary conflicts, we can observe how data extracted from our enabling of becoming increasingly archivable subjects are framed and articulated as objective, even neutral, material evidence. In conjunction with the spectacle of political rhetoric and military theatrics, an asymmetric interpretation and subsequent instrumentalization of digital archives obstruct the inclusion of those subjected to harm as interpreters of their own experiences, shaping public perceptions and further exposing oppressed populations to continued violence. To challenge the material effects of these narratives, counter-data are produced to invert and disrupt a largely unilateral authoritative gaze. These interventions not only push against and reappropriate the generation and collection of data but also challenge the authority to access and interpret it. Grounded in critical security studies, post-colonial studies, as well as other critical bodies of work, this paper uses the case of Abu Aqleh's murder to demonstrate how the surveillance and selective framing of data are used to distort conflict and structure warfare.

Introduction

On May 11, 2022, Al-Jazeera journalist Shireen Abu Aqleh and five of her colleagues spent the morning in Jenin, Palestine, covering the Israeli forces' invasion of the Jenin Refugee Camp. Despite wearing protective flak vests that identified them as members of the press, Israeli forces fired a series of thirteen bullets at the group of journalists. One bullet wounded fellow Al Jazeera journalist Ali Al-Samoudi, who survived the attack, and another fatally hit Shireen Abu Aqleh in the head. A video capturing the scene moments following the spray of bullets shows Abu Aqleh's colleague, journalist Shatha Hanisha, hiding nearby, frozen in horror at her colleague's death, unable to reach Abu Aqleh to administer first aid. Seconds later, footage shows an unarmed civilian attempting to drag Abu Aqleh's lifeless body to safety. He, too, is met with gunfire. Eyewitnesses identify Israeli forces as the perpetrators—a convoy of armored military vehicles was located a mere two-hundred meters from where the journalists stood.

Israeli authorities immediately launched a social media campaign to cast blame on Palestinian militants for Abu Aqleh's murder. Israeli military spokesperson, Ran Kochav, claimed in a tweet that the journalists were "armed with cameras," seemingly blaming the journalists for the harm they experienced. Simultaneously, then-Israeli Prime Minister Naftali Bennett, as well as the Israeli Foreign Ministry, among other institutions and actors, widely circulated an unsourced and edited video from the morning of Abu Aqleh's death that showed the use of arms within the camp. Accompanying the video, Bennett, echoed by other officials, issued

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a statement claiming the short clip concludes that Abu Aqleh's death was due to "indiscriminate firing by Palestinian militants." The original, unedited version of the clip was captured and published by Palestinian fighters, depicting an armed Palestinian militant holding and subsequently firing a weapon down an alley in Jenin Refugee Camp.

Researchers from B'Tselem, an Israeli human rights organization, in conjunction with eyewitness statements and other data, used footage from the video to geolocate the positions of both Abu Aqleh and the armed Palestinian fighter featured in the video clip. Their investigation concluded that the gunfire depicted in the video "could not possibly be the gunfire that hit Shireen Abu Akleh and her colleague" due to the distance between the subjects and the infrastructure that separated them (B'Tselem 2022). In response, contrasting earlier remarks, Kochav insisted that it was not yet possible to determine who was responsible for Abu Aqleh's death and called for an investigation. The Israeli authorities' distortion and reconfiguration of the original video footage and their reinforcement of an accusatory narrative associated with its presentation as material evidence offers two semi-contradictory insights. The first is how digital data capturing Palestinian resistance may be vulnerable to different forms of reconfiguration and control that seek to make Palestinians responsible for harm experienced under Israeli occupation. The second is that independent investigations into Abu Aqleh's murder that examined the video circulated by Israeli authorities in conjunction with other videos, audio, and witness statements were able to disprove Israeli authorities' claim.

Israel subjects Palestinians to continuous, multi-layered forms of surveillance in efforts to exercise social control akin to what researcher Mona Shtaya (2022) refers to as a "post-modern Panopticon." Drones form a soundtrack of persistent buzzing; roads and passage points are littered with invasive and often paralyzing checkpoints; CCTV armed with facial recognition, live tracking, and predictive technology decorate occupied Palestinian cities; apps are used by the Israeli military and settlers to collect as many photographs as possible of any and all Palestinians; mobile phones are often infiltrated with Israeli spyware, among other measures. Invasive data collection tactics transcend borders. Diasporic Palestinians and their allies are often denied entry to Palestine, whose entry and exit points are surveilled and controlled by Israeli authorities, based on social media activity and overseas activism, among other activities that categorizes them as potential threats to Israeli security. These examples offer insight into the vastness and encompassing nature of the Israeli security apparatus, designed as a series of fundamentally anti-Palestinian tools that seek to quell all forms of Palestinian resistance (Graham 2011b). As highlighted in Tomayo Gomez's (2023) contribution to this Dialogue section on the need for the creation of theoretical and methodological tools to understand surveillance within long-term armed conflicts, the perpetuation of violence and control and, therefore, "human suffering," is necessarily intrinsic to and an intended outcome of surveillance practices not least within the context of armed conflicts. The surveillance activities I highlight above are consorted efforts in consequence of Western facilitation, not least through nearly unconditional external funding and abetting rhetoric that reinforces the popular post-9/11 language of terror(ism), which subjects entire populations to a general risk categorization. Through Israeli military and security apparatuses, the application of these categories does not amount to a static, sophisticated system(s), but rather a series of experimental regulating tactics in which Palestinians are considered "bodies and territories that [signify] violence" (da Silva 2009: 212) and are, therefore, always the target. These techniques are not tamed to the Israeli project's constantly shifting borders; rather they are imported to Western contexts and often become normalized forms of community oppression elsewhere (Graham 2011a). It is no coincidence that, over the course of the last two decades, thousands of American security personnel have participated in US-Israel exchanges that explicitly seek to apply Israeli security practices experimented on Palestinians to American cities.

The wider push to productively engage with information-sharing platforms coupled with Palestinians' forced participation in the Israeli surveillance apparatus promotes a datafication of everyday life that is configured into archives, posing significant implications for the structure of conflict and warcraft. Kevin McSorley refers to the integration and naturalization of continuous practices of data collection within everyday life as "immanent digital archiving"—a site of authority and power that "strengthen[s] the military

and police apparatus"—in which knowledge is continuously selected and registered, asymmetrically assessed, interpreted, distributed, and transformed under the guise of neutrality (qtd. in Agostinho et al. 2020: xi–xxii). The organization of information and the way in which it is operationalized emerges from the biases of the humans who create and operate these systems. In this way, technology helps us see more, but it can also contribute to seeing less. The classification and relationality of data is not a mirror of society, but rather a projection of a particular organization of society that appears to be neutral and objective.

The scrutinization of the power structures that aggregate data, facilitate documentation, and ultimately establish the conditions for the archive, provide an understanding into the impact of the ways in which who and how data are acquired and interpreted determines the (re)production, authority, legitimacy, and sustainability of normative, hierarchical forms of knowledge production, widely considered to be objective and neutral (Wylie 2003: 31–33). The strenuous manufacturing and articulation of truth-making are explicitly intended to mitigate the perceived flaws of the first-hand testimonies of those who experience harm—particularly those deemed "unworthy of sympathy" (Wang 2018: 93). Relying on a combination of "scientific protocols, rhetoric, theatrics and the professional and ethical credibility necessary to construct indisputable facts" (Weizman 2012: 104–105), the production of seemingly empirical evidence is used to justify militarized violence. This cycle of knowledge production reproduces an "asymmetry of recognition" (Wylie 2003: 35), rendering the process of documentation into a performance and, importantly, into a form of concealment (Ahmed 2012: 102). This should not be perceived as a failure, but rather a revelation of a particular intellectual mandate that has a worlding function. By "project[ing] what it distorts" (James 2013: 5), in the case of Abu Aqleh's killing, it exposes that the Israeli project's cycle of knowledge production has been designed with a proliferation of manipulative possibilities and capabilities that prescribe and projecs specific realities in which Palestinians are to blame for their own deaths.

The reappropriation of knowledge production and documentation generates counter-data and, thus, counter-archives in an attempt to invert, disrupt, and subvert the detrimental and largely unilateral authoritative gaze within reoccurring practices of asymmetrical knowledge production. Sara Ahmed (2017) argues that in efforts to transform institutions of power, we produce knowledge about them. The willingness to name and systematically catalogue otherwise normalized oppression, refer to it as such, and insist that it is unjustifiable moves data and the archive beyond a narrow evidentiary function, projecting "an unobserved reality into public perception" (Schuppli 2020: 73). These interventions not only push against and reappropriate the generation and collection of data but also challenge the authority to access and interpret them. Thus, Israel's claim that journalists are "armed with cameras" is not a symbolic accusation. Journalists and civilians alike are "citizen soldiers" in the ever diluted "distinction between participants and observers of war" in which those who engage in documentation processes are deemed participants and are, therefore, vulnerable to violence, as Hogue (2023) highlights in his contribution on civilian surveillance in Ukraine in this Dialogue section. This lack of differentiation is a recognition of "information warfare" in which citizen journalism is viewed as integral and decisive within the "contemporary battlespace" (Graham 2011a: 71). In response to Abu Aqleh's murder, Israeli authorities attempted to use virtual weaponry—manufactured digital "evidence"—to reorganize information that contrasted live, on-ground evidence from Palestinian witness statements and circulated footage. They did so in efforts to reproduce a self-prophesized image of themselves as the sole source of legitimate knowledge, a "violent obfuscation" that propagandizes the ongoing occupation by reinforcing a kind of naïve realism through "digital rule" (Graham and Wood 2003: 228; Graham 2011a: 72).

In the aftermath of Shireen Abu Aqleh's killing, several independent investigations looked beyond limited data sources, including open-source data captured by civilians and subsequently published on social media platforms and other public forums proved integral in uncovering how Abu Aqleh was killed and who was responsible for her death. Using eyewitness statements and open-source footage captured from different places in the refugee camp in the periods before, during, and after Abu Aqleh's murder, in conjunction with other documents and material evidence, Goldsmith's Forensic Architecture and Al-Haq (2022)—organizations that compile data typically absent from mainstream narratives to conduct investigations into human rights abuses in Palestine and beyond—were able to reconstruct Abu Aqleh's fatal shooting and

study the possibilities in relation to how the incident took place and to identify who perpetrated the killing. Their investigation, much like B'Tselem's (2022) initial research, found that Shireen Abu Aqleh and her colleagues were "deliberately and repeatedly targeted" with bullets frequently used by the Israeli military marksmen whose weaponry includes magnifying capacities that provide clear visibility of targets. Their investigation was made possible by data collected and shared by Palestinians and contributes toward a complaint submitted to The Hague on behalf of Abu Aqleh's family.

Surveillance technology's relentless and extensive peering, as I hope to have shown, is not impenetrable. There is room for dissent (Dyer 2020). Authoritative narratives can and should be disrupted and challenged through the critical practice of counter-archiving, which harbors the potential to locate points of connection as "a model of resistance rather than ritual" (Russell 2016, 106) to "design new workflows and build new archives, tools, database and other digital objects that actively resist reinscriptions of colonialism and neo-colonialism" (Risam 2018: 4). In the case of Abu Aqleh's murder, digital evidence produced by Palestinians harnessed technology's "critical potential" (Risam 2018: 13) by engaging "the right to look" (Mirzoeff 2011), asserting authority through a politic of disruption, a form of subversion through sousveillance (Browne 2015). As part of the struggle against epistemic and political violence, the inversion of the gaze of surveillance and the assertion over visuality challenged the authority of official accounts (Bock 2016) and iterated Palestinians' right to exist (Mirzoeff 2011). By creating tension with dominant accounts projected by Israeli imaginaries and obfuscations echoed by Western media, every crafting and formulation of counter-data redistributes the narrative field and contributes toward the rehabilitation of technology's potential as a tool for political resistance beyond Palestine (Risam 2018; Schuppli 2020). In this way, the processes of disruption and subversion are also accompanied by a practice of creation.

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