

# The Legal Regulation for the Right and Tasks of the Journalist Based on the Iraqi Law and the Comparative Laws

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**ABSTRACT:** The profession of journalism plays an important role in society through the news and information published, as it may lead to a very large disturbance within the society, especially if what was published is incorrect and distorts the facts. This profession has a serious and important responsibility at the same time, by educating people about science and knowledge, spreading culture, raising public awareness and diagnosing imbalances in the work of the legislative authorities. And the executive and judicial, where most of the legislation was keen to ensure the freedom of expression of opinion and stipulated this principle in its constitutions, including the Iraqi constitution, as this profession must be exercised within the limits of the controls Legal and contrary the journalist will bear a legal responsibility to exceed the limits of his profession, the journalist is the one who practices the collection of news and information and published in a newspaper or periodical magazine, and the journalist is in three types A practicing journalist, a participant and a worker, each of whom has a special definition, and the journalist in his work is subject to many obligations, including commitment to the profession and its ethics and control of the information and news published by him. He should be accurate and objective in what he publishes and be careful to apply the laws, and stay away from using his profession to harm others, and the administration should monitor everything the journalist publishes to avoid Damage to the public and private interest or be punished for exceeding the limits of his work, he may not be exposed to the privacy of individuals without the permission of the authorities, and in return for this duties there are special rights for the journalist guaranteed He has the right to obtain information and news from its original sources, and it is not permissible to pressure him to disclose the sources from which he received his information, as well as the possibility of arresting him in cases For publishing and opinion.

**Key words:** Press, Journalist's career, Freedom of the press, Journalist's rights, Journalist's duties

## INTRODUCTION

Journalism was and still is among the important carriers, since it has been recognized as the effective and successful tool for the public awareness, whether its heard or has been seen because the information were expanded between people near to the leaders on that time so that ,the Journalism became one of the most sensitive carriers, since it takes the responsibility of awakening people on its shoulders about what is happening around them in all fields through informing them about the current events both local and global through linking East to the West due to its work on expanding the new sciences and technologies, in addition to its effects on the individuals lives as a result of common benefits and its linkage between different world countries, then they look for the shortage from which the society may suffering and work to force the involved parties to cure it, so aspect of the Journalism belongs to another more expand aspect which is freedom of speech that presents the bigger and

more important concept, because freedom of speech is considered as a sign of application of democracy in the society, so that, all countries try to apply this value, since freedom of speech can result in many advantages like people knowledge about local and global events and expanding the sciences and awakening among them, because people have right to be aware of what is happening around them, whereas various media presents a source for public culture (Fahimi, 2009).

problem of the study reflects the significant role of the Journalism through what published for public because any news and information which published may cases big worries inside a society, so that terrorism had a big effect on the Journalism resulted in a avital voices against freedom of speech and human right and precise dealing with the information to create a mild atmosphere in order to progress the society by making a good solution match with the nation's benefits and to express the extant of relationship between rights of the journalist and it restricts him by regulation and ethics of the career.

Importance of the study is presented in the significant role of journalism in awakening the people by knowledge and expanding the culture and science,

and increasing the public awakening level and giving power to the people to express their opinions and playing a monitor role over the authorities and find solutions and cures for problems by discovering the source of problems in the state, parliamentary or judiciary powers and pushing them to correct their mistakes, Although these job is not free from any limitations, it is, though, restricted and organized to follow the public and private benefits.

Additionally, some legal regulations are needed to regulate the journalism job.

In the past, the regulation were not sufficient to regulate the journalism job, which pushed me to select this topic to know the Iraqi law position towards this career and the comparative laws, and I follow the method of analyzing the related legal texts to describe them and compare them with Jordanian and Egyptian laws (Fathi Alraee, 2015).

## **Study plan**

The topic was divided to 3 discussions:

First defining the journalist and journalism generally and dividing it to 2 branches .First defining the journalist based on Iraqi laws and journalists union ,then I talked about the second subject about kind of journalists in Jordan and Egypt and regulation of practicing the career into 3 subjects.

The first following the ethics of the career and its rules.

Second: supervising and monitoring the career including published matter.

Third: journalist rights which is divided to three branches itself.

First, right of journalist to get information from its sources.

Second, not to force the journalist to reveal his sources.

Third, not to arrest journalist after revealing his opinions or publishing it.

## **First subject, definitions**

Iraqi law guarantees the freedom of speech, and journalism plays an important role in brightening the society, in field of public issues, though it did not leave this right without any regulations, but it should be put in a legal frame and this was emphasized by Iraqi publications and journalist union.

This job must be under regulations which results in the private and public benefits, at the same time ,so that the above mentioned laws created certain regulations that must be followed by journalist when practicing his job and he will be responsible before the law which passes these regulations, although whole responsibilities of the journalist are not clear enough in law documents, this regulations ,though, did not leave this right without limitation, but to respect the different right regarding to the public benefits, which all governments are responsible to provide security and make balances between freedom and right or to legislate rules to regulate the freedom by any means, Although ,problem is begun when governments put these regulations to limit freedom of journalism to the extent that a journalist cannot meet his goals to

Reform or repair the problem which is related to the authorities.

By looking back to the law, we find that it guarantees the freedom of speech and writing by all means, hence, it is not permitted to disturb the journalist exceptional to the legal reasons pointed by the seventh article of the journalist rights.

In contrast ,the journalist must do his job precisely and subjectively to announce the news and do not propagate anything which might be against the values and human rights or freedom of speech and national responsibility ,since journalism presents a national prophecy based on respecting the law ,its primacy and respecting all religions, far from any racism slogans.

First subject, concept of journalist based on publication law and the journalist union.

According to the lexical meaning, it can be defined as “person who practices the career of collecting news and opinions to publish them in a newspaper, or as the journalist union defines “A person whose main job is working in news agencies and he/she would not get any membership before two years and it must be confirmed by the owners of that agencies, and he would not be enjoyed any of grants until he is registered in the working journalist table and then the period of practice will be included to his services records (Ramazan, 2004).

And he is registered in the official list after he is qualified. He must be Iraqi, and fully qualified and he must not be sentenced by the court and he must not be barred from having civil rights, additionally must enjoys reputation and must supply confirmation from his journal for which he works or other sources which confirm his job based on the sixth, seventh and eighth articles of this laws, journalist must carry high education certification and they must be matured.

They must be trained for a year before beginning their official job.

We observe, though, when referring to the practical; application, that most of the organizations employ people who are not member of the journalists union. Additionally journalist union law considered the practicing the following actions as practical actions based on 34th article:

Heads of the journalism institution.

1. Owner of the magazine
2. Head of publication
3. Manager of publication
4. Deputy of the head
5. Secretary
6. Editor
7. Translator

And through referring to the union law, we find that the selection of the union members is divided to 3 parts which are: working journalist, assistant journalist and training journalist.

The second issue

Types of journalist based on the Iraqi and Egyptian law:

It could be defined as everyone who takes journalism as a main job and he would not be get membership in union before two years of working, on condition that he must be confirmed by the owners or official sides.

It is defined by the Egyptian law as “everybody who practices journalism basically and regularly in a daily or monthly magazine published in the Arabic republic of Egypt or any Egyptian or foreigner news agency, and receives fixed income on condition that, he must not practice any other job.

Editors, painter, translator, photographer, designer and others are considered as journalists beside accountants, based on 34<sup>th</sup> article of Iraqi law.

Second: an official journalist, is a person whose main career is something rather than journalism, and he enjoys membership without having rights and priorities which are given to an official ones, and his activity is not considered as an journalism service, and this is in accordance with the Egyptian law, including person who is transferred from the working section to the non-working part after retiring or based on his will and request, resignation or firing for any reason (Esmaeeli, 1998).

Third: the working journalist : is a person who works in news agencies practically and he has taken this job as a main job ,and he has kept working for two years with no cession in between, This divisions are based on Iraqi law ,but the Egyptian’s one is as follows:

**A:** the working journalist: is a person who works daily and regularly in a daily or monthly newspaper, published in Egypt or both Egyptian and foreigner agencies with fixed income, on condition that he does not do other career.

And, edition painter, lithographer is considered as journalist plus the reporter who receives limited salary weather inside or aboard Egypt, since he does not practice another job. All conditions must be applied on them when putting their name in the list of the working journalists of the union, based on the 75th article of the union.

#### **B: non-working journalists**

In contrast to the working journalist, the Egyptian law did not defined the non-working journalist ,but considered it through 19th article, that the working journalist has the right to transfer his name from working list to the non-working one.

In the following cases:

B1: based up on his will, if he does not work in journalism.

B2: submitting a request the union management or ministry of information to the transferring committee in order to transfer him to the non-working list after stop working as a journalist, Although giving this authority to the minister was objected, because this authority is belong to the union of journalists and it seems to be interfering in the journalism affairs.

B3: In case of punishing the journalist, he/she would transfer to the non-working list or in case of firing him for any reason.

C: the non-journalists activist: are those who practice journalism unprofessionally or person who has Egyptian nationality and he is permitted by law to join the union, like physician who writes in a newspaper as an expert not as a journalist.

D: Asunder training journalist

It is the same with the training journalist, since the Egyptian law did not defined it but it was left to the Fight and the Judiciary, while 7<sup>th</sup> and 11<sup>th</sup> articles appointed the conditions which must be found in a Journalist As "he must have passed the training period with no stop, and he must have a manifest during this period and he must provide a complete certification of his activities during this period within his request.

Also, he must have been trained in an Egyptian journalist, and for residents aboard, they must have agreement of the union. The training journalist must inform the union about place of living and name of the magazine where he trains, additionally he must reports any new thing emerges to the journal. Time of training, though, is one year for the journalism college graduated individuals, but others, must be trained for 2 years according to the Jordanian law (Kamel, 1995).

Second discussion:

"journalist tasks and practice rules":

There are certain regulations and rules for journalism just like other careers, must be followed rather than the law and constitution. additionally he must respect the social values and customs ,because these regulations fix the journalism work and prevent him from defluxion ,or trespassing over his ethic duties, and this is done, to keep the society benefits and values safe, beside guarding the state revenues and the individuals ,but as I described before that following these rules does not mean interfering of the government into the journalist's affairs and restricting his freedom ,because freedom of information considered as the freedom of word might resulted in a revolution or provoking the anger feelings which could breakdown families serenity or provoking people's potential angers, hence the Journalist must keep telling the truth in every single word or any article may publish, to guard his career clean and chaste, in order to make and build trust towards what he says or publishes, in contrast, he will lose the public's trust if he loses the truth way.

Hence, these rules are classified in different types, in manners and ethics of the career, beside auditing what he writes, which is among the difficult clogs restricting the journalism freedom, so we have to know who has this authority and its limits. Also, there is another regulation presented in the imposed limitations on the journalism in order to guard the other's benefits and this is what I am going to explain in the next discussion.

The first discussion: commitment to the ethics and manners of the career:

The fourth authority is considered is a very important job, since it tries to develop the societies through dispreading the new thoughts and gaining the development of the society and make a suitable cure for it, because this career, works on culturing the human and giving him a bright vision to see what is happening around him and giving him a logic gloss for the events and inner crises to find a good solution through presenting all ideas and suggested solution, which may solve it, although this role might be consisted on the rules and ethics must be followed by the journalist and he must try to come off them through his important role and eminent prophecy ,beside his role in applying the law and justice ,by precise obligation and being away from any abusing his job to get personal benefits and he must be away from any non-responsibility towards his careers to gain certain prejudices.

A journalist, though ,must follow these rules to be able to do his job in the spotter and useful criticism to guard the society benefits and the public's ,because these ,present the professional manner which is followed by the journalist and that is what was emphasized by the Jordanian journalism honor ,appointed by the general board of the journalists union in Jordan in its meeting in 2003, which accented on the necessity of security of the sources by the journalists and making sure about accuracy of his news before publishing them, and must be far from any illegal way to collect his data, also, he is prevented from accepting gifts and donates under any circumstances, and this is stressed by 30<sup>th</sup> article of the Egyptian journalism law and 40<sup>th</sup> article of the Jordanian and Iraqi laws (Jamaleldin, 2017).

Therefore, no journalist is allowed to denial his identity to collect information ,only when necessary or for the public benefits , also he is not allowed to pay money to get information both directly or indirectly ,or forcing or pushing any witness ,to the court and he must not have any personal revenues in it ,or scoffing others .Journalist must introduce him/herself when doing his job in interviewing and he must not apply the financial information to gain certain ends, and that is what was addressed by the Iraqi Journalism law in 16<sup>th</sup> article ,7, saying that "no periodic journal is allowed to outrage the public ethics and manners". and the Jordanian 10<sup>th</sup> article for the journalist's convention to prevent any publication may encourage society to erosion and inimical feelings; hence, the journalist is obliged to:

1. Prevent any bad words or phrases may cause scandal
2. Prevent any news of hex or wizardry.
3. Respecting the people privacy and prevent anything may harm their reputation.
4. Prevent not only any changing in information they get or distort the documents, but also recourse to different sources to increase their loyalty, to help this career meet its goals honestly and neutrally.

The second subject: audition over press. Among the most important regulations in journalism, which must be followed and may restrict his freedom to get information is the audition, which is a very important factor may restrict him to spread his thoughts and news by audition ,if they delete or omit some text due to certain reasons which can be a setback between journalist and the public or his/her readers and it prevents them from receiving information or knowing their own country news, and this is done behind the mask of unity and security of country to put these binds, and from here, authority of the audition overcomes ,since audition is meant guarding, protecting and consideration lexically.

Audition over press is the job of those who monitors the books and press before they published or newspaper and magazines to check them, but there is dispute about definition of audition in Fight. some of them defined it as a policy to limit public opinion which may result it weakening the state or intended to change the regime which is kept by the government. This may minimize the circle of audition and take it to the corner, while, audition means deleting for an ethic or social end, additionally, this opinion does not clarify the ends behind audition and its types.

Others believe that audition and control is reviewing the press and checks them precisely before or after publishing, by employees who work in control department, who have qualification to ban press and book and opinions from publishing if they represent any harm to the public, based on regulations put by the department or their own opinions.

This opinion, though, is not exact enough, beside it is left to the control person to ban what he wants while, others believe that audition control is a precise operation to correct the material before or after publishing, or deleting some parts due to the public affairs (Soleiman, 1986).

This idea is considered as a moderate idea and it prevents the mistakes which made by the previous ones and defined the controller as a person who works based on public benefits not his ,and I am with this opinion ,based on which ,we can define the audition as a correctness and checking press before or after publishing by qualified person based on the legal regulations he follows to implement the public revenues and the control over the publication takes different shapes according to the perspective through which one may look and it is possible to describe this picture as follows:

### **The first branch**

Pre-control is a process done before publishing to know the purports to decide whether publishing it or not, what is known as prophylactic which means knowing everything and extent of its danger to people or society and based on 7th Iraqi article, minister cannot ban any press unless he finds something wrong.

Then, if the editor or publisher ensured that the published material include a text was banned by the court, they immediately must stop publishing or republishing it, otherwise, they will be legally responsible.

### **Second branch**

This type of control presents informing the controller about the ways of curing the problems by newspapers based on public benefits and this, is followed in all countries whether democratic or dictatorship in crises time following the rule that "necessities permit prohibits".

In case of the inclusive control, it presents informing the controller about all published political, social, or economic and, this is seen only in the dictatorship governments;

### **Third branch**

Direct and indirect control on the publications: indirect control means forcing the journalists and authors to follow general rules restricted them to prevent any harm to the public revenues, while, the direct one, means forcing any published materials to be read and revised precisely. It is trustworthy noted that, the Iraqi law has sanctioned the freedom of journalism, so that every person has freedom of speech, write or photographing, on condition that, it does not aggregate the legal limitations and this is the same as what the Egyptian constitution reveals in 47th article saying that" freedom of speech is granted if person do that through legal devices.

And this expresses a support to the journalism freedom, because this career is free until it works in the legal borders, then newspaper is not closed or banned, only by a legal reason to support the public revenues, although there are some cases newspapers are banned due to the legal reasons transfigured in editor or control authorities which will explained in two points:

#### *1. Authority of the editor to prohibit*

Every periodic newspaper has an owner or editor based on the 2nd article of Iraqi law, who is responsible for every published materials including articles and news, and it is the same with the Jordanian law.

Therefore, the editor is the person who is responsible for what is published in his newspaper, since he is the first and last one who supervises and checks the materials, but he can be purged if it is proved that he was not guilty or was not aware of what was published.

*2. Control based on traditional dictums:*

Iraqi constitution has stressed in its 38<sup>th</sup> article, on guarantee of freedom for the journalism, publications and broadcasting, so that, no restriction for them is allowed, exceptional to the security and legal reasons.

In defined limitations, Egyptian law on the other hand, also followed the same way in 48<sup>th</sup> article, which revealed “control on the press is not allowed expect in the emergency or war time to protect the public safety and national security.

It becomes clear for us that, putting limited control on the press in war time and emergencies is in accordance with the public safety and authority of the government, unless it resulted in disdain or confines them.

*Third: restrictions over journalism to protect others:*

The audition ,represents the fourth authority ,since it stands as an important monitor over the state ,because it speaks on behalf of nation ,seeks for the problems and criticizes it to find the suitable solution, because it expresses the entrance of applying the democracy in the country to give its holder the right to spread all statements and news which he got without any force from the government to or editors, since a journalist must be out of circles which restrict his freedom hence no monitoring to this career expect his breast and law ,unless this freedom reveals the military ,economic or political secrets or endangers people ‘s lives and that is what stressed by press law in Iraq and the union so there must not be any aggregation over people’s lives and their private rights ,and they must not be harmed by him ,thus the legislator should interfere and regulate that through setting legal regulations ban any aggression or disdain to the individuals' lives via dispreading the news which may blemish them ,hence ,the 9<sup>th</sup> article of the Iraqi journalists union reveals that “the member is not allowed to abuse the press to blemish or accuse the citizens illegally or with no legal or national excuse, also article 4 of the press law in Jordan emphasized on this point saying ”the journalism practices its mission freely to present news and information and comments and takes part in spreading the thoughts ,culture and sciences in frame of law and respecting the freedom ,right and general duties and peoples' lives, because the journalist is obliged to respect people’s lives and rights and their privacy and prevents from any harm to them, since the law above mentioned appointed penalties to the journalists who outrage that rules, so that article 46of the Jordanian press law appointed “finning the guilty journalist amount not less than five hundred Dinar and not more than one thousand”.

Regarding to the Iraqi law, though ,it banned any outrage to its rules by the journalist or the owner of agency, so it appointed certain penalty in 28<sup>th</sup> article in episode 1, to jail the guilty person for 30 days or finning him not more than 50 dinars or both penalties to all those outrage this rule, ”additional to the appointed penalties by the Iraqi journalist union and the Egyptian authorities, by stressing on the significance of this right and do not threatening the people’s lives by any means through accusing them or words may harm their honor or altitude (Qayed, 1994).

And the Egyptian law, bans any tort to the private individuals lives and punishes the doer by jailing him not more than one year and finning him not less than five thousands Jonah and not more than 10 thousands Jonah or one of them.

Additionally, the journalist is permitted to join these courts, if they are not secret ,or closed ,but he is not allowed to dispread the trials details without basic permission because the article 17 of the Iraqi press has banned that by saying that “it is not permitted to be released unless with an official permission 2 secret trials session, etc.”

And the Jordanian law also has banned the press in its 39 article, saying that covering the court session

Is not allowed unless to protect peoples ‘s families and the public regime ’s rights, and has punished all those outrage these rules by finning them amount not less than 3 thousands dinars and not more than 5 thousands and this does not prevent from pursuing the responsible based on the effective law rules.

Although, the privacy right is not a total right and it has some exceptions as follows:

1. We mentioned previously that, the journalist must not outrage the private lives of the people unless he has legal permission and this was emphasized by Iraqi press law and Egyptian's, since the legislator put an exception to this general rule, which gives the journalist right to do that, if it is in accordance with society benefits.

2. Spreading what is happening in the court trials, in the terrorism cases even if it is related to the individual’s privacy.

3. There are some news must be revealed to protect society and public opinions based on the clarity and punishing the criminals.

4. The journalist has the right to spread what happens in the festivals, public meetings and seminars in form of news or comment even if it is related to the privacy of the participants.

*Third discussion: Journalist ‘rights*

Journalism is a very important job in individual’s lives to get information and knowing the recent news in all fields weather political, economic or security, in their countries ,especially in our Arab countries and exactly in our own country Iraq, because of its hard and exceptional conditions ,and despite the existence of other media like social media, journalism is still unique, due to the information it takes and gives, to that ,governments try to

keep this tool in their hands to hide the information which may show its real face in corruption deals, so it does not let the journalist to criticize it, in contrast, it tries to broadcast the news that may shine its appearance even if it is fake, by forcing or threatening the journalist or even killing him in some cases in absence of law or its shortage. Our current experience is the best evidence, journalist practices many things instead the society to raise the journalism position and its reality to reveal the truth and brightening the public minds. These rights are not private but public rights, on the other hand, there are some commitments appointed by the law for the journalists, which formed this career from which, press law and the union of journalists, and law of the Iraqi journalists rights and Jordanian press law. These laws governed the way of dealing between press, people and the states.

Iraqi law has pointed certain rights for the journalists and Jordanian law did the same and Egyptian law has regulated the authority of the press, to that a journalist has the right to get information needed, from certain sources and he must not be force to reveal that sources, or be arrested due to the public affairs, and that will be described in 3 independent issues:

First: journalist's right to get information from its sources

Journalism works as the fourth authority since it seek for problems and cure it ,but it would not possible without other's aids, but there is fight between authority and freedom to get the information in all countries, in democratic countries this challenge is limited, but in dictatorship countries it may resulted in forcing and hoarding.

Regulations, though, show the degree of democracy in each country, then the journalist has right to get information he wants based on law.

In contrast, the state is obliged to help him to get that information

If they legally allowed giving people chance to supervise the state action, and it was confessed

By the press law in 2011, which guaranteed for the Journalist the right to get information and statements, information and news and statistics which are allowed, from different sources. And he is permitted to publish them from of law.

Jordanian law also took the same steps to guarantee the right of journalist to get information number 47-2007, saying that "with respect to the regulations, "journalist can get needed information based on these rules if it's needed legally (Shalabi, 2018).

The journalist right to gain the news, is based on the human beings' right to know what is happening, and the law has obliged and appointed the journalists' right in its 3rd article ,the public and private sector to facilitate journalist mission by giving him all information he needs in is job, based on the same rules ,the Jordanian law has stressed in its 8th article on the journalist 's right to gain information and all parties should aid him to fulfill his mission ,both public or private sectors, and giving him the opportunity to be informed and aware of their schedules and projects and plans, "and no obstacles are allowed to stop his job, and the concerned party has to give him enough information un a limit time ,also it is stressed by the Egyptian law no, 96 for 1996, which states in its 9th article that, " no obstacles are allowed to stop freedom of information or policies which may fail to give all newspapers the same chance to get information they need.

Journalist, also has the right to get answer to all questions if they are not secret naturally. The Egyptian legislator also has given the journalist a line to call all ministries to be helped or getting information from their sources.in Iraqi laws, thoughwe see that, no time limitation is appointed to answer the journalist's questions, and this is a shortage must be corrected to by forcing the authority or other responsible to answer any question and give him the needed information in a limited time, while the same law has given the information minister one month to agree or disagree about the publications, and through referring to the comparative laws, we find Sweden has forced the authorities to give journalists any need information in one single day, otherwise ,they must justify their delaying to that, in united states, law of journalism or press freedom has been issued in 1996 which obliged the state authorities to put their documents in journalists' hands ,unless those which related to the national security and the foreign policy and disquisition for legal reasons, in way that it forced the state to help the journalist to get any document needed for his job, exceptional to the certain affairs like national security and foreign policy he is not allowed to interfere in them, although even in this exceptional case, the journalist has the right to respect to the court when he is banned.

In Jordan, the premium court studies these cases in 30 days if he or she was banned from needed information, to answer his request or reject it according to the 17<sup>th</sup> article from journalists laws of getting information ,while the same law has allowed the plaintiff to refer the responsible of information council created by the law by the deputy of council when the journalist's request to get information is rejected ,and the council is obliged to review the request through 30 days ,otherwise it will refused ,and all together ,most of the parties justify their preventing to give information by calling these information "secret information", or information which are related to the national security and country high benefited, which makes a bind against freedom of the journalist, although they may face delaying of the officials' answer, or might be insulted or aggregated in different ways or even murdered, like what happened in Iraq in 2003. during occupation of Iraq by U. S. A, when about 35 journalists were killed and this number was increased later, also in other Arab countries like Palestine and others, all this cases of aggregation and murder is considered as a result of cupidity of that corrupted regimes to hide their corruption towards their nations which resulted in occupation these countries like Afghanistan and Iraq, and spreading the

systematic criminal gangs and money laundering or spreading the religious and ethnic prejudice ,therefore, he must be ensured of having all needed information through giving him sufficient warrantees ,addressed by 9<sup>th</sup> article of protecting the Iraqi journalists rights law, by punishing those who aggregate on the journalist while his work ,with the appointed penalty like the penalties which appointed to punish any aggregation over other government clerks, and this was stressed by law of regulating the journalism system in Egypt ,to punish anyone who insults or aggregate the journalist while his work (Amini, 2016).

*Second issue: no force on the journalist to reveal his sources*

The sources trusted by a journalist are various and countless, sometimes they are official and sometimes not. The official sources means the state sources which do not reveal everything and do its best to prevent the journalist from getting this information or hiding them, and mostly it happens in the undeveloped countries to keep on their appointment and charming authorities like our Arab countries that try hard to block true information from going to the journalists in order to keep on their own special grant of their leaders, the non-official sources, though, includes all those who have any information or news, like a simple employee, for instance ,or a worker, who might have information may be useful for the journalist in his work to be presented to the public, additionally, some people may call the journalist for specific reasons to give him information against some others and this, also could be a base for his reports, because he is considered as the fourth authority ,which works on seeking for the problems to find suitable cures for them, then ,as I mentioned previously ,the journalist cannot find that problems without giving him all grantee's, among them , "stop forcing him to reveal his sources, "because it will break down the trust between him and the sources on which he trusted, and this may causes blockage in this career, which is one of the most important tools to reflect the public opinions, and this was emphasized by the 4<sup>th</sup> episode of law of the protecting the journalists in Iraq, since the journalist ,based on this rule, has right to keep his sources secret and no one is permitted to force him to do that Jordanian law also has taken the same steps in in episode (H) from 8<sup>th</sup> article of the press law saying that:

" it is not allowed to interfere in the journalists 's work in his own frame or to influence him or force him to reveal his sources, among which, preventing him from doing his job, write or dispread his thoughts without legal excuses ,and editors of the newspaper, where the journalist works, cannot force him to reveal his sources as well, since the press law includes the right of periodic published matters and the journalist' right to keep his sources secret.

And this restraint is considered for all parties to interfere in journalist's job or forcing him to reveal his sources, although this should not make any problems between journalist and the owner or editor because the owner is the main responsible before court and law, and he is the person who must decide to publish or not ,and it was addressed by Egyptian law is 7,42,43 articles, and the seventh article states that it is not allowed to force the journalist to reveal his sources and the two previous articles also have stressed on that, saying that the evidences of a journalist must not be applied as reasons to convict or accuse, if they have been collected legally, and his office should not be detected by anyone except police (Khalid, 2008).

Third issue: No jail for journalist due to public issues: among significant guarantees given to the journalist, which enable him to do his job professionally, is protecting him from jailing in, public issues and that was stressed by the 8<sup>th</sup> article of protecting the journalists right in Iraq saying that " it is not allowed to integrate the journalist due to his opinion or what may reveal if it is not harmful to the society or against the law ,it is true about Jordanian law no,27 in 2007 which prevents from capturing any journalist due to his opinions so that the legislator put punishment and penalties applied in press issues which is a "fine" and as operated by the Jordan law for press.

Additionally, there is other right to guarantee and support the journalist to do his job well, including:

1. Financial right
2. Publish right
3. No-confiscate right
4. Meeting- participation right
5. Correction and refuse to edit right

The third issue: no lock up for journalist due to his job among important guarantee for the journalist in his job is to protect him from and lock up due to what may write or publish in 42<sup>nd</sup> article saying that:

First : news which are not prohibited legally, Although there are some news are not permitted to be covered by a journalist, news which may be dangerous to the country and its high security, including news related to the president, prime minister or their deputies, secret court news, foreign contracts and terrorism detections, or everything may cause racism which refused by the society, national security crimes, tribalism and religious propagations between people, which may cause a division between them and resulted in weakening the unity of one society, and prevents from disdain any religion by slighting or deriding it, and all matter which may influence on the national money .These are the fields that law prevents the journalist from interring in ,otherwise he will be legally responsible.

Second: the news he announces, must be important and related to his job, so he must do his job honestly and to announce true news, since the fake news may bring harm to the country and may threat the national security and public safety, therefore he must do his job professionally and joyfully to make the reader enjoys.



The truth news, though, must not be tough, and he must be sure about what he announces, because skeptic news may break down the trust between writer and reader, additionally, this news must announce to be at society service, since the freedom of press is restricted by the public safety and it is not free to announce everything.

Third: good will is the most important thing in journalism. A journalist must be far from anything which may cause harm. And this can result in taking the journalist out of the law coverage, which is emphasized by Iraqi law saying that "the journalist is free to announce all information and news he gets, on condition, that they must not be offensive, and since a journalist tries to implement the public benefits, he must do his job with good will, meaning that he must stop announcing unreal or misleading news, but he has to guide the people to the right information, disregarding to his own benefits. Regarding to the fact that, good will is not seen, so it is not easy to prove it, but out of the results, it could be refuted the results which are related to the sobriety in speech and he must not use these news and information to revenge. Additionally, he is supposed to announce the news he gets, immediately not saving it to the next time, unless it could be harmful due to the legal reasons like documents or matters, which may make problems to the court in arresting a guilty person who is tried in absence.

## CONCLUSION

After I finished the research of legal regulation for the journalist's right and tasks I found some conclusions and suggestion as follows:

1. The journalism plays a significant role in awakening the people and gives them a chance to express their opinions about current events in different fields.
2. Through research, we found that the journalism is among the most important careers, protected by constitutions of all countries to guarantee the freedom of speech in legal limits.
3. A journalist must be careful and precise in announcing the news and sources, since his job is obliged to follow rules, otherwise he will be responsible.
4. As mentioned above, we observed that the Iraqi legislator has defined the journalist as "every person who takes this job as his main job, after being qualified by law and journalism union.
5. among the most important things is to follow his career ethics and manners and his announces must follow the rules and control, and he must be away from anything could be harmful to the society and its traditions.
6. He must not abuse his job to disdain or infamous people, and he must work in his job frame to protect freedom of public rights or private parties.
7. we found that governments try hard to restrict journalism freedom to hide information regarded to their corruption and this may result in murdering the journalist.
8. Iraqi law for press is taking a good step towards protecting press freedom and it was stressed by law due to the significant role played by journalist in society.
9. We found in the research that Iraqi press Treaty lacks to the journalism honor convention to draw general basis and rules, in contrast to the Arab countries.
10. We appreciate the Iraqi position to protect the journalist like other clerks, in order to prevent any offence against him, and this is an admired position.

## SUGGESTIONS

1. We ask the Iraqi legislator to help the journalist to get needed information and set rules of collecting this information to prevent him from illegal actions.
2. In research we found that, protection is allocated to the Iraqi journalists and it does not cover the foreigners who work in Iraq, so we ask the legislator to protect them while working in Iraq to prevent any offence against them.
3. We suggest to the legislator to set a journalism honor convention just like Egypt.
4. We suggest unity of rules for press, journalists and their union.
5. We suggest to the legislator to reform the 31<sup>st</sup> article of the press law, to give the legal authority to the general attorney instead of information minister, to realize justice.

## Conflict of interest

The authors declare no conflict of interest.

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