

THE IMPACT OF THE NEW EGYPTIAN COMMUNICABLE DISEASES LAW ON THE WORK OF JOURNALISTS AND MEDIA ORGANIZATIONS

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ABSTRACT

This study investigated the effectiveness of the Egyptian Law in Communicable Diseases No. Law 152 of 2021, which is sought to regulate procedures and measures necessary to fight the spread of epidemics and pandemics, as well as its implications for the journalistic practice and press freedom in Egypt. The study was underpinning the by the Republican Theory. The study used in-depth interviews were done with 30 Egyptian journalists. The finding of the study indicated that the government placed restrictions on journalists by using Law 152 of 2021 to control the news relating to pandemics, the reason being to allow the government to exercise greater information control through digital policy.

Keywords: Communicable Disease Law, Media Legislation, Freedom of Information, Egyptian Constitution.

INTRODUCTION

While most scholars trace the origin of international law to the Treaty of Westphalia of 1648, until the mid-nineteenth century, which ended the Thirty Years War, and led to the evolution of the nation-state concept communicable diseases did not come within the normative confines of international law until the mid-nineteenth century (Yach & Bettcher, 1998). During the period from 1830 to 1847, the rapid transmission of the cholera outbreak within Europe facilitated the formation of the first multilateral surveillance of communicable diseases which called “*transnationalization*” (Lee & Dodgson, 2017).

The first international law and communicable diseases were formed at the first international conference on health in 1851 in France. Notwithstanding more than the 150 years of subsequent multilateral linkage of law and communicable diseases, contemporary multilateral/global health governance (2005) continues to evoke debate in public health discourses. What then is the relevance, if any, of international law in global health governance today? Nevertheless, contemporary multilateral/global health governance continues to evoke debate in public health discourses after 150 years of subsequent multilateral linkage of law and communicable diseases (Kheirkhah et al., 2017).

While the WHO and the IHR have been the focus of global attention, the Global Preparedness Monitoring Board, convened by the WHO and the World Bank, recommended a pandemic treaty under UN auspices, and the ability to raise pandemic preparedness to the highest levels of government (Universal Declaration of Human Rights, 1948).

The coronavirus pandemic that began in spring 2020 has caused unprecedented challenges to societies everywhere. In March 2020, the President of the Republic declared a state of emergency in Egypt over the coronavirus outbreak and decided to adopt the powers under the

Emergency Powers Act for the first time. The state of emergency lasted approximately three months, during which the fundamental rights were restricted by several regulations issued by the Government under the Emergency Powers Act (Egypt Today, 2021).

Egypt realized that a special law must be applied to confront epidemics and health pandemics to protect citizens, but the Parliament put in place Article 5 of the penalty of imprisonment for journalists before the council announced the final approval of the draft law and the plenary session in Parliament witnessed widespread controversy, and a large number of deputies objected to Article 5 of the law, which allows the imprisonment of journalists in case of publishing incorrect news (Al-Jazeera, 2021).

This study analysed journalists' perspectives on the restrictions of journalists when they report on infectious diseases and the challenges that they face when they publish news and the penalties for imprisonment against journalists through legal part number 5 in the law which restrict the journalists, as well as its implications for the journalistic practice and press freedom in Egypt. However, this law has many legal provisions to impede journalistic work in obtaining data by using some phrases it condemns journalists to imprisonment and works to reduce the index of freedom of the press. In this view, the study aims to answer the following research questions:

1. RQ1: Do emergency and health pandemics laws give rise to coercive powers and how does the Egyptian government justify it?
2. RQ2: What are the obstacles faced by journalists when they report diseases?

LITERATURE REVIEW

Diseases and Health Regulations

International health regulations are a legally binding set of regulations adopted to be under the auspices of WHO in 1951 (Agrawal, 2007). International health regulations were legally binding on all WHO the Member States in 1997 except Australia, to control, and respond to the global outbreak and spread of infectious diseases and to provide rules applicable to international traffic and travel (Dute, 2004).

One of the earliest multilateral regulations strictly focused on global surveillance for communicable diseases, in addition, to control and sharing of epidemiological information in the past about the transboundary spread of cholera, plague, and yellow fever; the fundamental principle is to ensure "*maximum security against the international spread of diseases with minimum interference with world traffic*" (Chu et al, 2019).

The International Health Regulations (IHR) list maximum public health measures applicable during outbreaks and provide for rules applicable to international traffic and travel these measures cover the requirements of health and vaccination certificates for travellers; as well as detailed health measures at airports and seaports in the territories of WHO Member States, which comprises 4 main criteria: the event has a serious public health effect, the event is unusual or unexpected, there is a major risk for international spread, and there is a major risk for international travel or trade restrictions. At least 2 of the criteria must be satisfied for an event to be modifiable (Edelstein et al., 2012; Aginam, 2002).

The COVID-19 pandemic has raised many intriguing questions about the critical task of safeguarding lives through legal issues about competencies to regulate health (Karnell, 2021). As

well as the boundaries of emergency laws and the IHR's overall orientation is firmly against the imposition of border restrictions (Ferhani & Rushton, 2020).

The reason for an emergency law is that governments want to keep outbreaks secret, for fear of the economic consequences (Ferhani & Rushton, 2020). While the new IHR sought to prevent this by instituting a reciprocal “*deal*” about the openness and exchange with other countries promising not to implement unnecessarily punitive travel and restrictions, which are dangerous for human rights and civil liberties (Burci, 2020). This crisis has seen a transcription of nationalistic responses which is raising doubts about the sustainability of collective notions of Global Health Security during a global crisis (Ferhani & Rushton, 2020).

Egypt issued the first health precautions law for the prevention of infectious diseases No. 137 of 1958 and after the spread of the COVID-19 pandemic; President Abdel Fattah El-Sisi issued Law No. 142 of 2020 amending some provisions of Law No. 137 of 1958 regarding health precautions to prevent infectious diseases (Napoleon, 2020).

The law article stipulated that the texts of articles (26 and 25) of Law No. 137 of 1958 regarding health precautions to prevent infectious diseases should be replaced by the following texts. In addition, based on Article (25), whoever violates any of the provisions of the articles related to the necessity of vaccination against infectious diseases, which are Articles No. (2, 4, 5, 6, 9, 10 or 11), shall be punished with a fine of no less than five hundred pounds and not exceeding ten thousand pounds, or any of the decisions of the Minister of Health issued in implementation of the provisions of these articles, and in the event of recurrence within a period of one year, the value of the fine shall be doubled in both limits (Ibrahim, 2020).

Article (26), without prejudice to any more severe penalty stipulated in another law, a fine of not less than one thousand pounds and not more than twenty thousand pounds shall be imposed on anyone who violates any of the provisions of the articles relating to obligating the family of the person with contagious diseases to inform the health doctor about his condition within 24 hours.

Furthermore, the regulating reporting procedures, which are Articles No. (12,13,18,19, 20,21,23 or 24) the law focuses if the disease is of the first category, the penalty shall be imprisonment for a period of no less than three months and a fine of no less than five thousand pounds and not more than fifty thousand pounds (Ahmed, 2020).

Egypt Law, Risk and Emergency

Egypt's ruling generals are cracking down on blocking social media sites and cutting off the Internet to inhibit journalists' movements (Hatina & Kupferschmidt, 2019). The regime has powered the security services to exercise outright repression and since 2011 enacted numerous undemocratic laws with little resistance from a submissive legislature (Al-Ali, 2016; Al-Ashry & Alkhudari, 2019).

The outbreak of the COVID-19 health crisis in China in late 2019, and its subsequent expansion to most countries around the world, has led to a public health crisis taking place on a global scale (Al-Ashry & Alkhudari, 2021). As soon as the outbreak was made public, Governments around the world have closed their borders and imposed curfews, on the same side Egypt began to take measures to contain the spread of the virus and save public lives, while the government provided information on the numbers of infected and deaths of the Covid-19 virus. In February 2020, the World Health Organization described the rapid growth of COVID-19-related misinformation as an “*infodemic*.” “*An overabundance of information, some accurate*

and some not, that makes it hard for people to find trustworthy sources or reliable guidance when they need it”.

The Egyptian authorities, represented by the Supreme State Security Prosecution, the Supreme Council for Media Regulation, the National Press Authority, and the General Authority continued The Information Service which banned the work of journalists and blocked websites for allegedly publishing information about infection rates or criticizing the policies of the government and the Ministry of Health. However, misinformation from the government poses a serious risk to public health, as well as a public action (Al-Ashry, 2018).

The authorities also continued the absence of transparency without real and free circulation of information and did not support the role of the media as an actor in the strategy of confronting the crisis and not suppressing it. Despite the approval of the Supreme Council for Media Regulation, on the draft law on information circulation since 2017, the Egyptian parliament has continued to postpone the discussion and issuance of this law, which clearly affects the right to provide and make information available, which is also one of the main pillars of maintaining public health during the pandemic (Al-Ashry, 2022). The absence of a legislation that protects the right of citizens in general and journalists, in particular, to access information from its official sources, circulate and transmit it, gives the authorities the opportunity to arrest and punish journalists for allegations of spreading false news, spreading rumours and harming the public interest, if they address any of the issues or information related to the pandemic in Egypt

The pandemic law has been used by different players from the government, and at all stages of the regulatory process to restrict the journalists, but the pandemic has also led to quite an intricate interplay of hard law sources that has transformed and reshaped hard law from the inside to process the information, together with law processes and the system of law sources (Al-Ashry, 2020). The law has issued several measures and more specifically, technical guidance, statements, releases, press conferences, communications, guidance, roadmaps, situation reports, resolutions and plans. Through approved the introduction of fundamental amendments to Emergency Law No. 162 of 1958, to declare a state of emergency throughout the country, starting from 28 April 2020, for a period of three months for facing the dangerous security and health conditions that the country is going through (Hamzawy, 2019).

The Law on Confronting Epidemics law was implemented on February 29, 2021, and the authority added a paragraph to the first paragraph of Article 5 of the draft law, prohibiting any freedom-depriving punishment for crimes committed by way of publication or publicity to journalists.

This article contradicts the constitution and press laws, with Article 29 of the Law Regulating the Press and Media and the Supreme Council for Media Regulation No. 180 of 2018, Article 5 of this law to prevent fears of imprisoning journalists, which states: *“It is not permissible to impose a freedom-depriving penalty in crimes committed by way of publication or in public, with the exception of crimes related to incitement to violence, discrimination among citizens, or insulting the honour of individuals.”* This means imprisonment in this article is intended for anyone who publishes false news and deliberately creates lies and rumours through social networking sites in the field of epidemics. Article 188 of the Egyptian Penal Code directs rumours and lies through social media (Hamzawy, 2017; Majeed & El-Ibiary, 2020).

The Egyptian regime took advantage of the pandemic to pass new amendments to the emergency law by adding new articles that allow expanding the jurisdiction of the military

judiciary in trying civilians under the pretext of maintaining security and confronting the outbreak of the pandemic (Al-Ashry, 2022).

The law gives the Military Prosecution the right to conduct investigations into facts and crimes that are caught with their knowledge and committed by civilians or journalists. All of these measures come within the framework of the systematic policy to achieve more incursion by the armed forces inside the country and to expand the powers of the military judiciary to try journalists, through Article 204 "A civilian may not be tried before Military justice, except in crimes that constitute a direct attack on military installations or armed forces camps" (Al-Ashry, 2021).

Theoretical Framework

The Republican Theory highlights some of the main debates on republicanism and Egyptian law, while there is a dispute within the republican, regarding the relationship between freedom and domination related to the strict law compromise press freedom (Karnell, 2021).

The theory incorporates the constitutional to basic rights of democratic governance which Egypt seeks to implement it and checks and balances under rule of law through arbitrary domination (Whitten, 2021).

The republican ideal of non-domination is generally considered the foremost yardstick for testing the level of freedom in a society, where the authority of power deprived of the reason is an unbound form of domination. While the apparatus of the state may often have the effect of reducing violation of freedom by nongovernmental agents and standard rationale of government (Dowding, 2011).

In the context of Egypt, Richard Bellamy (2007) recently distinguished Free State which concerns circumstances of legitimacy but is must be incorporate mechanisms for accountability to be democratic states.

Moreover, Egypt is a republican country that is designed to be domination states, while republican theory represents a modified version of statism, which emphasizes the importance of the nation-state. Bellamy's (2007) idea seems to be that of semi-statism, which is implemented in Egypt the republican conception of liberty as non-dependence or non-domination, socially demanding, it is also constitutionally discriminating. But the state and the law threaten those who violate the law with penalties, and it must impose penalties on those convicted of a violation.

SIS declared that the sets of "Egypt's new republic" one of the main pillars of the so-called (new republic) is the national human rights strategy that will be implemented through a 5-year term as a key step for upgrading human rights considering the country (SIS, 2021). Since then, Egypt has continued to contribute to controlling and not protecting human rights and fundamental freedoms by involving and allowing manipulation of the law to execute or apply the law may easily be given arbitrary power over journalists. On the other hand, President Joe Biden decided to withhold \$130 million from military aid allocated to Egypt due to the Egyptian authorities' failure to amend with the human rights conditions set by the US State Department (Marquardt, 2022).

Furthermore, the legislators who can make laws without being subject to them, for example-the Egyptian Parliament who made laws against epidemics and pandemics that apply, as the bill of attainder, to individuals or journalists, will be able to interfere arbitrarily in journalists writing.

METHODOLOGY

The study sought to investigate how journalists perceived Law 152 of 2021 regarding procedures to confront epidemics and health pandemics by the government during COVID-19.

Data Collection Method and Sampling: The Sample

In Egypt, there are 9800 Egyptian journalists under the Egyptian Journalists' Syndicate (EJS) (2021). Based on that list of names provided by the Syndicate the sample was 30 journalists male and female journalists (i.e., 21 males and 9 females) were invited to participate in this study, all of the journalists from the sample published news, reports, interview, and investigation when the Parliament implemented the law.

This study uses the qualitative method of in-depth interviews, the participated in this study and was interviewed by phone and face-to-face in order to ensure the confidentiality of journalists' name. Moreover, interviewed journalists have been selected using purposive sampling, which helps to represent the sample for reasons (Lavrakas, 2008). The discussions lasted more than 3 hours to discuss the conditions of press freedoms from the viewpoint of journalists who were subjected to violence and violations after the implemented law. The discussions were conducted in Arabic and then translated into English.

The rationale for using purposive sampling was to make sure the journalists' representation they covered the developments of the law in Parliament, who have been interviewed in this study, are full time employee divided to:

1. (12) Al-Ahram.
2. (1) Egyptian Parliament website.
3. (5) shorouknews, Masraw.
4. (7) Doctor.
5. (5) Al Youm El Sabea.

RESULTS

Emergency and Health Pandemics Laws give Rise to Coercive Powers

Journalists discursively articulated themselves during COVID-19 journalists saw the pandemic as laying bare the endangered nature of journalism and limiting the information that caused infection surges, which was a result of pressure from access to sources as well as government. This jeopardized journalists' ability to fulfil their responsibility to Egypt. The Egyptian authorities implemented several exceptional measures to maintain public health after the COVID-19 and restrict the journalists. The situation became more dangerous after the curfew was not imposed in Egypt and law enforcement, which resulted in an increased number of injury cases that went unreported because media houses were not allowed to operate.

The challenges of reporting in a pandemic centred on not providing adequate coverage for the community despite a lack of a law on reporting in a crisis. The journalist talked about his personal concerns when the government implemented the communicable diseases law he had for the community and how those concerns affected his reporting of the issues:

Interviewee 3 observed that: *"In light of the exceptional circumstances faced by most countries, including Egypt, the Egyptian Parliament resumed reconvening as a necessary step to*

approve a package of legislation necessary to confront the repercussions of the current crisis, on top of which is the draught law submitted by the government regarding the amendment of some provisions of Emergency Situations Law No. 156 of 1985, which included the inclusion of a number of new measures that allow the President of the Republic to confront a state of health emergency and its attendant economic and social repercussions”.

Interviewee 5 observed that: *“Egypt is one of the few countries in the world that has not declared a state of emergency in response to the crisis resulting from the spread of the Corona virus, because the state of emergency has already been declared and is considered an integral part of the Egyptian legal reality during the past forty years. However, given that the current situation is linked to a state of health emergency the spread of an epidemic, it was necessary to introduce some amendments to the current law, which is unable to deal with this crisis, as it was specifically designed to suppress any form of opposition that the ruling political regime in Egypt might face”.*

Aginam (2002) argues that international law has played a significant role in communicable disease surveillance at international sanitary conferences. Communicable diseases are no more complicated than a variety of other issues that have been effectively politicised in recent years. The continued exclusion of such diseases from international law and global governance suggests that either law is too political to play any significant role in global communicable disease surveillance or that the utility of legal interventions in global communicable disease surveillance is negligible. Egyptian laws have been at the margins of communicable disease surveillance, and the other laws are not rigorously observed by states. The law also plays an important role in that infectious diseases are not more complex than a group of other issues that were already, but there are legal articles that impede journalists from publishing and monitoring the news. One Editor argued that:

Interviewee 21 observed that: *“The main objective of these amendments is to fill the legislative void that was revealed by the emerging reality regarding dealing with this type of health emergency. I find that most of the measures have already been taken in the form of government decisions issued by the Prime Minister (who is authorized by the President of the Republic to take all necessary measures during a state of emergency), but the existence of a legislative basis for them prevents them from violating the principle of legitimacy, which requires that all measures be Taken by the executive branch compliant with him even in emergency situations”.*

Interviewee 9 observed that: *“Consequently, it is understood from that text that the hearings for consideration of orders for the pre-trial detention of journalists will not stop under these circumstances, but the paragraph did not refer to how to achieve the safety of journalists or ensure that they are held on time in the first place, especially since the practical reality showed the reluctance of the Public Prosecution to consider a number of pre-trial detention sessions, which led to the presence of a number of defendants in detention without any legal basis”.*

Interviewee 11 observed that: *“At the same time, paragraph (13) created the authority of the President of the Republic to ban public and private meetings, processions, demonstrations, celebrations and other forms of gathering. This extends the authority of the President of the Republic to restrict the right to assembly and the right to movement during states of emergency, as the first paragraph of the same article states that it is permissible to put restrictions on the freedom of people to meet and move. Thus, we believe that passing such a paragraph in the*

midst of a large number of powers intended to confront health emergencies is nothing but a political exploitation of the opportunity to amend an important law such as the emergency law that the executive authority has always resorted to, to tighten its grip on political life in Egypt”.

The interviews with journalists for this study discussed these challenges face the journalists when they covering information no freedom of expression in Egypt, as augmented pressures to provide legitimate information from the Ministry of Health.

Al-Ashry & Alkhudari, (2021) argues that Egypt continues censorship to affect the freedom of expression by pre-trial detentions of several journalists and activists during the COVID-19 pandemic. As a result of this, serious consequences occur the increase in the rate of injuries, the failure to announce the real percentages and the poverty rates around vaccination rates, the absence of the vaccine in Egypt, and the statistics during the first, second and three waves of infections with the emerging COVID-19 pandemic. The highest death rates in Egypt, 21,500 million and the number of Coronavirus Cases: 377,960 million of infections and they often have chronic diseases (Worldometer, 2021).

Interviewee 26 observed that: *“There are many laws that restrict rights and freedoms, for example, the Law on Combating Information Technology Crimes and the Law on Regulating the Media and the Press, where the articles contained in the two laws give powers to judicial authorities, police agencies and the Supreme Media Council that allow blocking websites and accounts for national security considerations or in the case of publishing or broadcasting news false or what calls for insulting the honour of individuals, insulting or slandering them, or insulting the heavenly religions or religious beliefs”.*

Restricting freedom of information has traditionally been considered a bastion of dictator systems (Avle & Adunbi, 2015). The organizations that produce the indexes display a commitment to democratization and even to modernization under the republican theory (Daly & Hickey, 2015).

Moreover, the democratic state has a positive attitude towards rich information and is not backed by a clear definition of the model of democracy (Schneider, 2019) that the organizations promote. However, assessing information freedom and its contributions to democracy necessitates the use of republican theory, because different conceptions of democracy assign different functions to media freedom.

In this theme, the issue of processing Egyptian Penal Code and Emergency Law were discussed, and the following question was posed. How do laws restrict information?

During the epidemic, journalists built their relationship with information as intrinsically problematic. The pandemic's obstacles, the spread of misinformation because the government did not prove the information and the need to carefully filter through the information necessitated the same level of discernment as other types of disaster. It was often more difficult for journalists to verify the legitimacy of information might be trusted. Later interviews with participants in the study revealed that Journalists did not trust the information provided by the Ministry of Health:

Interviewee 21 observed that: *“We find that the Egyptian Penal Code, the Emergency Law and the Anti-Terrorism Law, as the authorities used them to bring charges against Internet activists, bloggers, journalists and media professionals, related to spreading false news, joining or promoting a terrorist group, and misusing the means of communication. The articles of these laws also allow the prohibition of the use of certain means of communication or the prevention of their possession or acquisition, by monitoring and recording conversations and messages that are received on wired and wireless means of communication and other modern means of*

communication, and recording and photographing what is happening in private places or through communication networks, information or websites and what is recorded therein, and the seizure of correspondence, regular or electronic messages, publications, parcels and telegrams”.

The findings indicate that the journalists are suffering from the difficulty of combating with their information constraints, as well as their duty to report on pandemic in the broader public interest. The journalist talked about affect his reporting of the issues through political, social and human rights conditions.

Interviewee 25 observed that: *“The Internet is the last space for Egyptians to express their opinions in light of the deteriorating political, social and human rights conditions, and many cases express the insistence of the Egyptian security and judicial authorities to storm the freedom to use the Internet and freedom of digital expression, as they did with the right to demonstrate, freedom of the press and other freedoms”.*

This result agrees with Karnell (2021), which suggests that the pervasiveness of disinformation in the Pakistani news media is primarily due to poor fact-checking by journalists at an individual level and a lack of effective organizational policies to ensure fact-checking and journalists’ abidance with ethical codes when reporting on the COVID-19 pandemic. It is important to note that the republican idea of non-domination is generally considered the foremost yardstick for testing the level of freedom in a society, but the situation in Egypt, not that the authority has the power of reason, is a bound form of domination, and the republican theory then is an overall framework for how to tackle arbitrary measures through a constitutionalism lens to restrict journalists (Karnell, 2021).

The Obstacles of Information that the Journalists Face when they Report Diseases

The study presents some journalists’ examples of legal issues affecting measuring working. As to the aspect of what role these laws assign to the state in regulating media system and how evaluated per se as freer as and more independent than the state’s controlled or regulated media.

In interviews, the journalists described their responsibility as to share information and the limitations it might help readers save their lives from pandemics. The challenges of reporting centered on not providing adequate coverage for the community and a lack of information when the journalists reported the crisis.

Correlating the replies in the, there was broad agreement that facilitating with no access to information was a major part of the role of FOI practitioners and obstacles of information that the journalists face when they report diseases.

This is illustrated by the following quotes from the interviews: *"In Egypt, we have complex legislation, without any role of educating your journalists in what freedom of information is and how it works”.*

Interviewee 4 observed that: *"My role as the editor is to make sure all of the information facilitates access, but during the pandemic, we don’t have the system of which information can be released without an information request”.*

According to Pomeranz & Schwid (2021), the government's distribution of misinformation and suppression of information are severe problems, because the international law protects political freedom, and leaders play an important role in combating diseases disinformation, it is hard to put a halt to this activity in practice. The press is critical in exposing government corruption and delivering information to the public, as well as serving as a conduit

between citizens and elected officials. Journalists can draw attention to government operations in this way, and the administration might respond by criticising the media.

About the Reactions Journalists get from Government Sections when they Release Information without an Information Request; the Journalists respond:

Interviewee 6 observed that: *"When it comes to government authorities and stakeholders, they do not have an information disclosure policy, so all information must be restricted and there should be government oversight, where an old view of access to information dominates and President Abdel Fattah El Sisi is trying to implement the Freedom of Information Law and the Human Rights Strategy To give journalists freedoms however, there are still leaders in the government who don't believe in information at all, the information has to be basically closed so that it does not appear to the public in diseases"*.

Freedoms of information are crucial for the functioning of a democratic society and continue to be so in times of crisis. According to Article 10 European Convention on Human Rights: *"Everyone has the right to freedom of expression"*. The EU's approach to fight disinformation is based on respect for fundamental rights. In times of crisis, the media play a key role, also coupled with increased responsibility not to control the information, to preventing panic and fostering people's understanding (Stojanovska-Stefanova & Tasev, 2020).

Interviewee 10 observed that: *"As a being a junior journalist I have same challenge about how I get the information from the government and if I publish fouls information, I will arrest like my friend the security forces arrested from his home, when he posted on his personal page on the social media site, all of the number of people infected and publish from the Ministry of Health not right. While another journalist was subjected to illegal detention for 9 hours before her release, after she was arrested while covering a crowd of citizens wishing to conduct an analysis to detect the emerging corona virus in front of the central laboratories of the Ministry of Health? The journalists often pushed back on requests and often said, we will arrest. I didn't feel right about this at the time to write that news."*

Most of the journalists argue that the interference of these laws reflect the Republican theory which applies in dictatorial societies such as Egypt. Al-Ashry (2022) points out that the government draws on the provisions of the Penal Code, Article 9 of Law 260 of 1960 in the matter of Civil Affairs as amended by law number 11 of 1965. Law number 158 of 1980 stipulated that the data contained in civil status records are considered confidential, for examples include the secrecy of statistical data, statement of individual data, information about the industry, trade secrets and other methods of work.

The Supreme Council for Media Regulation played a prominent role in besieging the data, the council's added statement included the directive to *"prevent the broadcast of any news except through the official statements of the Ministry of Health,"* and the council decided to *"draw the attention"* of 16 websites and pages on social media as a result of *"they disseminated false news about the discovery of a case of coronavirus infection."*

The appearance of new media in Egypt, platforms, and control systems derived from the Ministry of Communications and Information Technology make challenged to monopoly online information online, and media indicators should reflect this. However, any analysis of media contribution to democratic development must be contextualized and should be under republican theory (Perreault & Perreault, 2021).

This means more censorship, restriction of the free press and extensive state surveillance that may lead to self-censorship.

DISCUSSION

The analysis of the role of diseases Egyptian law in controlling controls the media in reporting about the diseases shows that the laws play a strong and important role among journalists in the country which claims to be slowly adopting democratic laws. In reality; the journalistic practice is still under siege, the government does not allow journalists to freely operate in a professional media environment, due to the application of that communicable diseases law.

As indicated earlier, the results of the study show that journalists disagree with law Communicable diseases principles Article (15) which controls the data and the source of information the journalists need the data when they write their news stories about diseases and health law only controls the data and the source of information. This means that journalists may not be independent in the exercise of their journalistic work, but they are rather influenced by the government.

Although this study is the first study conducted among such journalists in Egypt, in particular after the implementation of the law, its findings are in line with some earlier studies which found that there were no articles for privacy or freedom of information rights, they were just mentioned in the Constitution 1971, Article 47 and 210 without being implemented.

Karnell, (2021) argue that the European Union Communicable diseases law aims to issue an action plan concerning how to manage the crisis concern and how to reach public health measures and the management of EU borders has the legal authority to regulate public health, meaning that the law focuses on risk monitoring.

Based on the findings, Law No. 152 of 2021 regarding procedures for confronting epidemics and health pandemics, the law stipulated in the second article the formation of a higher committee called the "*Higher Committee for the Management of the Epidemic and Health Pandemic Crisis*", headed by the Prime Minister, and the membership of ministers specialized in health and population affairs to monitor what the law contains materials 25 measures and measures taken to confront epidemics and health pandemics to prevent their spread.

At the beginning of the law's development, there was an article of imprisonment in publishing cases and penalties if any journalists violating the provisions of Article 29 of Law No. 180 of 2018 regulating the press and media, in the penalty of imprisonment within the article has been abolished and published news story has been developed. The penalty for violating one of the procedures or measures issued by the committee is imprisonment and a fine of no more than 20,000 pounds, or one of them. In addition, facing anyone who violates one of the procedures issued by the committee, with imprisonment for a period not exceeding one year and a fine not exceeding ten thousand pounds, or one of them.

The study found the most significant barriers faced by journalists were a lack of information sources and credibility of news sources. Although the analysis was based on interviews with 30 journalists, it nonetheless sheds light on the pressures and general challenges faced by journalists when covering COVID-19. Egyptian state-controlled and privately-owned media present journalists with constrained work environments. Independent investigative journalism was next to impossible. The government closed that section in many newspapers and has not allowed journalists to do any investigative reporting since 2014.

These results support previous studies such as those by Mano (2005) that journalists need to be more aware of these constraints and develop more effective ways of managing conflict between their professional norms and government-driven pressures.

Governments put journalism ethics at the top of regulations and the media systems at the bottom, which reflects the power from the regime as a driving force in journalism to be under the government through the Controlling Communicable Diseases law. There is a real structural and political system in Egypt, barriers that hinder journalism to produce information, and the ability of journalists to claim their right to information for public services. However, during the interviews, the respondents noted that the authority placed restrictions on journalists and limited media freedom, which is supported by the Republican theory.

Well, given the huge number of challenges faced by Egyptian journalists (particularly suspension, imprisonment, pre-trial detention, and abuse), it is very difficult for them and the media to find a free media environment under the dictatorial and democratic regime that President Abdel Fattah el-Sisi focused on. In his official speech, he referred to the new republic and the development of a human rights strategy to protect journalists, but in reality, there is a set of arbitrary legal measures from a constitutional standpoint, which is incompatible with republican theory.

Ironically, Al-Ali (2016) argues that the government is responsible for information, who recognised that 'democracy cannot exist in an environment where violence and fear dominate the political process and added Article (86) in the Constitution about freedom of information and it does not apply. Controlling Communicable Diseases law through Article) 5 (promotes excessive government control over both categories to media houses, as well as intimidation of media personnel through direct legal harassment, thereby impacting negatively on the journalistic work when they cover the news.

Previous research (Al-Ashry, 2022 & 2020) revealed that these legislative law developments have a significant impact on the journalists' violations, in terms of digital rights and media freedom issues, by using the Supreme Council for media regulation, they have the authorities who impose those restrictions in monitoring and documentation unit.

CONCLUSION

The Egyptian Controlling Communicable Diseases Law lacked a balance between the need to adequately protect data subjects' rights and the need to provide journalists more flexibility, including access to sensitive data. While the International Health Regulations see exclusionary bordering practises as undermining global cooperation during the COVID-19 pandemic to send all of the information globally to save lives, the same countries use health regulatory competencies and emergency law to limit the information.

Furthermore, Egyptian legislation contains many inconsistencies, including special laws for data control, and the field is still heavily controlled at the national level, which is still quite limited. The findings show that in the absence of a democratic political culture, Egypt's political institutions are vulnerable.

This fragility is exacerbated by the lack of a consensus model of democracy and political intolerance. The presence of unfriendly politics, media controls and legislation affecting the application of journalists' rights has an impact on media freedom.

Significant changes without political consensus elicited a lot of scepticism from respondents. While the republican theory has recently had resurgence in both legal studies and

political theory, it remains a largely unexplored theory in the legal context, particularly in the context of the EU.

Egyptian journalists must help build an enabling climate in order to protect professional journalism and press freedom. Furthermore, journalists must be provided with a secure and stable environment that fosters the development of professional journalism and democracy. There can be no democracy in Egypt without media democracy.

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