Magazine of Legal and Political Studies

Volume: N° 02: juin 2026 | **pp201-211**

Digital Space Ethics: A Gateway to Developing Digital Legislation for the Protection of Public Ordre and Morals

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Date of submission:17 /12/2025 - Date of acceptance:30 /05/2026 - Date of publication: 05/06/2026

ABSTRACT:

The rapid digital transformation has made the digital environment an integral part of Daily life across various fields and sectors, encompassing a wide range of services and human activities. With this interactive modeling, the digital environment has brought forth new legal and ethical challenges that necessitate a reevaluation of the legislative framework governing the behavior of individuals, institutions, and companies in the Digital space.

This has positioned the concept of Digital space ethics as a necessary step toward enhancing the protection of public order and public morals.

key words digital transformation; Digital space, public order and public morals, importance of Digital space, Digital legislation

Introduction:

The rapid development company of Human cognitive life and the transformation of knowledge production from mere theoretical constructs into practical, consumable Tools That merge Imagination with Human capability have created a globalized world where needs and expectations have become Universal. In This shifting lans cape, the notion of a "technological Wheel " has emerged-one That has penetrated nearly every aspect of Human life and given rise to a fully digital ecosystem. This digital sphere has enabled individuals to inhabit virtual spaces with formation pattens once shaped by time and place now evolving.

As This transformation gained Momentum, new conceptual frameworks began to emerge to interpret and accompany human behavior in virtual environments ;What initially appeared as

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asimple means of communication and interaction has evolved into arena marked by unprecedented challenges, raising questions about the traditional meaning of public order and renewed relevance of public morality within digital contexts.

These developments have underscored the urgent need to establish normative foundations that promote ethical conduct in the digital sphere in alignment with prevailing social values and overarching moral principles; Crafting legislation that reflects of the digital age, has become indispensable-not only to regulate the use of technology in service of the public good ; but also to preserve societal Values while ensuring individuals ;Legitimate personal freedoms within a digital space characterized by a heightened margin of liberty.

Accordingly , the ultimate purpose of digital legislation must be to construct protective frame works that shield society from unfamiliar or disruptive behaviours that conflict with established values , while recognizing the historically relative nature of concepts such as public order and public morality, even before the rise of the digital environment ;It is also essential to develop applied mechanisms capable of maintaining an equitable balance between digital freedom and social responsibility ;Within the evolving digital landscape.

PROBLEM STATEMENT

The central problem lies in determining the proper approach to establishing a legislative and ethical framework that can keep pace with the rapid transformations of the digital world .

Such a framework must strike a careful balance between safeguarding freedom of expression and ensuring the responsible use of technology on the hand, and protecting societal values and public order on the other.

This problem raises key questions, including; to what extent is it possible to develop digital legislation that adequately takes into account human ethical? and how can such legislation provide effective protection against unethical or unlawful practices in the digital space without restricting digital freedom in its knowledge-based sense?

THE FIRST TOPIC : regulating digital behavior and ethical terminology between freedom and legal oversight

In legal studies, the meaning of terms is often influenced by the diversity of scholarly interpretations, changing circumstances, and the practical needs of applying the law effectively.

This becomes particularly evident when legislation does not offer a clear comprehensive definition of a term ,in this part of the study , we aim to explore these key terms, clarify their usage and provide a precise understanding within the context of the legal framework.

First Requirement: Terms and concepts; the definitional and analytical farmwork

This research paper revolves around terms, some of which are rooted in traditional usage but have recently been redefined, while others are modern both in usage and meaning.

The following sections provide a detailed clarification of these terms.

- **Digital Space and Ethics**

The terms digital space, virtual world, cyberspace, and electronic world all refer to the same concept: a continuous networked connection among people across the globe, made possible through the Internet and the achievement of real-time interaction[1].

The digital space designates the virtual environment that has arisen through the use of modern communication technologies; Broadly speaking, it includes all platforms that facilitate interaction and communication- linking knowledge, human culture, and the need to exchange information and experiences within a social framework, whether in its simplest or most advanced forms.

The digital space is characterized by a set of key features; the most important which are:

- **Breadth and wide reach**, reflecting its ability to connect vast numbers of users across the globe.
- **Rapid circulation ,** allowing information to be shared almost instantaneously**.**
- **Non-geographical and non-temporal nature**, enabling access and interaction regardless of physical location or time.
- **Temporal collectivity,** where a single piece of information can simultaneously reach multiple audience groups in real time.

As for ethics, it refers to the process of realizing values according to moral standards across various areas of life.

Ethics represents an ethical commitment that imposes on behaviour, aligning it with social norms and legal rules to achieve a carefully balanced relationship within the framework of individual -to- community and community-to- individual interactions, all the traditional contexts embedded in a given society.

With the increasing integrations of social life into the digital space, there is a pressing need to apply ethical values online to uphold the principles of cybersecurity.

Establishing a legal framework based on prevailing legislative standards is essential to regulate emerging digital practices.

Given the wide freedom of expression and communication in the digital space, the lack of oversight has allowed unethical to spread, becoming widely recognized and commonly used within society[2].

- **Digital legislation**

Digital legislation refers to the set laws and regulations that govern the use of digital technologies and the online environment ,it covers a wide range of areas, including of personal data, the prevention of cybercrime, the safeguarding of intellectual property, and the regulation of electronic commerce.

1 . Mohamed Twalibia, The Ideology of the Digital Space: A Study of Reference Backgrounds, Journal of the Academy for Social and Human Studies, Series: Social Sciences, Issue 21, January 2019, p. 3 (adapted)

2. Cyberbullying, content that violates public morals, digital violence, and digital hate speech

Its legitimacy stems from the general principle recognized in international law6 that legal systems must provide protection; This legitimacy becomes even more significant given that digital legislation plays a central role in ensuring the stability of public order,rootedin national frameworks yet extending across international boundaries[1] .

- **Public order and or public morals**

Are among the concepts that resist precise conceptual framing within legislative texts, primarily because of their deep connection to human life and direct link to societal needs.

However, a conceptual outline can still be formulated by synthesizing the main scholarly discussions surrounding both notions-particularly within administrative jurisprudence which offers valuable insights that directly support the focus of this research.

Second Requirement: The digital space and ethics; towards protecting public order and societal values.

Talking about the role of moralizing the digital space in safeguarding public order and public morals requires first clarifying that both concepts are relative and not fixed.

They are shaped by the evolution of human needs and by the continuous change in how societies perceive the same moral value over time, Hence it can be said that.

- **THE Importance of Ethics in the Digital space**

As previously discussed, moralizing the digital space refers to the adoption of ethical standards and value-based principles to guide in online environments.

This approach seeks to build a moral foundation that becomes part of broader ethical system that governs public morals, and one that naturally supports the stability of public order.

That importance of digital moralization can be seen in the following points:

- **Protecting consumers and users within the digital environment**

Protecting individuals online requires ensuring that digital platforms operate in away that respects the rights and safety of their users, this includes offering clear

1 . the government is bound by the duty to preserve public order and the rule of law, or to restore them through lawful means. Upholding these "lawful means" requires the state— even when working to re-establish public order during situations of unrest or conflict— to protect the fundamental guarantees afforded to individuals under international human rights treaties and, where applicable, under the 1949 Geneva Conventions and their 1977 Additional Protocols (Protocol I, Article 75; Protocol II, Article 1–3; Article 29 of the Universal Declaration of Human Rights; Article 4 of the International Covenant on Civil and Political Rights; Article 15 of the European Convention on Human Rights; Article 27 of the American Convention on Human Rights; and Article 8 of the UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict).

information, secure services, and fair access to digital products without manipulation or exploitation; when users feel protected, they are more willing to participate and engage confidently in digital activities.

- **Reducing digital violations and harmful online practices**

Applying ethical principles in the digital world helps limit abusive such as identity theft, cyberbullying, unauthorized data collection, and content manipulation.

Ethical controls act as a preventative barrier, discouraging harmful behavoir and fostering a safer digital community where responsibility becomes a shared value.

- **Enhancing transparency in digital interactions**

ethical regulation angulation encourages openness in online dealings, whether in commercial exchanges, communication ,or data processing means that users understand how their information is handled and what rules govern their participation.

When transparency becomes a norm digital systems gain legitimacy and fairness in the eyes of the public.

- **Strengthening trust in digital spaces**

Trust in the foundation of any sustainable digital environment by adopting ethical standards, users develop confidence that their rights are respected and that the platforms they rely on are accountable.

This trust supports long-term digital development and encourages to interact and share without fear of misuse or exploitation.

- **FROM OF DIGITAL MOALIWATION**

Digital moralization appears through several practical expression that guide behavior and regulate interactions within online spaces, represent ethical practices that help shape a responsible digital culture[1] and prevent misuse of technological tools.

Digital moralization is reflected through several key manifestations, the most significant of which are:

- Developing legal texts and regulatory frameworks[2]

1 .l adegård, G. & Gjerstad, J. "Ethical Challenges in Digital Communication". Journal of Business Ethics. (2019).

2 Abd Al-Hay Al-Sayyid, Project for Harmonizing Cyber Legislation to Support the Knowledge Community in the Arab Region, Report on the Study of Cyber Legislation in Arab States and Recommendations for Enhancing Legal Interaction with the Cyber Space Reality, Economic and Social Commission for Western Asia (ESCWA), ALECSO, Beirut, 2011, p. 09.

- Enforcing codes that protect personal rights
- Adopting new laws to regulate digital and respect for public morals[1]

- **THE SCOPE OF PUBLIC MORALS AND PUBLIC ORDER IN THE DIGITAL SPACE**

The digital space is one of the newly emerging environments for interactive processes among the various components of human society serving to meet their needs and provide services equally.

This has made it one of the most significant challenges facing state strategies in maintaining the stability of public order and public morals, these two concepts, traditionally linked to conventional legal systems, now require urgent redefinition and regulation within the frameworks of the digital space.

This concept also encompasses the requirements for implementing public order within the digital space;

- Combating cybercrimes
- Regulating and guiding the use of digital platforms
- Protecting digital infrastructure

As for public morals the digital space must be guided the realization of the concept of aesthetic public taste in our view this can be achieved through;

- Monitoring and combating content
- Adhering to rules of polite and respecting others

- **Challenges in Adapting public order and Morals to digital sphere**

A adapting public order and public morals to the digital environment faces numerous stages which collectively form challenges of both radical dimensions and specifics these can be summarized as follows;

- **The global nature of digital connectivity**

The internet as a public domain is not confined by geographical or temporal frameworks, this makes the enforcement of existing laws concerning public order and public morals particularly challenging in the digital space [2].

- **Speed of circulation**

1 .T he United Arab Emirates Federal Law No. 02 of 2006, the Saudi Cybercrime Prevention System,and the Jordanian Temporary Information Systems Crimes Law of 2010,

…

2 .what is considered ethical in our legal systems may be regarded as unethical in other systems and vice versa therefore recognition and adaptation are necessary.

The rapid pace at which digital content is shared creates significant challenges in controlling material that may threaten public order and/ or public morals.

- **Privacy and Marign of Freedom**

Generally laws protecting public order and /or public morals particularly administrative regulation tend to restrict and sometimes conflict whit an individual's right to freedom of expression.

This contrasts with the digital space, where users enjoy a relatively wide margin of freedom.

Consequently balancing the need for protection with the preservation of this freedoms becomes a particularly challenging requirement.

THE SECOND TOPIC :DIGITAL LEGISLATION : TOOLS FOR PROTECTING PUBLIC ORDER AND ETHICAL VALUES IN THE DEGITAL SPACE.

Digital legislation plays a crucial role in maintaining stability and ethical standards within the digital environment by establishing clear legal frameworks digital legislation sets boundaries for acceptable online behavior regulates the dissemination of content and safeguards individual rights while preventing abuses such as cybercrime, misinformation and violations of privacy.

Moreover, these laws provide mechanisms for accountability ensuring that digital platforms and users adhere to ethical principles that reflect societal values in this way digital legislation serves not only as a tool for enforcement but also as a guide for fostering a responsible secure and morally conscious digital community

First Requirement: APPLICATION OF DIGITAL LEGISLATION

Digital legislation finds its applications across various areas of the online environment it regulates user behavior on social media platforms ensuring that interactions remain lawful and respectful.

- **THE IMPORTANCE OF DIGITAL LEGISLATION IN THE FIELD OF PUBLIC ORDER AND /OR PUBLIC MORALS**

The general principle is that the foundation of human stability lies in the existence of legal texts that are permanent and continuous, these laws are primarily coercive when there is a conflict between public interest and private interest yet they adopt a flexible approach when serving the objectives of private interest.

From this perspective the importance of digital legislation in the fields of public order and public morals becomes evident notably its applications can be illustrated without limitation as follows

- Protecting personal data
- Combating cybercrime
- Regulating electronic transactions and protecting intellectual property

Second Requirement: THE FUTURE OF DIGITAL LEGISLATION IN LIGHT OF THE REQUIREMENTS OF PUBLIC ORDER AND PUBLIC MORALS

THE future of the digital legislation lies in its ability to adapt to emerging technologies address new forms of online behavior and balance individual freedoms with societal protection developing robust, flexible and forward 6lookings is therefore essential to ensure that the digital environment remains secure accountable and aligned with core moral and social values.

- **CHALLONGES OF DIGITAL LEGISLATION IN ENSURING PUBLIC MORALS AND/OR PUBLIC ORDER**

Despite the implementation of digital legislation its application has not been as widespread or rapid compared to the overwhelming flow of technology and information in the digital space.

This is due to a series of factors that have formed what is know as the legislative challenge in legislative challenge in the digital environment among the most significant of these challenges are the following :

- Diffuculty in controlling digital content
- Privacy and personal data protection
- Conflict with freedom of expression
- Cybercrime and the rapid spread of misinformation
- Diversity f international legislation
- Lack of awareness of digital legislation
- Difficulty in determining legal responsibility

- Differences in cultures and ethical standards

• TOWARDS THE DEVELOPMENT OF DIGITAL LEGISLATION TO PROTECT PUBLIC ORDER AND PUBLIC MORALS

In light of the rapid transformations occurring in the digital space the need to develop effective digital legislation has become increasingly urgent.

Such legislation must aim to protect public order and public morals while preserving freedom of expression and fostering innovation ,here we will discuss the proposed legal foundations and the practical mechanisms that can be adopted to achieve this goal.

- Legal foundations and principles for Implementing the protection of public morals and public order in digital environment

In order to develop digital legislation that effectively protects public order and morals, it is essential to rely on a set of legal foundations[1] that ensure both flexibility and comprehensive coverage.

These foundations must also enable the law to respond adequately to the challenges of the digital world, the most significant of these principles include the following :

➢ The principle of the rule of law

Digital legislation adheres to the principle of the rule of law, requiring that the regulations governing digital behavior[2] be clear accessible and understandable to all

Individuals must enjoy well-defined rights well the legal system ensures equal treatment and form of discrimination in its application

➢ The principle of the protection of Fundamental and Freedom of Expression

Digital legislation must safeguard The right to freedom of expression , while at the same time imposing legal restrictions on content that violates public morals or undermines public order.

1 .s olove, Daniel & Schwartz, Paul. Information Privacy Law. Aspen Publishers, 2022.
2 .k uner, Christopher. Transborder Data Flows and Data Privacy Law. Oxford University Press, 2021.

This principle is essential to fostering a environment for innovation and expression while ensuring respect for societal values.

- **The principle of privacy and Data protection**

Digital legislation must establish clear mechanisms to protect users data and impose sanctions on violations of privacy[1].

It should also include specific rules governing the processing of sensitive data, in a manner proportionate to the importance of safeguarding public order.

- **The principle of international cooperation's**

Given the cross-border nature of the internet, the development of digital legislation requires cooperation among states in order to achieve shared objectives related to the protection of public order and public morals.

This cooperation is based on the conclusion of international agreements regulating collaboration and the exchange of information between states, with the aim of ensuring the prosecution of offenders across borders , particularly in digital crimes involving the dissemination of content that violates public morals.

Conclusion :

The ethical regulation of the digital space has become avital necessity in the modern era, as the digital environment has turned into an integral of the daily lives of individuals and societies.

with the expanding use of the internet and social media platforms, a range of ethical challenges has emerged requiring the development of effective digital legislation to regulate this space and to protect public order and public moral.

Digital ethics encompass asset of principles and values that guide the behavior of individuals and groups within the digital environment , ensuring the responsible and equitable use of technology.

This necessitates the establishment of a comprehensive legal framework addressing cyber crimes such as incitement to violence and hatred ,violations of privacy , and the dissemination of content contrary to moral standards.

1 . Privacy constitutes a fundamental right of individuals, and the protection of personal data forms an integral part of digital legislation, particularly in light of the growing prevalence of digital crimes involving violations of privacy.

Through the development of such legislation, states can protect society from the negative consequences of the unregulated use the digital space and achieve a balance between freedom of expression and the preservation of ethical values.

This legal evolution contributes to strengthening digital security and ensures the continuity of social order the rapid transformations characterizing the digital world.

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