

**Prospects of e-government in Algeria and its impact on the legal system
of the public utility.
(Justice sector as a model)**

Heddar Abdelkarim¹, LEMTAI Nouredine²

¹ University of Algiers 1, heddarabdelkrim347@gmail.com

² University of Algiers 1, lemtai.nouredine24@gmail.com

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Abstract:

This study aims to analyze the prospects of implementing e-government in Algeria, with a particular focus on the justice sector as a case study. It evaluates the impact of digital transformation on the legal framework governing public service. The Algerian state is pursuing the modernization of public administration by integrating information and communication technologies to enhance transparency, efficiency, and accessibility of public services. The justice sector stands out as one of the key areas that has begun digitizing judicial procedures and offering electronic services to citizens, notably through the sector-specific network and the implementation of electronic signatures. The study concludes that the integration of modern technologies has significantly contributed to achieving the objectives of e-government, supported by a newly developed legal framework that ensures the protection of individual rights, legal and technical security—particularly in terms of personal data protection and cybersecurity—thus reinforcing the effectiveness of the judicial system within a digital environment.

Keywords: E-government, digital transformation, justice sector, public service, electronic signature, cybersecurity.

Heddar Abdelkarim¹, heddarabdelkrim347@gmail.com

INTRODUCTION

The spread of the use of modern devices, as well as communication and information technologies, has led to the emergence of a new concept for the lives of individuals in society. Their dealings have become heavily linked to computers and smartphones, especially in the midst of this technological revolution and the emergence of a new era based on the intermarriage between technical and electronic means and communication and information technologies. This is what made countries inevitable in dealing with these modern phenomena and reconsidering the structure of their various public institutions in line with global changes and accelerating the modernization and modernization of administrations by integrating various means, electronic devices and modern technologies into all public interests and structures and various departments and getting rid of the traditional performance of the administration in order to shift to a modern model of management aimed at providing service according to a digital electronic system that achieves speed, time saving effort and money.

There is no doubt that the emergence of the modern model of administration or the so-called (e-government) will inevitably achieve the upgrading of the performance of different departments and the quality of services provided to citizens, and Algeria, like the rest of the countries, has kept pace with modern technological developments and sought to employ them in order to develop its various structures and institutions through the modernization of various departments and the training of their employees in the field of information and communication technologies with the aim of upgrading and modernizing the performance of the government.

The complexity of services and activities provided by various public administrations and their importance to citizens and institutions have made them move from traditional methods of transactions and services to the modern style of management, which relies on the use of modern electronic means and technologies to provide the necessary flexibility in response to global changes aimed at reducing time, speed of procedures and saving effort and expenses, especially since Algeria, like other countries of the

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world, is vulnerable to the pressures of technological globalization, as e-governance has become a basic requirement and a tributary of economic, social and political development.

The justice sector in Algeria is considered one of the important and sensitive sectors because of the services it provides to citizens within the framework of litigation before the various judicial authorities, whether for filing lawsuits, submitting complaints and obtaining various judicial documents such as judgments, decisions, judicial orders and various other documents such as nationality certificate, judicial precedents and others.

Since the Justice Service is no different from other public administrations in the field of public service provision, the Ministry of Justice has been very interested and proactive in developing the methods and methods of various departments and judicial bodies affiliated with it, and adopting modern mechanisms and various technologies in the field of performing tasks and providing services, which we will address within the axes of this study as the justice sector is a modern model of public administration, and we will highlight the most important aspects that the state has adopted in the modernization of this important sector in terms of its utility services, which have become highly dependent on modern communication technologies and means.

This study is a comprehensive overview of the modern direction of public administration in order to adopt all the secretaries of technology and information and integrate them within the various government bodies and institutions to access advanced services that contribute to the promotion of society and the satisfaction of its needs according to the requirements of the modern era, which depends on speed and accuracy in achievement and economy in time and money. Hence, we will ask the following questions:

Does Algeria have the technical and legal mechanisms necessary to move effectively towards e-governance and abandon traditional methods in the functioning of various public structures and administrations? Has the Algerian administration succeeded in achieving the desired objectives of

adopting various types of technological devices and information technologies within the management methods of various public utilities? What are the most important challenges and obstacles facing the adoption of an e-government in Algeria? Is the justice sector, through the modernization of its various services and facilities, a successful model of e-governance in Algeria?

To answer all these questions, we will try to divide this study into the following investigations:

The first topic: What is e-government, in which we will address the concept of e-government, which includes the basic concepts of e-government and the requirements of e-government applications, and we will also address the importance of e-government and its objectives.

The second topic: The technical and legal mechanisms of e-government in Algeria, which will be divided into two parts: the technical mechanisms of e-government and then the legal mechanisms that regulate it.

The third topic: Modernization of justice is a model of e-government in Algeria, through which we will review Algeria's experience in the field of e-government, relying on the justice sector as a model.

1. E-government is a modern concept of management

2.1. The Concept of E-Government

In light of the rapid technological development, the need to harness modern technologies to improve government performance has become essential, which requires the creation of a specific and comprehensive concept of e-government, which has become one of the priorities of all countries in building a modern management system aimed at achieving efficiency and transparency and facilitating the provision of public services, and building trust between governments and citizens, by using strategies related to the Internet to involve citizens in the political process, which shows the extent of government transparency (AL-Duwaikat, 2018).

2.1.1 Definition of Electronic Government

E-government is one of the modern concepts in the field of public administration based on the use of information and communication technology, especially the Internet, within the framework of providing

public services and exchanging information. Through researching the various definitions and concepts that came from researchers in the field of e-government, we can summarize the existence of three trends:

Physical Standard

In it, the group of experts and researchers focuses on the technical and structural aspect of e-government and is seen as a set of tools, systems and technological applications used by public administrations in providing their services. The most important of these tools are (centralized databases, electronic portals, a communications network, electronic hardware and software).

Among the definitions in this direction are:

" E-government is a set of technological applications that aim to apply information technology in the provision of public services through modern means of communication to the Internet and phones that aim to improve the delivery of services to citizens and increase the positive impact on the business community and make the government work efficiently and effectively." (Al-hawash, 2006, p. 24)

E-government is also defined as the ability of various sectors and government agencies to provide services and information to its beneficiaries electronically with transparency and equality, with high speed and accuracy at any time and anywhere, using modern advanced technologies while ensuring the confidentiality and security of information (al-qahtani, 2010, p. 26).

objective criteria

The holders of this standard deal with the definition of e-government from the point of view of the function or the practical impact it performs and not from the point of view of the means used, as in the material standard. This standard focuses on the results and contents achieved by e-government as a reform model aimed at achieving efficiency of performance, transparency, interaction and participation. According to this perspective, the holders of this standard define e-government as a specific procedural methodology that gives the ability to review the proposed

change from the technical and practical aspects and know what to meet the needs of the work and the customer in a clear and unified with the ability to modify it according to the requirements of work and experiences resulting from applications. Some know that e-government is the reinvention of government actions and procedures by new ways of integrating and integrating information and accessing it through a website (al-alamy, 2001, p. 64).

Mixed Standard

This standard considers e-government not only as electronic devices or digital services, but also as an integrated system for re-engineering government work to serve comprehensive and sustainable development. One of the most important definitions that came within this trend, which adopts the mixed standard, is the World Bank's definition of the concept of e-government as a modern term that deals with the use of information and communications technology in order to increase the efficiency, effectiveness, transparency and accountability of the government in its services to the citizen and the business community by enabling them to provide information that supports all procedural systems of government and eliminates corruption (Kim). There are also those who believe that e-government is facilitating the provision of public services to citizens or business sectors, and it extends to many other areas of its use as a means of establishing democracy through electronic voting in elections (tadros, 2000, pp. 13-14).

The hybrid standard is considered one of the standards capable of giving a concept with integrated dimensions of e-government without limiting it to one dimension and.

As a summary of the most important criteria adopted in the definition of e-government and based on the basic principles that we have seen through the general concept, a comprehensive definition of e-government can be given as an integrated modern administrative system based on the use of various technologies and modern means of communication, the most important of which is the Internet in transforming traditional government work into a modern electronic model aimed at improving performance

efficiencies, simplifying procedures and achieving interaction between various government sectors and between government, citizens and various actors in society. Thus, e-government represents a radical shift in the philosophy of public administration towards a more modern, efficient and interactive style with the needs of society in this digital age.

2.1.2 Basic Principles of E-Government

As we have seen, e-government is a modern model for reformulating the relationship between the state and society through the use of information and communication technologies in the provision of public services. In this regard, e-government is based on a set of basic concepts that constitute at its core an integrated theoretical framework for understanding e-government and evaluating its success. The most prominent of these concepts are :

- Digital transformation is the transition from traditional systems to digital systems in service delivery.
- E-services, which are a pivotal element in e-government, provide citizens with access to all government services electronically, in order to achieve ease of use and save time and effort.
- Transparency and accountability represent an essential dimension of e-government, as digital technologies contribute to the dissemination of information related to the government management of citizens, which enhances their confidence in public institutions.
- Re-engineering procedures in order to simplify administrative processes to suit the digital environment and increase their speed and efficiency .
- E-participation: Enables citizens to contribute to the formulation of public policies through interactive electronic channels in which opinions are probed and services are evaluated.
- Cybersecurity, which is the most important pillar to ensure the confidentiality of personal data, the preservation of information and the safety of government processes and procedures that take place through modern means of communication .

- Integration between systems is an effective way to achieve connectivity and coordination between different government agencies.

2.2. The objectives of e-government and its importance

E-government is a modern method of providing public services to citizens, and aims to improve the level of efficiency and transparency in government performance, and enhance communication between government and citizens, as well as. E-government is an important system to promote economic and social development, and improve the quality of life of citizens. The importance of e-government lies in facilitating the transfer of information between citizens and the government, and within the government itself.

2.2.1 The Objectives of Electronic Government

The transition to e-administration will achieve many goals and gains, especially for the state or the citizen alike. The most prominent of these are the following:

- Improving the efficiency of government performance through the number of administrative processes and services, which leads to the acceleration and simplification of procedures and the reduction of bureaucracy (baz, Public Administration (E-Government) and Its Impact on the Legal System of Public Service and the Work of Its Employees, 2004) and administrative errors.
- Reducing government costs and spending, as the digital transformation of the administration contributes to reducing financial costs by reducing reliance on paper, reducing the number of employees assigned to provide services, and reducing mobility and economy expenses in the time spent on providing and obtaining services.
- Achieving transparency and combating corruption because e-government provides a more transparent environment by making administrative processes and transactions traceable and closely monitored, which reduces administrative corruption and enhances citizen confidence in state institutions.
- Improving the quality of services provided to citizens and all customers, as citizens have access to information and services quickly and easily without

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the need to move to public institutions and administrations and in the shortest possible time and shorten many stages of procedures (al-hilu, 2003).

- Stimulating investment, improving the business climate and facilitating administrative procedures such as licenses, paying taxes, registering companies online, and e-registration. Thus, e-government contributes to attracting investment and investors and thus supporting the national economy.

There is no doubt that Algeria, like the developed countries, is a great effort to provide the appropriate environment to achieve a technological breakthrough in the field of modernization of administration. However, this requires time and effort to complete the overall transition to an e-government. This depends on the degree of interest of the state in all the aspects mentioned above. E-government does not mean just the competition of laws and legislation and the provision of electronic devices and information and communication systems. It requires more than that. A strong infrastructure, a legislative environment and modern systems must be provided in addition to training human cadres, attention to training and coordination between various government sectors, lifting all technical and legislative obstacles that satisfy the progress of the e-government project and providing solutions that ensure the smooth implementation of this project. Given that technology is characterized by continuous development, it is also necessary that e-government applications must be developed continuously and in line with the requirements of Algerian society by relying on national programs and applications to ensure protection and information from data and give confidence to the beneficiaries of services (brown.j.s.duguid.p, 2002, p. 89) .

3. Technical and legal mechanisms of e-government

The transition to the modern system of administration is one of the priorities of the state , in an effort to improve and modernize the services provided to citizens and the management of various public interests and institutions. In order for e-government to be effective, it is necessary to

provide a set of basic requirements for building that government. The most important of these requirements is the provision of an appropriate infrastructure of modern technologies and technologies, and the existence of legislative and regulatory systems that keep pace with the era of informatics (al_hawash, 2006, p. 93) .

3.1 Technical Mechanisms of Electronic Government

The success of any system or strategy adopted by the State within the process of modernizing and modernizing its management in line with modern technological developments requires the existence of a set of means and tools aimed at improving and facilitating the provision of public services in a modern way that relies on technological means and information systems.

Algeria, like many countries, has witnessed a trend towards adopting e-government as a strategic option to improve the effectiveness of public administration and provide quality services to citizens. One of the most important mechanisms that Algeria currently adopts in the field of developing various public administrations and institutions in order to shift to e-government is the use of the latest information and communication technology, the most important of which is the Internet, which allows millions of people to access a huge amount of information in addition to communication and exchange of information and messages. We will try to identify the most important and prominent requirements adopted in the field of transition from the traditional system of administration to the modern system or the so-called e-government .

3.1.1 Electronic requirements and information systems :

Technologically, Algeria has gone along with developed countries in order to move to the electronic services system or the so-called electronic government by relying on the use of the latest technological means and information systems, the most important of which are:

- Providing an advanced technical infrastructure of computers and modern means of communication at the level of various departments with the availability of the Internet and the establishment of strong and highly documented servers, centers and data centers. This is one of the most

important technical challenges to activate electronic management. **High-flow Internet** networks (ADSL and 4G) have also been launched in various regions of the country, in addition to modern projects to circulate **fiber optic** (FTTH), paving the way towards providing integrated electronic services to citizens (fouli & awad khalaf, 2003) .

- Rely on advanced encryption technologies to protect data, use firewalls and spyware detection systems, and verify the identity of users .
- The use of modern software and applications and the development of electronic portals that are used in providing services to individuals and the adoption of self-applications that enable individuals to obtain services through smart phones .
- Introducing the digitization system by digitizing all government documents and records and minimizing paper documents .

3.1.2 Strategic Requirements:

The process of transition to e-government also requires the state to make radical adjustments in administrative systems aimed primarily at eliminating all procedural obstacles, simplifying them, and reducing red tape and traditional administrative methods. Among the most important strategic requirements that help the success of the transition to e-government are the following:

• Political will and government support

The state must adopt a clear strategy to overcome the obstacles to the process of change, by relying on a careful and comprehensive assessment of the current situation, studying the facts on the ground and future projects, providing material support by allocating sufficient budgets to finance these projects, and encouraging partnership between the public and private sectors.

• Human Capacity Building

It can be said that the success and effectiveness of e-government is based on the development of a realistic strategic vision at the state level and an action plan prepared by a parallel team of all disciplines. On this basis, the transition towards e-government depends mainly on the qualification and

continuous training of human and technical cadres, and the follow-up of all that is new and the comprehensive and diligent quality of employees in order to proceed smoothly towards achieving the state's e-trends.

Therefore, the focus must be on the formation of human resources accurately, scientifically and technologically in line with the requirements of the times and its technological changes (abdullah, 2003).

3.2 Legal mechanisms of e-government

The subject of e-government is one of the sensitive and important topics that the contemporary world has known, and this is what made countries rush to adapt their internal legislation to everything that is new in the field of information technology and the spread of electronic transactions in various areas of life, and Algeria, like other countries, has known accelerated legislative activity and in order to engage in the process of transformation from the traditional management of various public administrations to modern management or the so-called electronic management, which has become an inevitable reality in front of the technological developments of the modern era (riyami, 2003).

In this context, Algeria has witnessed several legislative amendments and the issuance of new legal texts related to different sectors, most of which aim to regulate the digital transformation of public administration and services, and that these legislative texts (laws and decrees) were introduced to regulate the use of various modern technologies and systems within public administrations and institutions within the framework of what is known as e-government, and the most important of these texts (the Official Gazette) are the following:

3.2.1 Personal Data Protection Law (18-07) issued on 10 June 2018:

Regulates the processing of data of a personal nature and is one of the main pillars of e-government, and the most important principles on which this law is based:

- Legitimacy and transparency, as it is not permitted to process any data except with the consent of the concerned party, a legal text, or a judicial license.
- Setting goals, that is, grouping data only for specific and diverse goals.

- Limit storage as data is stored only for the necessary period.
- security and take technical and organizational measures to protect data.

The law also stipulated the establishment of a sensitive and important body called the National Authority for the Protection of Personal Data, an independent body established under a presidential decree. Its most important role is to monitor the application of the law related to the protection of personal data and to grant licenses related to the processing of personal data.

3.2.2 The Electronic Signature Law (15-04) issued on 1/2/2015

determines how electronic signatures are used in electronic transactions.

3.2.3 Postal and Electronic Communications Law (18-07) issued on 10/5/2018:

It regulates the digital and telecommunications infrastructure, which is the backbone of e-government, and its most important axes are the freedom to invest in the telecommunications sector, the protection of the user and privacy in networks, the regulation of Internet services and related digital services.

3.2.4 Executive Decree No. (20-343) dated 22/11/2020 :

This decree represents the cornerstone of the embodiment of e-government in the field. The most important axes included in the decree are the establishment of a unified portal for the provision of public services via the Internet and determining the powers of each sector in providing the portal with information and services , ensuring cybersecurity of exchanged information, and encouraging digital interaction between the administration and the citizen.

This portal is considered a qualitative leap towards the digitization of public services and that the Executive Decree (20-343) came as a clear legal framework to unify digital efforts, encourage the modernization of administrations and combat bureaucracy.

4. Modernization of the justice sector as a model of e-government

The justice sector is one of the important sectors in the country, which is what made the Algerian government work to reform this sector in line

with the requirements of the times, especially in the field of modern technologies and information systems, for which a body was established at the level of the Ministry of Justice concerned with the modernization of the sector and called the Directorate General of Modernization.

The justice sector is an important model for the application of the principles of e-government, which is evident through the digitization of judicial and administrative services and bringing justice closer to the citizen, all in light of the independence of the judiciary. On this basis, modern technologies have been introduced to the sector with the aim of making it more efficient, rapid, open and accessible to the so-called electronic justice.

The most important mechanisms and projects adopted by the Ministry of Justice to modernize the justice sector (justice, 2016) are the following:

4.1 Digital platforms and electronic services:

- **Ministry of Justice Portal**

The Ministry of Justice is one of the public bodies that hastened to modernize all its interests by integrating all advanced electronic devices and adopting a mechanism for information systems. The path of digitization of the Algerian justice sector was launched in accordance with a comprehensive strategic vision based on Law No. (15-03) dated 1/2/2015 related to the modernization of justice, where digital means were integrated into the management of the judiciary and the provision of its services .

One of the most important of these means is the establishment of an electronic portal (website), which is the cornerstone of the digital transformation project for the justice sector. It represents a comprehensive and multifunctional platform that enables citizens, litigants, lawyers and departments to access a wide range of judicial services remotely., and the most important digital services available through this portal :

- **Extracting electronic documents** such as:
 - Case law certificate (voucher 3).
 - Nationality certificate electronically signed.

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- Tracking the various stages of cases, their progress, the regions of judgments, the dates of hearings, and the withdrawal of judicial judgments
- Services for lawyers from withdrawing judicial decisions electronically, which achieves flexibility on all services needed by lawyers and reduces pressure on judicial authorities.
 - **Electronic correction of civil status documents** through:
- The possibility of submitting applications electronically and remotely.
- Legalization service for judicial documents.
 - Serving complaints and suggestions through a dedicated space through the portal, the most important of which are electronic complaints, with the possibility of uploading attached documents electronically without the hassle of moving to the competent judicial authorities.
 - Electronic communication service for detainees, where relatives of detainees can submit applications for an electronic visit license through video chat and from the nearest court to avoid the trouble of moving to penal institutions, especially for the elderly and the sick.
 - **Websites for judicial authorities** (courts, judicial councils, supreme court and the Council of State)

The electronic portal of the Ministry of Justice is a leading model in the field of digitization and modernization of administration and contributes significantly to the service and contributes significantly to reducing bureaucracy, simplifying and accelerating procedures, bringing justice closer to the citizen, saving time and costs for the individual and the state, and enhancing confidence in the judiciary facility through transparency and easy access to services for all bodies of society and access to them without any discrimination.

4.2 Expanding the electronic communication network of the justice sector

All judicial authorities and institutions of the Ministry of Justice have been linked to each other in addition to the Supreme Court and the Council of State. This network constitutes a necessary material base for the exploitation of the information systems that have been developed, with the aim of a rapid and immediate exchange of data and securely between the various interests of the justice sector, remote access and searching of databases.

The information system has also been developed based on central databases to evaluate remote work. This process is part of the projects aimed at improving the public service of the Justice Service as a strategic means to organize the process of exploiting judicial information systems for the rapid transition in the provision of remote services.

4.3 Integration of authentication and electronic signature technology

One of the most important issues carried out by the Algerian Ministry of Justice within the framework of the transformation towards the modernization of the justice sector is the introduction of all information and communication technology technologies in the judicial field, the most important of which is the adoption of authentication and electronic signature technology as modern mechanisms with the aim of upgrading it and performing public services for the judiciary facility and enhancing confidence between the administration and the citizen in the field of obtaining various services and documents through electronic networks safely. In this context, the Ministry of Justice has done the following:

- Establish an electronic certification authority at the level of the Ministry of Justice under which PKI(Public Key Information) is granted for the electronic signature of documents.
- Adopting the electronic signature of documents and delivering them electronically, especially since it has the same legal technique of proof in paper writing as soon as the issuer and signatory are confirmed.
- Using internal e-mail technology between the various interests of the justice sector by exchanging correspondence electronically between the central administration and the various bodies under guardianship and judicial authorities, and between judicial authorities among themselves.

- Using video chat technology remotely during judicial proceedings, where it is possible to conduct visual trials for litigants remotely through electronic means, and they can also be heard in judicial investigation procedures through visual trial.

These uses are an optimal exploitation of various modern technologies and advanced communication systems, as they have contributed significantly to the modernization of the justice sector.

5. CONCLUSION

There is no doubt that Algeria has made great efforts to provide the appropriate environment to achieve a technological breakthrough in the field of modernization of administration, but this requires time and effort to complete the overall transition to an e-government in accordance with the models in force in developed countries. This depends on the degree of attention of the state to all the aspects mentioned above. E-government is not just the provision of electronic devices and information systems or the competition of laws and legislation related to technologies and information technology, but it requires more than that. A strong infrastructure, a legislative environment and modern systems must be provided, in addition to training human cadres, attention to training and coordination between various government sectors, lifting all technical and legislative obstacles to the progress of the e-government project, and providing solutions and guarantees that ensure the smooth implementation of this modern project.

Since the technology is characterized by continuous and rapid development, it is also necessary to develop e-management applications and systems continuously and in line with the requirements of Algerian society through the adoption of national programs and applications to ensure the protection and information security of data and give confidence to the beneficiaries of various electronic services, especially with regard to access to various platforms and digital portals and use them securely to ensure the safety of transactions and maintain the privacy and personal data of individuals .

On this basis, we can say that despite the political will and the allocation of financial resources, for the advancement of e-government in Algeria, the efforts exerted in the field of digitization of public services still face a number of challenges that hinder the comprehensive activation of the e-government system, which requires the adoption of a comprehensive and integrated approach , based on the following:

1. Establish effective digital governance through the establishment of an independent national body concerned with coordination between the various actors in digital transformation, and develop a unified roadmap, capable of periodic evaluation and follow-up.
2. Expanding and developing the digitization of public services for basic sectors such as justice, health, education, and housing, with a focus on simplifying procedures, and adopting unified digital portals to reduce bureaucracy.
3. Establishing a digital culture among the citizen and the administration by integrating the concepts of digital transformation into educational programs, and organizing continuous workshops and configurations targeting various segments of society.
4. Securing data and enhancing digital trust by protecting personal data and activating cybersecurity systems to the highest level to confront all growing threats.
5. Encouraging local technological innovation by supporting emerging institutions and research centers in the fields of artificial intelligence and data analysis, so that digital transformation is based on sustainable local solutions .
6. Establish strategic partnerships with the private sector and civil society to ensure the inclusiveness and sustainability of digital initiatives, and promote the principle of “open government” by providing public data to citizens and researchers.

Finally, building a successful e-government in Algeria cannot be achieved by simply digitizing procedures. It is a deep reform project that requires a shift in mindsets, integration of visions, and investment in people before

technology. This is the way towards a modern administration, effective citizenship, and comprehensive development based on transparency and effectiveness.

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