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Arab journalists have no place: Authorities use digital surveillance to control investigative reporting

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Abstract

The purpose of this study was to investigate the extent of digital surveillance by Arab authorities, who face risks and threats of surveillance, and how journalists seeking press freedom use tools and techniques to communicate securely, such as open source in journalism. These journalists share and rely heavily on an open-source data ideology. With novel methods and tools, they integrate a new set of actors, competencies, and technologies into journalistic practice, renegotiating and transcending professional boundaries. The methodology of the study was based on in-depth interviews from Egypt, Yemen, Syria, Lebanon, Jordan, Libya, and Tunisia with a selection of journalists exclusively publishing investigative stories at Arab Reporters for Investigative Journalism (ARIJ) about corruption during COVID-19 and how journalists are controlled by authorities. In these interviews, journalists reflected on their professionalism amidst the pandemic and rising authoritarian control of journalistic work. The results of the study indicated that journalists in these countries faced many challenges, such as the difficulty of verifying data because authoritarian regimes published incomplete and inaccurate COVID-19 data and used digital surveillance to control news content. While (ARIJ) supported the investigative journalists by using open-source to publish their investigative stories and expose the Arab rulers, journalists from these countries also revealed severe censorship by their respective governments, an element inconsistent with the Arab constitution.

Keywords

Arab Authorities, online news monitoring, surveillance, press freedom, open source.

1. Introduction

Arab governments after the 2011 Revolution have been massively expanding their capacity for surveillance by using new technologies to collect user data and track user behaviour. However, journalists have the opportunity to protect themselves from surveillance through encryption, as they represent a potential threat to security (AlAshry, 2023). After the COVID-19 outbreak, authoritarian regimes began to surveil online news and the ability to gather and analyse large amounts of digital information through sophisticated applications and devices (Mills, 2018). Unfortunately, journalists' inability to know whether they are being monitored, and to what extent their communications are being recorded, represents an unprecedented threat to watchdog journalists and their confidential sources, including whistleblowers, thus affecting their role as watchdogs and, more broadly, press freedom (Jamil, 2020).

There are a few obstacles for investigative reporting, such as restrictions on freedom of expression and access to information, which recognise that extraordinary circumstances require extraordinary measures under international and national laws (Bebawi, 2019). This means that Arab governments may limit certain fundamental rights, such as the right to free expression and opinion, or the right to seek and impart information, in order to address the health crisis, as long as governments adhere to basic democratic principles and the interference of the law is limited during pandemics (Al-Ashry, 2022d). Accordingly, the government views journalism as a carrier of sensitive information that could undermine their power, so Arab governments have recently introduced amendments to national legislation aimed at establishing various control measures over media outlets and internet resources (Khamis & El-Ibiary, 2022).

Journalism is considered the fourth estate, and in particular, investigative journalism plays an important role in censuring governments, exposing corruption cases and irregularities, and investigating elites in order to hold the powerful accountable (Mills & Sarikakis, 2016). During the COVID-19 pandemic, Arab governments employed emergency laws to limit freedom of expression and access to information, granting the Prime Minister "sweeping powers" to confront the coronavirus and threatening to imprison journalists for publishing epidemic-related news (Al-Ashry, 2022a). The government has also played an important role in restricting information, using Article 19 of the International Covenant on Civil and Political Rights, which states that rights and freedoms are not absolute and that there are some restrictions, such as those on defamation or hate speech aimed at inciting violent behaviour, inciting war, or threatening national security (Pomeranz & Schwid, 2021). In light of this, access to data remains a particular challenge for Arab investigative reporters (Bebawi, 2019).

In practice, in a region of high political activity and corruptive systems, government agencies have moved quickly to arrest journalists and media executives for publishing information not under the supervision of the government, which has worsened the spread of misinformation and disinformation about the pandemic and posed a serious risk to public health and public action (Al-Ashry, 2022b).

Furthermore, authoritarian countries have invoked laws to combat information regarding the coronavirus, violating Article 19 of the Permissible Restrictions on Freedom of Expression, which states that restrictions on speech may only be imposed when "given by law" and "necessary" to safeguard public safety, order, health, or morals. This necessitates that such limitations be expressly stated in legislation, with respect to their scope, meaning, and application in Arab states (Al-Ashry, 2022c). Arab countries have recently passed laws on widespread epidemics, severely limiting free speech and Internet access to certain content (Al-Ashry, 2022a).

From the government's perspective, the goal is to limit investigative reporting and give the impression that investigative reporters are scattered and unable to make a difference in changing communities (Moustafa, 2022). While digital surveillance is now widespread in Arab countries, turning them into "surveillance societies." As a result of the political landscape that has seen political unrest and adversely impacted the space for political opposition from 2011 until now, the government clamps down on dissenting voices, creating a deeply polarised society (Jamil, 2021; Mann *et al.*, 2002; Brivot & Gendron, 2011). On the other hand, the public has used the Internet as an alternative space for political opposition. Because of this, the government has controlled the Internet by building upon arbitrary policies, overlapping jurisdictions, and contradictory laws (AlAshry, 2021d).

In light of the foregoing, the purpose of this study is to investigate the restrictions on free expression and access to COVID-19 data in Egypt, Yemen, Syria, Lebanon, Jordan, Libya, and Tunisia. The study found that Arab governments restricted information while journalists used open-source and collaborated with ARIJ to expose the corruption in Arab countries caused by shortsighted solutions to disinformation that endanger human rights. It also highlighted how

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inadequate access to information, through laws and broad criminalization of speech, can contribute to the worsening of the ongoing health crisis.

2. Open-Source Data in Investigation

Arab journalists use open source for their investigative work, which can be thought of as the technique of newsgathering, fact-checking, and news dissemination on the part of a variety of people without the necessary application of some stringent rules of journalism (Dillon, 2012). Journalists are increasingly working to bring open-source tools into the newsroom, as they largely fail to get the information from the government. After the Arab revolution of 2011, their collaboration has focused on new tools that help investigative journalists further their journalistic goals (Bebawi, 2019; Ristovska, 2022).

Furthermore, journalists have new ways of achieving the best stories during crises, with professional standards to be met, which pushes them to go beyond the newsroom. Most journalists receive sufficient training to understand and use online tools and applications in newsrooms (Lewis, 2013). Thus, if a journalist syndicate violates newsgathering norms, sanctions may be imposed, because normative standards are frequently violated in practice, and an individual journalist or editor may be barred from working. In fact, this licensing amounts to heavy-handed control of journalists, perhaps through governmental manipulation of political news reportage (Dillon, 2012).

Arab journalists see the potential loss of independence among the news media as something that would cheat the public out of objective journalism and pave the way for a society that is blind to the cultural superstructure it has put in place (Mustafa, 2022). However, the intricate new roles taken by journalists using open sources make it undeniable that unrestricted information exchange will continue to be robust, which may be less harmful than taking licensing from journalists and censoring journalists (Dillon, 2012).

Despite numerous attempts to develop freedom of information laws in the Arab region, it is not easy to obtain information requests to gain access to data in a region of high political activity and corruptive systems. While journalists are viewed as potentially endangering the government and officials, it is not in the government's best interests to promote or facilitate any law that allows access to information (Bebawi, 2019). Lewis (2012) noted that the media still take an exclusive and authoritative role when mentioning collaborators like WikiLeaks and ProPublica in their reporting, while ProPublica gets more nuanced descriptions, WikiLeaks is rather described as a "source" and less as a collaborative partner. Due to the restrictions from the government, journalists embrace the open-source culture as it creates opportunities to expose corruption and change communities, providing the information necessary to build investigative journalism, especially in light of the legal restrictions imposed on it (Dillon, 2012; AlAshry, 2023).

3. Digital surveillance can restrict access to information

Investigative journalism represents the essence of news media organisations' roles, but unfortunately, it seems plagued by weaknesses such as a lack of autonomy, and various legal and political constraints. The media market exemplifies a series of common difficulties encountered in the watchdog role of journalism when it is practised in feeble political environments (Andrejevic, 2006).

Arab journalism faces threats such as the transformation of truth into a "despised notion" (Tsui & Lee, 2019), the instrumentalisation of the media in spreading rumours and falsifying the truth during the COVID-19 pandemic, as well as the decline of the print press and the low level of professionalism (AlAshry, 2023). Pomeranz and Schwid (2021) argue that during the pandemic, the World Health Organization (WHO) identified a "massive" global "information epidemic" of not identifying reliable sources and information about the virus, which in turn led to the spread of panic and a threat to public health. To address the information epidemic,

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some governments in the Arab region prioritised the publication of specific information. However, many journalists who exposed governments faced arrest, which is contrary to the European Convention for the Protection of Human Rights and Fundamental Freedoms, and other instruments that affirm the right to freedom of expression and the right to receive information. All media and platforms recognise that the press should be independent, uncensored, and unimpeded, which is necessary for free exercise. In this regard, governments ought to allow the disclosure of information in the public interest and protect whistleblowers who release such information.

Arab countries have national constitutions that explicitly provide for freedom of expression and freedom of the press; however, their governments implement strict laws that suppress freedom of information and access to information. There are no laws guaranteeing access to information to help investigative journalists access information or data from public bodies and private companies that are usually involved in big scandals (AlAshry, 2021c). Therefore, the following sections provide overviews of the respective countries' restrictions on information during the COVID-19 health crises.

Egypt: The Egyptian constitution and laws grant political rights to all citizens, and increase the military's already considerable independence from civilian oversight. When the pandemic COVID-19 began in March 2020, the government's response was marked by opacity of information and a lack of transparency. Regime-allied outlets that dominate the media sector spread misinformation (Al-Ashry, 2022a; AlAshry& Alkhudari, 2021a).

Yemen: Since 2015, Yemen has experienced a civil war involving regional powers that has ravaged the country, in April 2020, four journalists were convicted of espionage and were given death sentences by the Criminal Court in Sana'a. Prior to the judgement, they were imprisoned until December 2021, intimidation by the Houthis, who have imprisoned opponents of their rule and used courts under their control to impose harsh punishments, leading to arrests and the alleged torture of detainees in some cases (Okay, 2022).

Syria: Political rights and civil liberties in Syria are severely compromised by repressive regimes that harshly suppress freedoms of speech and assembly (Akhmedov, 2022). The government has taken a tougher stance against opposition groups, and the right to freedom of the press, while protected by the constitution, has been severely curtailed by President Bashar Al-Assad. Journalists who report on COVID-19 face censorship, detention, torture, and even death in jail (Filin *et al.*, 2022).

Lebanon: The political system ensures representation for its officially recognised religious communities under cross-communal or civic parties, authorities sometimes use such laws to harass and detain journalists, and those detained are often forced to sign pledges to refrain from writing content viewed as defamatory by the government. Since the outbreak of COVID-19, which severely compromised Lebanon's underfunded health sector due to mass protests against corruption and governance failures, journalists, activists, and outspoken social media users have increasingly faced physical attacks and online threats or harassment by powerful groups (Lebanon, Freedom in the World, 2022).

Jordan: The Jordanian King plays a dominant role in politics and governance by deciding who is a representative in the Council, the media and civil society groups are hampered by restrictive laws, which penalize defamation. If directed at the King or state institutions, journalists are routinely arrested during the COVID-19 pandemic for violating such orders. Furthermore, there is a lack of genuinely independent enforcement institutions and restrictions on investigative journalism. Activists and journalists who attempt to investigate state or royal finances are subject to arrest on charges of defamation due to the lack of implementation of access-to-information laws, which are vague, lack procedural detail, and contain sweeping exceptions (Al-Ashry, 2022c).

Libya: Since the overthrow of long-serving tyrant Muammar al-Qadhafi in 2011 by a popular armed rebellion, the country has been plagued by internal strife and sporadic civil

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war, as well as a persistent lack of physical security, exacerbated by the spread of weapons and independent militias, and thriving crime networks (Al-Ashry, 2021d). Journalists reporting on the conflict face intimidation, arbitrary detention, and other risks. Despite this, some independent journalists and outlets have made efforts to engage in fact-based reporting. In September 2021, freelance journalist Ismail Abuzreiba al-Zway was freed after three years of arbitrary detention for his work with a private Libyan television network, al-Nabaa, which Haftar's LAAF accused of supporting terrorism (Al-Ashry, 2021b).

Tunisia: Tunisia's position has fallen off the press freedom ranking because President Kais Saied has fired and replaced the elected government, suspended Parliament, and imposed severe restrictions on civil liberties to quell opposition to his actions. Journalists have faced pressure and intimidation. Security forces closed the Tunis office of Qatar's Al-Jazeera news channel and referred journalists and activists to military courts. Journalists' groups have criticized the new government's attempts to limit and control officials' interaction with the press (Kuznetsov, 2022).

4. Theoretical framework

Panopticism is a theoretical approach to understanding the concept of surveillance which was developed by Michel Foucault, conceived from Jeremy Bentham's widely used metaphor for surveillance (Schofield, 2009). Galič *et al.* (2016) developed a panoptical approach to surveillance, using alternative theoretical frameworks to the Panopticon as the primary model to conceptualise surveillance in modern Western societies, but in Arab countries, it takes a fundamentally different way of thinking about how and where to control journals.

Surveillance studies tend to draw on Marx, exploring the relationship between capitalist society and surveillance in order to explain the connection of surveillance with the modern state, media and technology, ideologies, hegemony, class struggles, and alternatives to a surveillance society (Raab *et al.*, 2015). Authoritarian states depend on the control of media houses by using the existence of global Internet surveillance systems such as Prism, XKeyScore, or Tempora which are operated in collaboration with secret services and capitalist communications companies (Fuchs & Trottier, 2017).

Recently, the rise of so-called social media has resulted in a specific share of political revolutions in Arab countries, as well as capitalist communications companies exporting surveillance technologies to regimes that use these tools to monitor journalists and activists, who have consequently been threatened, tortured, and repressed (Fuchs, 2013).

In addition, Haggerty and Ericson (2000) look particularly at the new combinations of digital surveillance, locating new places in a physically and technologically changed environment. Zuboff (2015) took a different approach to surveillance capitalism, analysing how digital surveillance changes power structures in Arab countries to control journalists by using regulatory laws to prevent sources and confidential information from reaching journals, as well as infringing on their fundamental rights.

Surveillance capitalism is the monetisation of data captured through monitoring people's movements and behaviours online and in the physical world. Zuboff's theory suggests that surveillance capitalism is a novel market form and a specific logic of capitalist accumulation. In 2014, the theory described the modern mass monetisation of individuals' raw personal data to predict and modify their behaviour (Zuboff, 2015).

According to Zuboff, surveillance capitalism was pioneered at Google and later Facebook in much the same way that mass production and managerial capitalism were pioneered at Ford and General Motors a century earlier, and has now become the dominant form of information capitalism (Zuboff, 2022).

While the concept of surveillance capitalism applies to non-western authoritarian states, by moving towards digital authoritarianism and embracing the Arab model of extensive censorship and automated surveillance systems, and Arab companies store their citizens' data

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within their borders, where the information can be accessed by security agencies (AlAshry, 2023).

5. Methodology

5.1. *Data Collection Methods and Research Questions*

This study uses in-depth interviews to explore three research questions: namely, (RQ1): How do authoritarian regimes use digital surveillance as a new threat to press freedom? (RQ2): How has open-source data helped journalists publish investigative reports? (RQ3): What are the restrictions on access to information in the Arab countries?

5.2. *Sampling*

Using purposive sampling, the researcher has conducted seven in-depth interviews with working journalists (i.e., 3 male and 4 female journalists) from Egypt, Yemen, Syria, Lebanon, Jordan, Libya, and Tunisia. The selected male and female journalists are aged between 35 and 45 years; the journalists participate in the interviews working with Arab Reporters for Investigative Journalism (ARIJ). Investigative journalists who cover investigative report topics by using open-source software. Furthermore, testimony from the journalists interviewed indicated that those covering national security were the most likely to be the victims of state surveillance. This field has been studied only to a limited extent so far in the Arab countries (see Table 1).

5.3. *Interview Process*

For this study, the researcher carried out in-depth interviews conducted from March 2021 to May 2023. Initially, the researcher contacted seven journalists using online technology that is argued to provide some basic protection of privacy through the Signal –Private Messenger App. Finally, the researchers who agreed to voluntarily participate in this study. There were some constraints during the data collection process. Firstly, many journalists were hesitant to give interviews and they were afraid due to the surveillance from the government. However, the researcher provided them with a complete project information sheet that explained the study, their voluntary participation, and ensured the anonymity of their names and their organizational affiliations.

Secondly, a number of journalists were a diverse group of journalists who were subjected to varying degrees of scrutiny, interference, and/or enjoyed different degrees of independence, such as in Lebanon which is relatively free. Thirdly, the transcripts of the interviews have been transcribed from Arabic to English.

Thirdly, there are different forms of surveillance, including obstacles to access, limits on content, violations of user rights, individual users subject to widespread hacking and other forms of cyberattack, and material that is protected by international human rights standards.

5.4. *Research Ethics*

Arab journalists, in this study, have been provided with a project information sheet that explains the objectives of this study and research questions, the privacy of journalists and their respective news organizations' names, and their access to research findings. To ensure the privacy and safety of participants, all journalists have been quoted using numbers (ranging between 1 and 7).

5.5. *Data Analysis*

This study uses thematic analysis to analyze the gathered data under three key themes, namely: (i) the journalists' lived experiences of surveillance; the data analysis is based on inductively identifying themes as they emerged from the discussions with journalists. Interviews were semi-structured with the aim of allowing journalists to identify core issues

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with surveillance (ii) using open-source data in investigative Arab journalism helped journalists gain more freedom of speech; (iii) the restrictions on access to information in the Arab countries.

The thematic analysis, in this study, begins with significant statements relevant to the research questions. Secondly, these statements have been segmented according to the journalists' responses. Thirdly, journalists' responses have been coded from (1 to 7; see Table 1). The codes have been created based on the keywords and short phrases in the journalists' responses to interview questions.

6. Findings

6.1. *Digital surveillance as a new threat to press freedom*

Press freedom is often described in terms of external constraints or threats to the press, such as legal attacks, physical violence, and so on. There is a broad sense that press freedom is being eroded and under attack in Arab countries. However, by using digital security among journalists, it is revealed that one of the major threats to press freedom is not external in nature, but instead self-censorship. For example, in Egypt, a journalist reports that

> Surveillance policy in Egypt is based on the purchase of spyware, in addition to the issuance of legislation allowing intelligence services to monitor users and journalists. In 2013, the Egyptian authorities purchased proxySG software from the American company Blue Coat Systems, which enables the use of deep packet inspection technology and works to track user behavior, such as geolocation, tracking, monitoring, and collectively filtering Internet contents (journalist# 1).

> While the United Arab Emirates funded Yemen in 2018 with Chinese equipment, the service was dubbed AdenNet. This opened a minor new front between Abed Rabbo Mansour Hadi's government and the Houthis, allowing the group to filter the internet, carry out surveillance of web traffic, and even mine cryptocurrency (Journalist #2).

In Syria the Assad regime controls Syria's online space, endangering privacy and control of the internet, systematic surveillance of an entire population, tech companies' compliance, and resulting arrests, torture, and forced disappearances. They block popular websites and apps such as YouTube, Facebook, and Skype, monitor traffic and stockpile data to identify and target individuals, and employ a state-sponsored hacking group, the Syrian Electronic Army (Journalist #3).

Moreover, Lebanese security agencies are known for their use of invasive spyware that violates the basic privacy rights of Lebanese citizens. The government uses cyber espionage, called Dark Caracal, believed to be "administered out of a building belonging to the Lebanese General Security Directorate in Beirut (Journalist #4). Likewise, in Jordan, social media platforms have been banned on several occasions. Four months ago, 4.43 million users in Jordan lost access to TikTok after the Public Security Directorate completely banned it. The Press and Publication Law has been amended several times, leading to the censorship of news websites, with the Cybercrime Law being used to arrest and detain journalists and bloggers for their writings (Journalist #5).

In the same situation in Libya, they used Cybercrime Law No. 5 of 2022, which empowers authorities to violate human rights and privacy principles, to ban TikTok. They claimed that the app promotes "moral decay and bad behavior within the community" (Journalist #6).

While Tunisians have stated that surveillance is complex and inextricably linked to successive autocratic regimes that suppressed political opposition, the regime used off-the-shelf spyware such as Postfix, a free tool, to scan email traffic. Furthermore, the government used American companies like Blue Coat Systems to monitor citizens. Sundby ETI A/S, a Denmark-based subsidiary of BAE Systems, supplied the government with mobile data interception technology for logging emails, text messages, and tracking users' browsing habits (Journalist #7).

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Jones (1998) argues that the government exercises restrictions on media houses by controlling the information and censoring of the press in forms that are not regulated by law. Journalists, writers, and intellectuals are subject to publishing crimes or other strict laws regarding freedom of expression and tried before special publishing courts or before emergency courts.

6.2. *Using open source to help journalists gain more freedom of speech during COVID-19*

Arab governments suppress the press to protect national security or the public interest out of fear of journalists' criticism. The government has the concept that the greater the fear, the greater the loss of press freedom, so that the press dislikes appearing afraid under the guise of "a reasonable excuse."

Maintaining COVID-19 safety measures has required new measures for dealing with the press by declaring a national emergency. According to RSF's 2021 Index, there has been a "dramatic deterioration in people's access to information and an increase in obstacles to news coverage," with the pandemic being used to prevent journalists from accessing information and to restrict critical reporting (Sara Torsner & Harrison, 2022).

Asked the journalists about how they used open source to help journalists gain more freedom of speech during COVID-19 according to the investigative under ARIJ. (Journalist #1) noted:

> My journalistic investigation relied on open sources from the procurement database of the World Bank, the Egyptian Ministry of Health, the American Institute of Occupational and Environmental Health Sciences, and the World Health Organization. It revealed that the Egyptian Ministry of Health provided doctors and medical personnel with N95 masks that did not conform to the specifications for the prevention of the COVID-19 virus. This was because The Egyptian Ministry of Health had dealt with bird flu in 2007 within the framework of the health sector reform programme funded by the World Bank and they did not use the masks. However, when the COVID-19 spread in Egypt at the end of February 2020, the Ministry took them out of the medical supply warehouse in Abbasiya and distributed them to government hospitals for the medical staff working there. Unfortunately, due to the lack of a Freedom of Information Act in Egypt, there is no freedom of expression and there are no sources of information.

This finding shows that there is corruption in the country, according to the health sector. Mustafa (2022) argues that Egypt ranked number one on the ARIJ website due to corruption in the country; the journalists' investigation revealed many issues, such as marginalization, unemployment, spoiled food, neglect of the health sector, and more.

The following are some of the responses from the participants:

> My investigative report on the Palestinian camps revealed that the International Relief Agency (UNRWA) is doing nothing to ensure that the Palestinian refugees are protected from the Covid-19 epidemic, with 70 to 80 percent of them being at risk of contracting the virus. The death rate from Covid-19 among the Palestinians in Lebanon was 2.4 percent, although the government did not release any official statistics. Open sources such as UNICEF, the Lebanese Ministry of Health, the Lebanese-Palestinian Dialogue Committee, and European Union funding were used to detect fraud and manipulation of funding sources, helping to provide the necessary preventive and precautionary measures (Journalist #4).

Journalist #5 investigative focus was Al-Omari Crossing:

> The Bitter Passage (promo). This investigation documents the Jordanian authorities' mistreatment of truck drivers at the Al-Omari Crossing bordering Jordan and Saudi Arabia. It uncovers how the government's attempt to implement travel restrictions, coupled with their insistence on quarantining drivers (even those testing negative), led to overcrowding at the borders and avoidable interactions with the infected. ARIJ Network

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> has documented the misapplication of the security and health authorities and the examination and accommodation of drivers' detention, according to open-source reports from the Ministry of Health, government hospitals, the Land Transport Authority, and World Health Organization data. The places designated for detention are 241 units, while the crossing receives 4,200 drivers took within two weeks, which led to suicides and drivers fleeing (Journalist #5).

Journalist #2 Investigation into the chaos and hundreds of dead people in COVID-19-affiliated hospitals has revealed "ill-treatment and health neglect, quarantines, and hospitals forcing infected citizens to flee, forcing many of the injured to pay money to escape." The investigation relied on the use of many open sources, including the Ministry of Health of the Houthi authority, the Sam Organization for Rights and Freedoms, the management of medical and health facilities at the health office, and the border areas from Yemen to Saudi Arabia. However, there is a fundamental issue with open-source reporting involving governments: "they often close the source."

Journalists had the following experience with the open source that the ARIJ used: "I worked with the ARIJ as an employee, and I am responsible for sharing my knowledge and providing free courses to journalists; I share this opinion with my open-source materials" (Journalist #1).

While Journalist #7 noted "There are reasons that ARIJ funded open-source courses in the Middle East, as the government did not provide information to journalists. On the other hand, the BBC and France 24 are very old media outlets and cannot provide much information to work with."

These findings echo some results found by Suriadi *et al.* (2016), who noted that open-source actors are not restricted to a specific field but can move more freely across different domains. Journalists have been increasingly using open-source data as evidence in criminal investigations. Based on their impact on the human rights of the individual(s) concerned –suspects, victims, witnesses, etc.– the information used to investigate the offence and establish the truth will also contain personal data, whose processing is regulated by the data protection standards... ARIJ also welcome new collaborative influences using open-source movements. Investigative journalism as a closed system, in which journalists store information, particularly in print journalism, has gained popularity in recent years.

In follow-up interviews, Journalist #7 claims:

> I exposed the Tunisian government by publishing an investigation through ARIJ, which involved the purchase of 400,000 rapid analysis kits and examining the production, distribution, and availability of masks during the gradual lifting of the quarantine. I documented numerous pieces of evidence of imbalances in the implementation of the rapid analysis deal and the mismatch of masks available in government markets and specifications. Tunisia had received a shipment of rapid analysis kits from China, claiming that it was a donation from the African Center for Disease Control; however, the details of the deal were surrounded by ambiguity, with neither the dates nor the arrival of the shipments disclosed. To complete my investigation, I used open sources from the African Center for Disease Control and the Tunisian Ministry of Health, as well as data from the Military Hospital, to understand the quality of rapid analysis kits being used in hospitals. I also reached out to the Chinese company Sinocare, the South Korean company NOBELEBIO, the French company Biosynex, and the French Ministry of Health (Journalist #7).

Assisting the Middle East, these skills provide new collaborations, and, as with the journals we see today, corruption may be revealed tomorrow. While another respond to Journalist #6 says: "most of my investigations are very dangerous because I expose the government's corruption by using open sources that show evidence from various sources among eyewitnesses, smugglers, mediators, and Libya".

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6.3. Restrictions on access to information

Müller and Wiik (2021) describe the up-and-coming phenomenon of open source in journalism led by non-journalistic actors like Airwars, Bellingcat, Forensic Architecture and Syrian Archive has brought an entirely new dynamic to investigative journalism. These actors share and rely heavily on an open-source ideology. With novel methods and tools, they integrate a new set of actors, competencies, and technology into journalistic practice, renegotiating and transcending professional boundaries. While Lewis (2012) focused on control arises out of a longstanding tension for journalists with deeply embedded desire to retain professional autonomy because news-decision judgment conveys status and authority; with the introduction of citizen journalism in other places referred to as "open-source" by fulfilling some of the functions of publishing, filtering, and sharing information.

Journalist #2 notes ARIJ as the largest investigative organization,

> They are developing a form of journalism that relies on accurate facts and data. Before COVID-19, it was noted that there was a lack of accuracy in the investigative process by the trained journalists. During COVID-19 ARIJ, there was a constant attempt by coaches to remind journalists of the difference between information and open sources (Journalist #2).

Journalist #7 said it was particularly evident during training sessions.

> When journalists were given the opportunity to report on stories of their choice using open sources, the government also acted, which is what they do not usually get in Arab newsrooms. They do it with strong control of the regimes, and therefore journalists resort to working in ARIJ, which reflects a strong sense of activity, and this activity can be a motive behind an investigative story (Journalist #7).

Jamil (2021) argues that authoritarian control of the news creates a lingering tension for journalists: on the one hand, there is a deeply ingrained fear of retaining professional independence, and on the other, a recognition of the public service role of investigative journalism, which entails encouraging civic participation.

Furthermore, Journalist #3 noted:

> During the investigation, ARIJ strives not to rely on "claims" and to only expose anything based on factual evidence. As trainers are directed to rely on facts and evidence during the investigation process, one of the challenges they face when providing training courses to journalists is teaching them the importance of collecting data and verifying facts through multiple means, as the issue in Arab countries is not disclosing information (Journalist #3).

While Journalist #4 mentions:

> ARIJ's objectives in the investigation caution against relying on opinion in the process. Instead, there must be factual evidence from reliable sources, and legal investigators can be appointed to determine whether the information is true or fabricated. Furthermore, there is a relationship of trust with the sources, not based on bribery. The information disclosure team is tasked with verifying and approving the data obtained in order to begin the investigation work. It is important to state how to access factual data from companies, analyze budgets, and use the data (Journalist #4).

Al-Saqaf (2016) suggested that journalists generally fall back on professional defenses and cling to enduring values, which can be explained by new institutionalism. This theory posits that actors seek public legitimacy by sticking to core competencies, even when rational decision-making would call for change.

While the situation in Libya is different, Journalist #6 said:

> Although it is extremely necessary to follow events and inform the public, the Libyan media is currently undergoing periods of political and military stress, making it difficult

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> for journalists to conduct their work effectively. For my part, I attempted to enter the street to observe the fighting from a safe distance, but I was met with threats from several armed individuals whose connections we do not even know about (Journalist #6).

The same Journalist #3 argues that

> A cell of the Syrian National Army is constantly carrying out attacks on journalists, using surveillance camera footage. The lack of legal oversight regarding the parties' practices has provided implicit cover for them to continue acting with impunity, disregarding possible consequences and international law. Civilian activists and journalists are increasingly subjected to illegal attacks and harassment. With multiple forces of influence and weak local security and judicial institutions, those involved in the attacks are rarely held accountable (Journalist #3).

The findings presented above echo some sentiments shared by García and Ouariachi (2021), who noted the dangers and threats faced by Syrian journalists covering the conflict since the pro-democracy protests erupted in March 2011. Syrian journalists' testimonials reflect fear and their perceptions of danger and vulnerability. Moreover, Syrian reporters and media activists perceive their work as extremely dangerous. In the perception of fear, the adoption of personal safety measures by practitioners does not always contribute to decreasing it; the trauma experience can act both as a paralyzing and empowering factor.

7. Discussion

According to the research findings presented above, freedom of expression and access to COVID-19 are risky and restricted in the countries investigated. The journalists' interviews have proven that surveillance, especially towards journalists, is not a new thing: the government is using digital surveillance to monitor press freedom. In Arab countries after the 2011 revolution, the regimes have used cyberspace to harass journalists, attacking those whose voices are critical of authority and using bans as part of surveillance measures. These dynamics are intensifying the chilling effect on the profession and press freedom.

After the 2011 revolution, surveillance has become a stifling issue in Arab societies. The authorities have increased their use of surveillance technologies to keep themselves in power. It is feared that the presence of surveillance in the digital world will only slow democracy's progress. Many surveillance tools are used by Arab countries to track journalists (Mills, 2018). In Arab countries, there is a lack of studies from Arab researchers to contribute to surveillance studies, while in journalism studies, there is a growing body of literature in Western countries that reflects upon the ever-expanding forms of surveillance and its influence on journalistic practice (Martin *et al.*, 2019; Gynnild, 2013; Jamil, 2021; Mills & Katharine, 2016).

The journalists' interviews proved that accessing legal protection is still nearly impossible for them; however, they used new techniques such as open-source data in their investigation to obtain information. While each Arab state has its own specificities, there are common problems faced by journalists, such as accessing information. According to UNESCO, progress in freedom of information legislation has been slow; Jordan passed a freedom of information law in 2007, which has undergone a difficult implementation phase. Tunisia has had a decree law on freedom of information since 2011, and Yemen passed a freedom of information law in 2012.

Drawing on Foucault's perspective of panopticism, this study reveals the authoritarian aspects of panopticon power in Arab countries. Journalists' feedback suggests that surveillance is practised by state institutions to control journalists and media houses. The problem with freedom of information laws in Arab countries in general is that there is no clear policy regarding their implementation, and journalists themselves prefer to obtain information from various sources, such as purchasing it or using open sources.

The punishment of journalists takes various forms, such as arbitrary detention, legal actions, and life threats to them and their families. While surveillance is now common in

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Western liberal democracies, they do have institutional and regulatory mechanisms that protect journalists' rights and that somehow create balance in the state-journalist power relationship (Jamil, 2021).

Arab countries stressed free expression and their role in disseminating information about COVID-19, but journalists broke their promises and published the majority of them this year. The journalists believed they were protected by the Constitution. On the other hand, authoritarian rulings guided the media within the Constitution's press protections, but not without stifling them, and the government did not give them space to work so that they could publish their investigative work under ARIJ's.

The Arab authoritarian systems that practise state control, making it difficult for journalists to do their work. Although the revolutions of the Arab Spring aimed to change the leadership, no change took place. The new regimes that replaced the old regimes did not create space for freedoms, but rather reduced them and increased corruption in Arab countries. The study found that the media have shifted from being the mouthpiece of one regime to another. Although investigative reporting has exposed Arab countries through history and online platforms, which have also helped expose corruption, the corruption continues. Journalists still work under state control and regulation. Lewis (2012) pointed out from a professional perspective that journalism carries the task of empowering people to make good decisions based on balanced, objective, and trustworthy information, so that journalists using open sources get a higher level of transparency.

However, in follow-up interviews, the respondents indicated that investigative journalism is facing challenges at the Arab level, such as funding and political restrictions. Nowadays, investigative reporting is an expensive form of journalism; COVID-19 investigations require lengthy time frames spanning months to complete and expose corruption. However, political and often social restrictions put journalists' lives in danger. It is expected that Arab investigative journalists will face challenges when publishing their stories, as they are often outside of their countries at first. Funding is not a major concern, as ARIJ funds stories; however, this is not guaranteed in the long run and eventually becomes an issue, as most journalists would like ARIJ to fund them.

According to Lewis and Usher (2013), technology has had a significant impact on journalism in the field of open source. These relationships enable contributing investigators to connect, regardless of their professional backgrounds and across the globe –even to the most remote areas. The political surveillance against journalists demonstrates the power of the state while underscoring the vulnerability of journalists' rights and protections. This surveillance-linked fear affects journalists covering investigative topics. There are many types of surveillance that require country-specific studies for a better understanding of the effects of surveillance on journalists in diverse political and cultural contexts.

In repressive Arab regimes, digital legal frameworks such as the cybercrime law, which was applied in most countries after the Arab Spring revolutions, can be bent, interpreted, and ignored at will. The goal underlying the surveillance of journalists is to cultivate a chilling effect that promotes fear and is aligned with the dominant governing view. Additionally, journalists are often threatened through their Editor-in-Chief, who monitors all sections by order of the state, such as in Yemen, Syria, and Libya, which control the media through intelligence services.

The findings show that Egyptian law has contradictory provisions to control data, and the field is widely regulated at the national level, though still very narrowly regarding the application of journalists' rights. We find huge variations in the impact of violence against journalists in Libya and Syria, due to the influence of each country and the willingness of journalists to pursue sensitive stories, particularly in national security, defense, and terrorism. Journalists noted that prosecutions by intelligence agencies for surveillance are directly linked to the threat of assassination and torture, and to controlling the privacy of the people.

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They work on investigative stories but use confidential sources to protect their identities because their lives are threatened.

There are attempts within the press to participate in the full use of data and information, but it carries dangerous effects. Further blocking of websites does not contribute to more transparency due to the danger of censorship by intelligence services, for example in Egypt. All news websites are under the umbrella of the United Media Company and are in fact owned by the intelligence services. Alashry (2023) argues that journalists who become objects of surveillance fear being threatened and become more submissive to authority.

Most journalists recognize that digital surveillance threatens press freedom. Most of those who are faced with fear of the government regarding their personal safety and the safety of their sources do not receive a salary, mostly due to financial constraints. As newspapers in Arab countries are subject to the state budget, this has potentially serious consequences for democracy, rendering institutional unwillingness powerless against governments.

These results are similar to Mills and Sarikakis' (2016) study, which is remarkably similar in Western and non-Western countries, showing that journalists increasingly interact with technology and other societies, aiming to defend journalism. Foucault (2019) argues that surveillance studies demonstrate how information collected from individualised people is organised and manipulated to alter, manage, or even control their lives. Foucault's Panopticism theoretical approach suggests surveillance as an act that creates discipline through fear among those under observation. The theory has also been used to guide the actions of journalists to analyse ethical issues in journalism studies (Galic, Tilman & Koops 2017, 735). It explains how to transform journalists according to professional standards and how to discipline state power. Therefore, the authorities of Arab countries can exercise surveillance to maintain power, not inform the public of the news, and control the activities of journalists, indicating more political and social repression and a decline in democracy in the Arab world.

8. Conclusion

This study has revealed that Arab constitutions in general have been undermining freedom of expression by promoting excessive government control over the press, as well as the intimidation of media personnel. The starkest examples from Arab countries of how authorities use digital surveillance to control press freedom by using laws to block websites that are considered a threat to national security are apparent. This study has both theoretical implications for understanding press freedom and digital surveillance, as well as practical implications for news organizations and journalists.

Among the many risks journalists face, they are often targets of harassment and aggression, with female journalists in particular being more likely to be targeted. Beyond specific exposure to danger and threats as a result of personal or professional activities, journalists share with civilians the implications of going through different perceptions of fear and how to manage them, based on external political circumstances. During the COVID-19 pandemic, governments closed down the space for freedom of expression to continue to muzzle the press and harass its journalists, using the whole framework of repressive legislation, which includes the law on cyber security and freedom of information, to precisely achieve these ends.

In view of the findings of the present study, the current development of investigative journalism by using open-source technology deserves much attention from journalism scholars, as it has been proven to have an extensive impact on the wider journalistic field. This study has approached these seven Arab actors from an exploratory perspective, but there is still much to learn. The Arab governments need to develop a freedom of information law that ensures access to information for journalists and allows them to operate and report. With open-source actors, there is an urgent need to map new competencies and technologies into the realm of investigative journalism. Furthermore, there is a need for close collaboration

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with journalists and the Press Syndicate to investigate how to quickly report on the pandemic without abusing criminal and civil laws to target them. Open-source allows journalists to think about journalism as espousing new values –not diminishing longstanding virtues, but rather providing a new framework that makes journalism more relevant in a participatory, digital culture with new values such as transparency and participation, each embedded in the open-source ethic.

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Appendix

TABLE 1. JOURNALISTS' BACKGROUND

No	Country	Gender	Name code	Interview length
1	Egypt	Male	Journalist #1	1:30:40
2	Yemen	Male	Journalist #2	1:20:49
3	Syria	Male	Journalist #3	1:20:49
4	Lebanon	Female	Journalist #4	1:06:15
5	Jordan	Female	Journalist #5	2:07:40
6	Libya	Female	Journalist #6	1:08:50
7	Tunisia	Female	Journalist #7	2:20:3

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