



## RESEARCH ARTICLE

## Media Legislation Challenges In Light Of New Media Applications

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ARTICLE INFO	ABSTRACT
Received: May 24, 2024 Accepted: Sep 1, 2024	The twentieth century witnessed many changes in the information and communication functions in contemporary societies .These changes helped accentuate the contradiction between the huge influence of media and communication on the one hand , and among the rigid legal texts that do not keep pace with these changes, on the other hand , which necessitates a reconsideration of communication as a contemporary societal phenomenon and in the texts and legislations that control this phenomenon and determine its paths and movements , in order to remove the contradiction between them and open the way for more broad mass participation in various individual and collective communication processes. This research paper comes in the context of addressing the challenges and difficulties faced by the legislator for the circulation of information in light of modern means of communication.
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### INTRODUCTION

The Internet is one of the most important results of the communications revolution, as it includes many specifications , including communicating with others in several ways and anywhere in the world and at a relatively low cost, whether the communication is through text or direct voice dialogue,Or by conducting audio and video conferences between several people simultaneously, as well as the Internet networks contain a huge stock of information.<sup>1</sup>That is why some consider it a new revolution in the field of communication and media after the first revolution that began with the advent of printing , then came the press, cinema, radio, television, and finally satellite broadcasting, because it combines the various media.

It may be impossible to develop a comprehensive definition of the new media for several reasons, the most prominent of which is that this media in fact represents a transitional stage in terms of the means, applications and characteristics that have not been fully and clearly crystallized, hich knows a state of rapid development, and what seems new today becomes old the next day. However, it can be agreed that the possibility of extrapolating the idea of novelty from the fact that the new media indicates a state of diversity in forms, technology and characteristics that the new media carried from the traditional.

If the mass media and Information were widespread and, in this capacity, it is the twentieth century media mark, then the personal and individual media is the new century media. The Internet, which

is one of its tools, has made it possible for any person to search for the television program, the movie, and the press and scientific information he wants at the time he wants. <sup>2</sup>

Technological development is one of the main reasons that led to the communication and media phenomena growing interest. This development was not limited to the communication means formal or quantitative aspects, but touched on human activities and behaviors in various areas of life. It is known that the communication field technological development has added, beside the personal communication methods, new communication channels through mass communication means, which provided a wide range of choice for individuals and groups. It is not possible to look at those tremendous developments that occurred in the field of communication in isolation from other major transformations in the political, economic, cultural and legislative fields. <sup>3</sup>

One of the other reasons that led to the growing interest in new media applications is the traditional ideas, concepts and legislative texts insufficiency in communication field. It is known that the current world events have gone beyond the traditional concepts that have settled in information and communication field, such as opinion and expression freedom and knowledge dissemination and circulation freedom concepts. Also, the rules, legislation, and even codes of honor, which are often prepared by professional media organizations, have become behind the contemporary communication revolution. In Algeria, for example, the contradiction between the current media situation and the growing social and cultural needs of the different social strata is evident.

Based on this intellectual background, we have chosen to address the topic of "The Problem of Media Legislation in the Light of modern means of communication ", In view of the controversy and discussions that it has raised and continues to raise - the legal regulation of information circulation in the virtual world, whether at the level of academic research or legal and ethical texts, Or at the level of the United Nations and its affiliated bodies, or at the level of regional and local bodies and organizations interested in studying the problems related to this subject.

### **What are the most prominent challenges that the legislator faces in regulating media liquidity through communication modern means?**

To answer this central question, we decided to use the following sub- questions:

- what is the new media? And what are its main characteristics?
- How did the communication revolution affect the practice of communication activity and media work?
- What are the problems faced by media legislation in light of information and communication technologies?

On this basis, we divided our intervention axes as follows:

1. Introduction.
2. Modern media applications.
3. Media legislation issue in light of the modern means of communication.
4. Legal regulation models of modern media applications.
5. Conclusion.

#### **1. Modern media applications:**

The concept of new media has been linked either to computer applications or to the nature of the communication medium, or to cultural experiences that are difficult to find a corresponding expression for in another culture. As some of the names given to it refer to a partial one of its applications or one of its features, as is the case with the nomenclature that emanates from the features of the Internet, others are familiar with other parties of the means, which expands the metabase and the means, applications, characteristics and influence base for new media in general.

### **1.1. The issue of the new media naming: <sup>4</sup>**

The combination of new and traditional communication technologies with computers and its networks resulted in what is known as the new media, which has many names and its final characteristics have not yet crystallized, and which is known by this name as it is not similar to the traditional means of communication. A synchronization situation has arisen in the texts, moving and static images, and sounds transmission. As for the new media applications multiple names also indicate a new ground for this media. It is the digital media to describe some of its applications that are based on digital technology, such as digital television and digital radio. It is called interactive media whenever there is a state of giving and response among users of the Internet, interactive television and radio and other new interactive media systems.

It is also the live network media on the communication lines focusing on its applications in the Internet and other networks. It is also called cyber media. This term means the world made of pure information that takes the form of matter, and the term describes the means of electronic control that have replaced human performance.

The new media is called info media, indicating the emergence of a new media system that takes advantage of and integrates with the information technology development, and it is called hypermedia for its intertwined nature, and some applications of this new media are called multimedia, for the merging state that takes place within it among text, image and video.

### **1.2. The new media definition:**

The computer dictionary defines it through two entries:

“The new media refers to a number of digital communication applications, electronic publishing applications on disks of all its tremendous kinds, digital television and the Internet, it also denotes the use of personal and mobile computers as well as wireless applications for communications and portable devices in this context, and serves any type of computer, in a way, new media applications in the context of digital mating .t can play audio and video while it can also process texts and make phone calls and other operations directly from any computer

The concept also refers to the new ways of communication in the digital environment, allowing smaller groups of people to meet and gather on the Internet and exchange benefits and information, and it is an environment that allows individuals and groups to make their voice and the voice of their communities heard to the whole world. <sup>5</sup>

It is defined by Steve Jones (head of the Department of Communication at the University of Illinois at Chicago), who first acknowledges that there is no complete and definitive answer to the question: What is new media? He bases his answers on the fact that this media is in an infancy stage. "New media is a term used to describe forms of electronic communication, made possible by using a computer as an alternative to the old media, and these forms include the written press such as newspapers, magazines, television, radio and other static means. The new media is distinguished from the old one by the feature of dialogue between the two parties, the author of the message and its receiver, however, the divides melted between the new and the old media, because the old one itself was reconfigured, improved and revised to meet the new one in some of its aspects. <sup>6</sup>

### **1.3. The new media characteristics:**

We must agree that the new media is not only the Internet, as some of its applications are completely far from the principles on which Internet technology is based .The new media introspects a number of communication technologies that emerged after the first application of electronic publishing, from text and static images in early computer systems and networks to unprecedented communication applications on the Internet network.

We definitely conclude here by a set of characteristics and advantages that the new media is distinguished over what preceded it. It consists of integrating the various old and new means in one place on the computer platform and its networks. And what results of that merger is a revolutionary change of the inherited communicative model, which allows the ordinary individual to deliver his message to whomever he wants at the time he wants in a wide way directions, and not from top to bottom according to the traditional communicative model.

In addition to this media's adoption of digital technology, interactive and hyperlink situations, virtual reality applications, and multi-media, as well as its achievement of the advantages of individuality and personalization, and its transcendence of the concept of the national state and international borders. And among the theoretical approaches to understanding the characteristics of new media, we mention, for example, but not limited to, the entry of Nicholas Negroponte (the owner of the cheap computer initiative that he presented at the Informatics Conference in Tunisia), which outlined the advantages of the new media compared to what preceded it in: <sup>7</sup>

- Replacing physical units with digital, or bits instead of atoms as main tools in carrying information that are communicated in electronic form and not in physical form, and words, images, sounds, programs, and many other services are distributed according to the new method, rather than being distributed on paper or in packaged boxes.

- As for the feature of the new media's ability of the dual digital address, it is model that evolved from the process of transferring information digitally from one computer to another since the beginning of the digitization of the computer itself after World War II, to the development of networking an unlimited number of devices with each other, this on the one hand satisfies individual interests and on the other hand satisfies general interests, meaning that the digital bears the ability of the dual address to interests and desires, a situation that cannot be satisfied with the old media.

- The most important feature, is that this media came out of the captivity of power that was represented in the leaders of society and the tribe, the church and the state into the hands of all people, and this was partially achieved when the Gutenberg press appeared, and it was also achieved with the emergence of the telegraph, and it took its full character with the advent of the Internet, which came with an unprecedented application and achieved the model of collective communication between all people.

## **2. The issue of media legislation in light of the modern means of communication:**

### **2.1 The concept of modern media legislation:**

Information Legislations are defined as those rules that have a binding character and are related to media and communication activity, which regulate its practices and set standards that govern its various activities. Legislation is generally divided into legislation related to content and other related to media institutions in terms of organization and management and defining their rights and duties, and legislation related to the profession and finally international media legislation. <sup>8</sup>Media legislation has several sources, on top of which come the constitution, then criminal Law or penal Law, civil law, administrative law and public law. Regulations and executive memoranda are complementary to media legislation, and professional charters are included in this framework.

### **2.2. Different visions regarding the impact of communication technologies on the practice of media work.**

We will present two opposing visions about the vast possibilities of communication and information technology and its implications for the practice of media work. It is noted that one of the two visions is characterized by excessive optimism, while the other is characterized by excessive caution.

\*As for the first vision: its proponents believe that the communication revolution has formed a new media system, and that this revolution has opened a wide field for states, individuals and peoples to obtain and transmit information. And that the era of integrated digital networks is a new era that provides everyone with freedom of expression, exchange of information, ideas and opinions, and gives everyone the opportunity to enjoy their right to communicate. <sup>9</sup>

Those who are optimistic believe that the media power before the communication revolution was in the hands of those who owned the media, but the digital revolution made everyone who owns a computer and a website on the internet to own a media.

The model of the sender who sends messages to the public, which represents the few forces controlling the communication process, will gradually disappear, and a new model will prevail where everyone participates in the communication process by sending their own messages through the new media. <sup>10</sup>

It seems that Marshal McLuhan's dream about the global village has been achieved thanks to the development of communication technology, as this global village has a huge area of freedom, and it is possible for a direct global conversation to take place, and all cultures will find a place for themselves in this village and can defend themselves through Integrated communication networks. And even the silent groups voice echoes will reach the farthest limit thanks to the modern communication technology that has greatly surpassed even the political borders. <sup>11</sup>

One of the researchers believes that the communication revolution will lead to equality, encourage participation in politics, society and communication, and a new civil international society will emerge in which individuals and groups transcend the role of the passive recipient, through the manufacture of their own messages and effective participation in the communication process. <sup>12</sup>

\*The second vision: is based on the idea that the new media and communication system that emerged thanks to the communication revolution is a system that serves the interests of the advanced industrial countries. And that this system closed the demands file of the Third World, and impeded the possibility of achieving those demands, foremost of which is the right of individuals and peoples to communicate. <sup>13</sup>

Many defenders of the pessimistic view of the communication revolution results summarize the most important negative consequences of this technology in: <sup>14</sup>

The control of the big companies over the communication traditional means and the communication and information technology, and their control over the content provided by those means, will increase the media vulnerability of the third world countries due to the imbalance and inequality in the field of information, media and communication, and this what constitutes the neo-colonial conquest strategy.

Most developing countries are not qualified to transition to information societies, which will lead to many internal crises in these countries; this idea was translated on the ground of Arab reality in the form of revolutions and internal conflicts in Tunisia, Libya, Egypt and Syria...

Among the obstacles posed by the communication, revolution that prevent the individuals from enjoying their right to communicate is the problem of protecting private life. Most of the outdated restrictions contained in laws in most parts of the world may no longer be of value in the near future, at a time when all societies will face the serious challenge of protecting the private lives of citizens, and how to protect its national security, national sovereignty, identity, cultural identity, value system and morals, and the right of its masses to obtain knowledge.

### 2.3. The legal issues related to the regulation of the communication modern means:

The Internet is a new technology compared to the laws regulating media fluidity in the traditional means of communication. Therefore, researchers, especially jurists, faced many legal difficulties in applying these laws to those who publish harmful and illegal media materials by using Internet technology. Among the reasons for these difficulties are :

**An outdated legal system in the face of modern technology:** Among the most prominent problems that the legislator faces in regulating the circulation of information through modern means of communication, we mention the incompatibility between the pace of development of information and communication technologies and the development of legal texts, whether at the international, regional or local levels. Specifically, we mention the importing and consuming countries of communication technologies that are far from the ownership or productivity of that technology. <sup>15</sup>

**The difficulty of determining the ownership of the Internet:** The origin and development of Internet technology is mainly due to the United States of America, however, neither America nor any country, company or institution has the right of ownership over it, and therefore the activities on it are generally not subject to any government control or any official supervision from which type. <sup>16</sup>

**Regional laws and the universality of the Internet:** The Internet is characterized by a global character, as the majority of the world's countries are currently connected in one way or another to Internet networks. An Internet user can publish information in one continent and be viewed by others on another continent, or offend and defame people in another country. And since the national laws of countries are generally characterized by a regional nature and are influenced by the philosophy on which the political, economic and social system of that country is based, difficulties may arise to determine what acts are considered to be against the law in this country relative to the laws of other countries. Therefore, communication technologies pose new challenges to all developed or transitional countries, because their effects, as a result of their nature, go beyond the geographical and political borders of those countries. <sup>17</sup>

**The difficulty of determining who is responsible for publishing:** One of the problems of modern communication media is the difficulty of identifying the people who use them, whether to obtain or publish information on them, including offending or defaming others, unlike other media. It allows us to access it and publish what we want from topics, articles and drawings without mentioning the name or revealing the personality, while keeping our identity secret through the use of encryption technology. <sup>18</sup>

**Conflict of laws:** As a result of the different laws between countries according to their different political, economic and social philosophy, the issue of conflict of laws and determining the competent court to consider the subject matter of the case is raised, whether the court is the residence of the plaintiff or the defendant or the place of publication. Because this matter and other matters, in particular the determination of the applicable law and the extent to which countries recognize the decisions of the courts of other countries, is one of the most important legal issues facing the legislator to regulate the circulation of information through modern means of communication. <sup>19</sup>

**Responsibility for publication:** It is fair that the person responsible for publication is the person who writes the subject matter of responsibility, but the means of publication, as is the case in the traditional media, bears part of the responsibility as well. Is it possible to consider the service provider on the network responsible alongside the writer of the topic, as is the case with the editor-in-chief in the traditional communication mediums , especially since the writer of the topic on the Internet often hides his identity and keeps it secret, and service providers can stop harmful or prohibited information from being published if they want to, with the technological means they have to control and censor the contents posted on the network. <sup>20</sup>

### 3. Models of the legal regulation of new media applications:

Since the early days of popular use of the Internet, the rallying cry has been that cyberspace is the new lawless frontier. However, governments around the world, raised by the repercussions of new communication technology, have tried to think about how to curb and control its use. Providing access to the Internet can be the first obstacle. A published report in 2007 by the Internet Watchdog group known as the "Open Internet Access Initiative" showed that attempts to impose censorship on the Internet are spreading and becoming more complex. Laws and judicial rulings to regulate cyberspace.

#### 3.1. Examples of Arab media legislation:

In Saudi Arabia, filtering programs are used to block everything from sites classified as porn or gambling sites, to religious conversion sites, and sites critical of the Saudi monarchy. China has been criticized for taking measures to monitor the Internet, including filtering software, forcing Internet users and Internet cafes to purchase licenses, and banning Internet cafes.<sup>21</sup>

In Tunisia, the decree dated March 14, 1997, relating to the value-added services of telecommunications, regulates the distribution of the Internet. This decree defines the legal system and the exploitation of services. It also sets the basic law of Internet service providers and licensing procedures. On January 14, 2004, the Tunisian Parliament approved the "Law of the National Agency for Information Safety", which operates under the supervision of the Ministry of Communications and Transport, and is primarily concerned with protecting the Tunisian network against hacker attacks. The agency has the right to monitor public and private networks, with the exception of the networks of the Ministry of Interior and National Defense. The agency can be informed of every attack or attempted attack targeting the public or private network.<sup>22</sup>

The electronic press in most Arab countries suffers from the absence of a legal framework, even if many consider it an opportunity to escape the scissors of censorship or deletion, as there are efforts in Jordan, Lebanon and a large number of countries to regulate the conduct of the media process through the electronic pillar.

In Algeria: The Algerian legislator addressed this issue by focusing on the technical aspects of the Internet and defined rules for opening private distributors, through decrees approved by the Algerian government.

As for the organic law (12-05) related to the media, articles (from Article 67 to Article 72) of its fifth chapter are devoted to electronic media in Algeria. The legislator shortened this chapter by defining electronic media in Algeria only without touching on the legal formulas for regulating their media content. Rather, the Algerian legislator reduced the modern applications of new media to the production of journalistic content, meaning professional media only through the activity of the written press via the Internet and the audio-visual service, and the law excluded news related to promotion or activities of an industrial and commercial nature.<sup>23</sup>

The Organic Law 12-05 related to the media was previously approved, Law No. 09-04 of 2009, which includes special rules for the prevention and combating of crimes related to information and communication technologies,<sup>24</sup> in the context of combating cybercrime. And neglected the professional aspect of modern communication media. It was also followed by a set of legal texts that focused in their entirety on the formal and technical conditions for electronic publishing and neglected the professional aspect of modern means of communication. Among those legal texts, we mention Law 14-04 related to audio-visual activity,<sup>25</sup> which summarized the legal regulation of electronic publishing and modern means of communication in only a few articles. Executive Decree 20-332 of 2020, in which the legislator pursued the same legislative policy,<sup>26</sup> where he focused on the media institution in terms of organization and management, and defining duties in the style of

command that dominated most of the articles of the legal text (repeated verb: must, prevent, cannot, should, have to), and the executive decree neglected professional rights, in other words focusing on what is technical, administrative and neglect what is professional. The legislative system witnessed the issuance of other laws related to modern means of communication, the most important of which are Law No. 18-07 related to the protection of natural persons in the processing of data of a personal nature,<sup>27</sup> in anticipation of the issuance of the new organic law related to the media, and a new law related to audio-visual activity.

We can extrapolate the directions of the Algerian media policy through our analysis of the total legal texts that followed the issuance of Organic Law 12-05, which translate the modest legislative efforts of Parliament, the government and the Ministry of Communication to regulate media and communication activity,, which requires the Algerian legislator to be guided by international experiences in the field of organizing media activity via the Internet, with the need to link communication channels with the research laboratories of Algerian universities in the field of media legislation, in order to support and develop legislative texts regulating media activity in general and media activity via the Internet in particular.

### **3.2. Defamation cases on the Internet:**

In Germany, the German authorities established in 1997 a special law to deal with the contents published on the Internet under the name (German Internet Decency Act). Which regulated the use of information and communication technology and expanded the law in the concept of publications contained in the Penal Code, to include the Internet as well. It became possible to address local challenges related to the Internet, by influencing service providers to block material related to Nazism or display of swastikas and defamatory material.<sup>28</sup>

Some Asian countries have begun to pass laws on abuse committed on the Internet. Singapore is among the countries that have the strictest laws to control what its citizens can obtain through the Internet. In 1996, a detailed class license was established for the regulation of Internet. This method sought to prevent various types of websites that contain obscene content or that publish content that defame others.<sup>29</sup>

In the United States of America, Congress, legislative councils in the states, and the courts have struggled to balance freedom of expression online against competing interests such as national security, copyright protection, and the right to maintain the reputation. The US Supreme Court, in the landmark decision known as *Reno v. American Civil Liberties Union (ACLU/1997)*, extended the protections guaranteed by the First Amendment to the US Constitution covering newspapers and other print media to include communications over the global Internet.<sup>30</sup>

The decision in the *Reno* case means that the Internet-based connection receives the highest level of constitutional protections, including several court rulings that define the scope of the First Amendment. Presumably, the above restrictions are considered unconstitutional, and successful defamation cases require proof of the publisher's fault, even if the plaintiff proves the statement being challenged is false. Most privacy cases will be dismissed if the publisher can demonstrate that the subject of their news story was worthy of publication. Copyright violations could be justified if the publication constituted an equitable use.

The United States of America is one of the first countries that tried to find a legal regulation to deal with the contents contained in the Internet, especially the illegal or harmful content. In an early American attempt, the United States Congress passed a law in 1996 under the name of: Communication Decency Act - CDA. Therefore, bloggers enjoy the protections guaranteed by the First Amendment of the Constitution, and they may have legal protection as well, and it may or may not be possible to apply laws protecting the confidential sources of reporters to a blogger, according to the language of the law, or to the court looking into the matter.<sup>31</sup>

### 3.3. The privacy and copyright protection in cyberspace: <sup>32</sup>

American legal protection ends there, but the Internet does not. A blogger in the United States can wave the First Amendment and Section 230 as much as he wants, but a foreign court is not bound as such. In most of the cases they hear these courts apply their own laws, and although traditional journalists have long faced lawsuits and even criminal prosecution in other countries where their production is distributed, bloggers may be surprised to learn that they are liable to prosecution wherever their words are read.

The Australian Supreme Court ruled on this matter in 2002, when it allowed Diamond Joe Gutnick, an Australian citizen, who claimed that an article published online by Barron's magazine, which is headquartered in the United States, defamed him. From readers in his home city of Melbourne who reproduced the story, the court allowed him to file a defamation lawsuit there. The Chief Justice wrote that "those who display information on the World Wide Web do so knowing that it will be available to everyone and everybody without any geographical limitation."

Privacy violation presents special challenges in cyberspace. In theory, digitizing government records should create an unprecedented opportunity for citizens to access and supervise them, but many judges and lawmakers are motivated by fear that access might facilitate identity theft, employment discrimination, or other illegal behavior, to uphold exclusive access to electronic files.

### 3.4. The right to reply on the Internet:

Many countries have mandatory "reply rights," which require the publication of responses by individuals and companies who claim they have been subject to inaccurate reporting. There for In 2006 the European Parliament adopted a recommendation by the Council of Europe defining these "reply rights" to online media by guaranteeing any service made available to the public that contains frequently updated and edited information of public interest. It seems as if that describes a typical blog on the Internet. <sup>33</sup>

### 3.5. Intellectual property over digital content: <sup>34</sup>

Copyright law presents separate challenges, as owners of intellectual property have always had the legal right to require infringers to "stop and refrain" from publishing and distributing works that infringe their Intellectual property copyrights. But the Internet makes it easier than ever to reproduce others' work without a license. Should a telephone company or ISP (Internet Services Provider) be liable when a customer illegally uses their connection to record a copy of an mp3 file for reproduction?" The United States Digital Millennium Copyright Act of 1998 was designed to remedy this situation without stifling the freedom of protected speech.

Among the most prominent legal texts at the international level are the TRIPS Agreement and the two WIPO Internet treaties. Although the TRIPS Agreement is a broad agreement, this agreement does not deal with intellectual property issues in detail, which prompted the World Intellectual Property Organization (WIPO) to meet this challenge, by concluding two treaties on December 20, 20/12/20 1996 AD. The international press that followed up on their conclusion of the two Internet treaties named them, in view of the solutions their provisions contained in the challenges posed by digital technology, and they are, respectively: the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. <sup>35</sup>

## CONCLUSION

Some believe that not having the Internet was one of the main reasons for being open to the new applications of the media and their development as they are today, to the extent that it has become a technical and communicative phenomenon, a social and commercial phenomenon, on the one hand, On the other hand, the property that no one owns the Internet is one of its weaknesses as well,

due to the possibility of anyone entering it and committing illegal activities, as it is a free area for the circulation of information, whether useful or harmful, without the guardianship of anyone, and without any consideration as to whether that information is prohibited or Allowed in another corner of this world.

It should be noted here the difficulties associated with distinguishing between the types of legal rules that regulate a vital field, such as the media, in which most human activities and modern social and political institutions overlap. What further complicates the discrimination process is these recent technological developments, which are working to change the traditional relationship between the sender and the receiver. The Internet, as the main element in this system, has brought about structural changes in the media map in general, and has paved the way for a virtual media pluralism.

For example, the new media applications such as Internet journalism and social networking sites - with their interactive tools - have given the receiver the ability of active participation the most effective in the communication process, so that the public is seeking to obtain information and choose the appropriate one, and exchange messages with the sender, after his role in the past was just a recipient of information, and there are those who say that distinguishing between the sender and the recipient has become difficult in several cases, in light of the use of these means, which paved the high way to access information.

The emergence of the Internet as an important communication technology and as a publishing platform for journalists and bloggers creates new legal complications such as the difficulty of identifying perpetrators of cybercrime such as: defamation, insult and abuse, encroachment on private life, incitement and advocacy of violence and hatred, Intellectual property crimes...etc.

However, global media legislation must be developed for the legal and ethical regulation of media liquidity, at the international, regional and local levels. As for the principles governing the circulation of information that must also remain constant, thus we should not depend on whether a journalist works in a mainstream or traditional media or publishes a blog, there for judges and legislators for their turn must follow the principles that have long protected journalism and people's right to know regardless about affiliation or the means used.

In the same context, we should point out the backwardness in the pace of the media legislation development compared to the development of information technology in general, and to the stagnation at the level of media legislation in Algeria, which is lagging behind the nature of modern media legislation. Even the legal text that has been awaiting publication for more than twenty years (Organic Law 12-05 related to the media), it came distorted and has disappointed the journalists and researchers aspirations who were busy in the media and communication sector, where it was limited to only a few legal articles to talk about the regulation of electronic space in Algeria. The Algerian legislator must overcome the obstacle of the political variable that hinders the process of legislation for media practice in Algeria, in line with technical developments and media applications developed with all their complexities. Finally, we can only acknowledge the great role played by communication technology and its new applications in the field of media, to enrich and change the nature of phenomena, media research and media legislative studies alike.

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