

The Electoral Media Between Legal Regulation and Political Neutrality: An Analytical Study in Light of the Algerian Model

الإعلام الانتخابي بين التنظيم القانوني والحياد السياسي: دراسة تحليلية في ضوء النموذج الجزائري

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Abstract:

This study examines the role of electoral media in democratic systems, focusing on the Algerian model after 2020 Constitutional Amendment. It highlights the importance of media as a tool for shaping public opinion and ensuring political neutrality.

The research addresses the problem of whether legal regulation effectively ensures fairness amidst digital challenges. Using an analytical approach, the study finds that while Algeria succeeded in institutionalizing independent oversight and temporal equality, a significant gap remains due to "political money" and the rise of "Deepfakes." It recommends updating legislation to address digital disinformation.

Keywords: Electoral Media; Legal Regulation; Political Neutrality; Independent Oversight; Digital Disinformation.

ملخص:

تتناول هذه الدراسة دور الإعلام الانتخابي في الأنظمة الديمقراطية، مع التركيز على النموذج الجزائري بعد تعديل 2020. تبرز أهمية البحث في كون الإعلام أداة محورية لتشكيل الرأي العام وضمان الحياد السياسي. وتتمحور الإشكالية حول مدى فاعلية التنظيم القانوني في تحقيق العدالة الإعلامية أمام التحديات الرقمية. وتوصلت الدراسة إلى أن الجزائر نجحت في تأسيس الضبط المستقل والمساواة الزمنية، لكن تظل هناك فجوة ناتجة عن تأثير "المال السياسي" و"بروز" "التزييف العميق". وتوصي الدراسة بتحديث التشريعات لمواجهة التضليل الرقمي.

الكلمات المفتاحية: الإعلام الانتخابي؛ التنظيم القانوني؛ الحياد السياسي؛ الضبط المستقل؛ التضليل الرقمي.

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Introduction:

Electoral media is essential in contemporary political systems. Beyond conveying information, it shapes collective consciousness and public opinion. It serves as the primary lens through which voters perceive political reality, influencing the legitimacy of democratic transitions.

Following the 2020 Constitutional Amendment, Algeria's media landscape underwent profound structural transformations. This amendment enshrined press freedom to guarantee popular sovereignty and replace administrative guardianship with constitutional protection. Consequently, the legislator introduced a new regulatory framework to isolate media outlets from external influence, aiming to transform the media into an open space for pluralism, integrity, and democratic deliberation.

This study examines the intersection of legal regulation and political neutrality within the new Algerian model. Modern law serves as a structural tool to ensure equal opportunity and prevent interest groups or political funding from dominating media platforms. Organic Law No. 21-01 (the electoral system) and Media Law No. 23-14 reflect this initiative to regulate political life. They institutionalized oversight through the National Independent Authority for Elections (ANIE) and the regulatory authorities for print and audiovisual media. However, achieving actual political neutrality remains difficult due to challenges regarding the financial independence of both public and private media institutions, especially under partisan pressure during election cycles.

The current dilemma extends beyond the availability of legal texts to the challenge of regulating a fluid digital environment. Social media and electronic websites operate outside the traditional legal standards and territorial jurisdictions applied to legacy media. This gap between rigid text and flexible digital practice necessitates evaluating the Algerian legislative approach. This study analyzes whether current laws effectively ensure a neutral media environment and preserve fair competition.

To address this issue, the study utilizes a descriptive-analytical approach to examine the legal framework, alongside a functional approach to evaluate regulatory performance against modern challenges, such as Artificial Intelligence and digital disinformation. By assessing the gap between theory and practice, this research provides a comprehensive outlook on media integrity in Algeria.

Consequently, this study addresses the following central question : **To what extent is legal regulation effective in ensuring the political neutrality of electoral media within the contemporary Algerian model?**

- A Methodological Framework for the Study :

The relationship between media and elections is no longer a secondary administrative matter, but has become the core of the legitimacy of modern constitutional systems. This study seeks to analyze the "Algerian Model" in regulating electoral media, a model that has undergone a radical philosophical shift following the 2020 Constitutional Amendment. The primary objective is to deconstruct the dialectic between **Legal Regulation**—as a set of coercive and organizational rules—and **Political Neutrality**—as an ethical and professional value that ensures the integrity of the voter's will.

To provide a comprehensive answer to the problem of the study, the research is structured into five integrated sections that track the media process from its legislative roots to its digital future:

- **Section I** explores the **Legislative Foundations**, tracing the constitutional and legal references that redefined the media's "negative and positive obligations" within the Algerian legal arsenal.
- **Section II** addresses the **Structural Challenges** of neutrality, analyzing the dilemmas of "Political Money," the independence of public service media, and the professional biases that may cloud journalistic objectivity.
- **Section III** focuses on **Institutional Oversight**, highlighting the pivotal roles of the National Independent Authority for Elections (ANIE) and the Audiovisual Regulatory Authority (ARAV) in ensuring "visual justice" and technical compliance.
- **Section IV** confronts the **Digital Revolution**, examining the impact of "Fake News," Artificial Intelligence, and "Deepfakes" on the integrity of the electoral scene in a borderless cyberspace.
- **Section V** concludes with an **Evaluative and Proactive Vision**, assessing the gap between the legal text and field practice, while proposing a "Smart Legislative" roadmap to fortify the Algerian model against future technological and political challenges.

Through this sequential division, the study aims to provide a holistic reading of the effectiveness of the Algerian legislator in creating a neutral media environment that respects the principles of pluralism, transparency, and popular sovereignty.

Section I: The Legislative Regulation of Electoral Media in Algeria

This section examines the constitutional and legal foundations that govern electoral media following the 2020 reforms. It explores how Organic Law 21-01 and Media Law 23-14 established a "legal engineering" aimed at ensuring institutionalized freedom and transparency. By analyzing these texts, we uncover the legislator's intent to move from state-controlled media toward a public service model based on equal opportunity.

A- The Constitutional and Legal Reference for Electoral Media :

The 2020 Constitutional Amendment represents the most prominent turning point in the philosophy of electoral media, as the legislator shifted from "restricted freedom" to "institutionalized freedom." The Constitution no longer views the media as a supplementary tool, but rather as a condition for the validity of the electoral process. Article 54 guarantees the right to access and disseminate information, which prevents the administrative authority from withholding data from candidates or discriminating between them in obtaining the official documents necessary to construct their media discourse¹.

Organic Law No. 21-01 relative to the electoral system serves as the executive pillar for these constitutional principles, as it introduced rules aimed at "purifying" the media sphere from past practices. Article 169 of this law does not stop at regulating content; rather, it establishes what is known as the "negative obligation" of the media—meaning the necessity to refrain from any form of implicit favoritism that might appear in the order of news bulletins or the selection of interviewed guests².

This structure is complemented by Media Law No. 23-14, which established rules for the "foundational transparency" of media institutions, requiring the disclosure of the identities of

shareholders and sources of capital. This legislative linkage prevents private channels from turning into "shadow platforms" for undisclosed funding aimed at directing public opinion toward specific candidates, thereby ensuring that media competition remains confined to programmatic and intellectual aspects³.

B- The Concept of Public Service and Equal Media Opportunity :

The concept of public service in the Algerian model has shifted from organic dependence on the government to functional independence for the benefit of society. This transformation legally implies that the public television and radio institution is obliged to provide "pluralistic" content reflecting all shades of the political spectrum, while adhering to standards of "fair time" and "equitable treatment" for various political theses, especially those belonging to candidates without significant funding for advertising campaigns⁴.

The principle of equal opportunity embodies a "positive discrimination" mechanism for the benefit of candidates with fewer financial resources, as the National Independent Authority for Elections ensures strictly equal slots for both live and recorded broadcasts. Here, the law does not recognize the weight of the party or its previous number of seats as a justification for granting it more time; rather, it makes the "status of the candidate" the sole and inclusive criterion for obtaining media airtime⁵.

Equal opportunity also encompasses "technical production quality" and prime-time broadcasting slots. Algerian legislation prohibits placing certain candidates in "dead" broadcasting times or using lighting or filming techniques that damage a candidate's image compared to others. Oversight here extends to "the language of the image" and not just the spoken word, to ensure complete visual and acoustic justice before the voting public⁶.

C- Legal Controls for Media Discourse During the Campaign :

The Algerian legislator sets professional "red lines" related to protecting national identity and the foundations of the nation from any electoral exploitation that might lead to the dismantling of social bonds. The prohibition of hate speech in the media is not merely a regulatory measure, but a criminal protection aimed at preventing candidates from using media platforms to incite against specific groups or stir up ethnic or linguistic strife⁷.

Legal controls impose on the journalist tasked with electoral coverage the role of a "neutral referee" who conveys facts without distortion or interpretation. If it is proven that a journalist intentionally asked suggestive or biased questions, the media outlet bears civil and disciplinary responsibility. The focus remains that the role of the media is "enlightenment," not "indoctrination" or directing the voter's will⁸.

The law prohibits the use of "sovereign symbols" (such as the national flag, photos of historical leaders, or the military institution) in advertising spots or press interviews, to ensure that the candidate does not conflate their person with the state. Furthermore, the ban on using places of worship is strictly enforced to ensure that the electoral media space remains an arena for rational programmatic discussion, far from religious emotionalism or the spiritual exploitation of citizens⁹.

D- The Electoral Silence System and its Effects on Legal Regulation :

The "Electoral Silence" system (Blackout Period) reflects the legislator's desire to achieve "digital and acoustic tranquility" for the voter 48 hours before polling day. Legally, electoral silence

is considered a period of "legal sanctity" during which any political media communication is prohibited, allowing the voter the opportunity to transform the emotional momentum of the campaign into a balanced rational decision, free from external media pressures¹⁰.

The scope of the prohibition during electoral silence extends to include interactive programs or "opinion polls" that might give a false impression of a potential victory for one party, which could discourage some voters or push them to vote for the "strong side." Preventing the publication of these polls before polling day aims to protect the spontaneity of the vote and the integrity of the results from any misleading statistical direction¹¹.

The problem of electoral silence emerges in the face of "electronic media," which does not recognize geographical borders, placing Algerian legal oversight in a constant challenge with algorithms. Nevertheless, Media Law No. 23-14 requires national electronic newspapers to prohibit all forms of political updates or publishing during this period, with strict penalties that can reach the blocking of the website in the event of a breach of this sovereign obligation¹².

Section II : The Problem of Political Neutrality in the Algerian Media Scene

This axis addresses the structural and professional challenges that hinder the achievement of absolute political neutrality during election cycles. It investigates the impact of "political money" on private media ownership and the "structural biases" that may influence editorial independence. Furthermore, it discusses the difficulty of neutralizing a journalist's subjectivity and protecting newsrooms from narrow partisan and ideological pressures.

A- Independence of Media Institutions from the Power of Political Money :

Liberation from the grip of "political money" is the greatest challenge to achieving actual neutrality, as private channels often transform into media arms for their financiers—businessmen aspiring to influence decision-making. The overlap between the economic interests of owners and the political agendas of candidates creates a type of "structural bias" that is difficult to curb through legal texts alone, unless accompanied by genuine financial independence of the media institution¹³.

Media Law No. 23-14 imposed strict measures regarding financial transparency, requiring media institutions to periodically disclose their funding sources and shareholders. The objective of this legal regulation is to dry up the sources of "disguised political advertising," where airtime is purchased under the guise of news reports to polish a specific candidate's image—an act considered a flagrant violation of the principle of neutrality and equal opportunity enshrined in the Constitution¹⁴.

The issue of "media clientelism" emerges when a media outlet becomes beholden to advertising contracts with specific political entities, making its editorial discourse characterized by selectivity and sycophancy. Neutrality here requires building "insulating walls" between financial management and the newsroom to ensure that professional standards remain the sole driver of electoral coverage, far from political profit and loss calculations¹⁵.

B- The Challenge of "State Media" and the Transition Toward a Public Service Model :

Public media has long been associated in Algerian political memory with the concept of "authority media," creating a trust gap among voters regarding the neutrality of official channels. The transition toward a "public service" model necessitates redefining the role of radio and television as platforms owned by society as a whole, rather than tools for promoting government

programs or pro-government candidates—a structural shift that requires independence in appointments and editorial policies¹⁶.

The new electoral system mandates that public administration provide support and equal visibility to all political currents, including the opposition, to break the monopoly of the "single voice." Legally, public media does not have the right to exercise "ideological filtering" of candidates; rather, it is obliged to broadcast their programs as they are, while ensuring a unified technical quality that prevents visual discrimination between one candidate and another¹⁷.

The "Council of Professional Ethics" serves as a safety valve to monitor the performance of public sector journalists and ensure they do not fall into the trap of "institutional propaganda." Achieving neutrality in public media involves enshrining the concept of "social responsibility," where the journalist becomes accountable to the public and professional conscience before being accountable to the administrative entity that pays their salary¹⁸.

C- Professional Biases of the Journalist and the Dilemma of "Subjectivity" :

A journalist cannot be stripped of their political convictions and ideological thought, but the challenge lies in how to "neutralize" these convictions during media practice. Professional bias may appear in the simplest forms, such as the choice of headlines, the order of questions in interviews, or even in "body language" while interviewing a candidate who does not align with the journalist's preferences, thereby striking at the core of the neutrality principle¹⁹.

Professional objectivity in the electoral context requires providing information accurately and balancing different perspectives without inclination or favoritism. The intentional "framing" of news in a way that serves one party and discredits another is considered a form of disguised media disinformation accountable under the law and professional ethics, as it robs the voter of their right to form an independent opinion²⁰.

The role of continuous training in the "psychology of neutral coverage" emerges as a necessity to reduce the effects of unconscious biases among media staff. Honest journalistic practice requires high skill in formulating "open-ended" questions and avoiding "suggestive" questions that lead the candidate toward specific pre-determined answers serving the agenda of the channel or the journalist²¹.

D- The Impact of Political Pressures and Narrow Partisan Affiliations :

Some media outlets suffer from an "organic link" to specific political parties, causing them to transform during election periods into "party bulletins" lacking the minimum standards of neutrality. This partisan entrenchment leads to misleading public opinion by magnifying the achievements of one party and demonizing the other, turning the electoral process from a programmatic competition into a conflict of identities²².

The Audiovisual Regulatory Authority (ARAV) acts as a "deterrent regulatory" body to confront partisan lapses in private channels that exceed the limits of constructive criticism into blatant propaganda. Rapid intervention by the authority to correct the media course—whether through warnings or financial penalties—enhances the prestige of the law and forces institutions to respect the necessary distance from all candidates²³.

"Self-Regulation" within newsrooms remains the last fortress against external political pressures. The existence of "internal codes of honor" in every media institution protects journalists

from the dictates of management or parties. The independence of the editorial board is the sole guarantee to prevent the media outlet from turning into a tool in political battles that do not serve the supreme national interest²⁴.

Section III- Oversight Mechanisms and Media Regulatory Institutions in Elections :

This section focuses on the institutional framework responsible for monitoring media integrity, specifically the roles of ANIE and ARAV. It explores the technical and administrative mechanisms used to ensure "visual justice" and the fair distribution of airtime through public lotteries. Additionally, it highlights the importance of judicial oversight as a final guarantee against administrative overreach or media violations of electoral laws.

A- The Role of the National Independent Authority for Elections (ANIE) in Media Regulation :

The National Independent Authority for Elections represents the cornerstone of the new Algerian model, as the powers of the Ministry of Interior and the administration in supervising the electoral process, including the media aspect, were transferred to it. The constitutional independence of this body grants it the ability to impose strict standards of integrity, through which it ensures that state media resources are not exploited in favor of one party over another, thereby enhancing the transparency of the airtime allocated to candidates²⁵.

The Authority is tasked with monitoring the "principle of equality" in access to media outlets through a specialized technical committee that closely follows broadcast timing and content quality. The Authority does not settle for dry legal oversight; its powers extend to conducting a public lottery for the distribution of slots. This is a technical mechanism aimed at eliminating any human intervention that might favor one candidate over another in the order of television or radio appearances²⁶.

The law grants this Authority the right of immediate intervention in the event of detecting media violations that affect the integrity of the election, working in coordination with other regulatory authorities to correct the course. This "simultaneous" oversight with the campaign ensures that imbalances are addressed in real-time, preventing the accumulation of media biases that could cumulatively influence the will of voters before polling day²⁷.

B-The Audiovisual Regulatory Authority (ARAV) and Technical Content Oversight :

The Audiovisual Regulatory Authority plays the role of the "media policeman," ensuring that private and public channels respect the provisions of the terms of reference during elections. Its oversight focuses on the technical and professional dimensions, such as ensuring that "disguised political advertising" techniques are not used and that visual effects aimed at emotionally influencing viewers, away from programmatic debate, are not employed²⁸.

The Authority possesses the power to issue public "formal notices" to violating media institutions, and in serious cases, it can propose the withdrawal of licenses or the suspension of specific programs. This deterrent oversight aims to curb channels that might drift toward sensationalism or incitement, ensuring that electoral media discourse remains within the sphere of social responsibility and professional ethics²⁹.

The regulatory authority works to balance the public's right to information with the candidate's right not to be distorted, by activating the swift and free "right of reply." Compelling channels to

grant the right of reply to candidates who have been subjected to misinformation contributes to creating a corrective media environment that prevents the spread of fake news that could undermine the integrity of the electoral process³⁰.

C- Judicial and Administrative Oversight of Media Violations :

Oversight is not limited to administrative bodies; the Algerian judiciary intervenes as the ultimate guarantor for protecting the media path from electoral crimes such as defamation or the dissemination of false news that harms national security. The activation of public prosecution against media institutions proven to be involved in receiving foreign funds for electoral propaganda embodies the strictness of the sovereign approach in protecting public opinion³¹.

The Council of State and the administrative judiciary exercise post-oversight over the decisions of regulatory authorities, ensuring that these bodies do not abuse their power against media outlets. This "oversight balance" protects press freedom from administrative overreach and ensures that penalties imposed on channels are based on proven violations rather than malicious political considerations³².

The role of the judiciary extends to monitoring "media spending" within campaign accounts, where exceeding the funding ceiling allocated for advertising is prohibited. Auditing the media invoices of candidates reveals cases of "parallel financing" that might be used to illegally purchase the loyalty of media institutions under consultancy or technical labels³³.

D- Self-Regulation Mechanisms and Media Codes of Honor :

Self-regulation represents the ethical pillar that complements legal oversight, where media institutions commit to internal codes of honor governing the behavior of their journalists. The existence of independent "editorial boards" capable of rejecting administrative or financial dictates is the most effective guarantee for achieving political neutrality from within before external oversight intervenes³⁴.

Unions and professional associations contribute to enhancing the culture of "editorial responsibility" by issuing guidelines on how to cover elections with integrity. These professional initiatives aim to immunize journalists from pressures and remind them that their role is to serve the public's "right to know" rather than the narrow interests of candidates or parties³⁵.

The role of an "Ombudsman" or public mediator in some leading media institutions emerges as a mechanism for receiving audience complaints regarding observed biases. Interacting with public criticism and correcting editorial errors publicly enhances the credibility of the media outlet and confirms its commitment to political neutrality as a strategic choice, not just legal compliance³⁶.

IV-Challenges of Digitalization and Artificial Intelligence in Electoral Media :

This axis explores the impact of the digital revolution on the electoral process, where traditional boundaries of oversight are challenged by "New Media." It analyzes the risks of digital disinformation, "Fake News," and the emerging threat of "Deepfakes" produced by Artificial Intelligence. The discussion centers on the difficulty of applying national territorial jurisdiction to global platforms that influence the free will of the voter.

A- Informational Liquidity and the Challenge of Legal Regulation in Digital Space :

The digital revolution has caused an explosion in the flow of electoral information, shifting the weight of propaganda from traditional channels to "New Media," characterized by liquidity and liberation from geographical constraints. This widespread dissemination places the Algerian legal arsenal in a confrontation with the challenge of "territorial jurisdiction," as it is difficult to subject global platforms to national laws regarding neutrality or electoral silence, creating a loophole that allows propaganda to continue outside institutional oversight³⁷.

The issue of "electronic news sites" operating outside official legal frameworks arises, as they transform during election periods into tools for destabilizing public opinion through "leaks" or undocumented news. Media Law 23-14, by requiring the localization of electronic sites (.dz), sought to create a legal reference that allows for the tracking of criminal and civil liability for published content, ensuring a minimum level of commitment to electoral professional ethics³⁸.

"Digital campaign financing" poses an additional challenge, as social media grants the ability to target voters through "Sponsored Ads" that do not pass through the oversight of the electoral authority. This type of digital political advertising strikes at the principle of equal opportunity, as victory goes to those with a greater financial capacity to purchase algorithms rather than those with the strongest political program³⁹.

B-Media Disinformation and "Fake News" :

"Fake News" is the most lethal weapon against electoral integrity in the digital age, utilized to demonize competitors or falsify historical and political facts to confuse the voter. The speed at which misleading information spreads far exceeds the ability of official bodies to deny or correct it, making public opinion vulnerable to "social engineering" operations aimed at directing votes based on illusory data⁴⁰.

To curb this, the Algerian legislator introduced strict penal provisions to combat false news. Under **Article 196 bis of the Algerian Penal Code (amended by Law No. 20-06)**, severe criminal penalties are imposed on anyone who willfully propagates false news that undermines public security or order. Furthermore, this is complemented by the enforcement of **Articles 3, 4, and 5 of Law No. 09-04** (preventing and combating crimes related to information and communication technologies), which authorize specialized judicial units to monitor digital spaces. However, effective confrontation requires collective awareness and the activation of "informational vigilance" units within the Audiovisual Regulatory Authority to monitor rumors in their infancy and provide certain news to the public before the effects of disinformation worsen⁴¹.

"Echo Chambers" on social media platforms contribute to deepening political polarization, as users only receive information that aligns with their pre-existing biases. This informational fragmentation prevents the voter from impartially reviewing the programs of other candidates, emptying the principle of "media pluralism" of its actual content and turning the digital space into an arena for closed ideological conflicts⁴².

C- The Risks of Artificial Intelligence and "Deepfakes" :

"Deepfakes" represent the greatest existential threat to the credibility of modern electoral media, as AI technologies allow for the production of fabricated videos and audios of candidates with a precision that cannot be detected by the naked eye. Publishing fake statements by a candidate at a

critical timing (such as the electoral silence period) could lead to a radical change in results before the concerned parties can prove the fabrication⁴³.

These technical developments force the Algerian legislator to update the traditional framework of electronic evidence. In addition to the electronic signature provisions in the Civil Code, the prosecution of deepfakes relies on **Article 303 bis 1 of the Penal Code**, which criminalizes the non-consensual modification, publication, or simulation of a person's image or voice. When applied to elections, this digital forgery constitutes an aggravating circumstance under the general principles of electoral fraud in **Organic Law No. 21-01**. Legal protection for political neutrality today requires the presence of media forensic laboratories affiliated with the electoral authority, capable of examining suspicious digital content and issuing immediate certificates regarding its authenticity or falsity⁴⁴.

The danger of AI extends to "predictive algorithms" that can analyze the psychology of voters and target them with personalized messages (Micro-targeting) that manipulate their emotions. The absence of algorithmic transparency makes it impossible to know who is directing these messages and what their true goals are, placing the constitutionally protected concept of "voter's free will" at the mercy of technology⁴⁵.

D- Confrontation Mechanisms and Enhancing Digital Media Literacy :

A punitive approach alone is insufficient to face digitalization challenges; "Media Literacy" among citizens must be enhanced to enable them to distinguish between professional news and misleading content. Transforming the voter from a passive consumer of information into a "discerning critic" is the strongest guarantee for protecting political neutrality, as society itself becomes the primary overseer of the quality and integrity of digital content⁴⁶.

Cooperation must be activated between national regulatory authorities and major technology companies (such as Meta and Google) to enforce "geotagging" and identity verification for political advertisements directed at Algeria. Requiring these platforms to respect national laws during campaign periods is a sovereign demand to ensure that foreign powers or cross-border money do not intervene in shaping the local electoral media scene⁴⁷.

The role of "digital investigative journalism" emerges as an anti-disinformation mechanism, whereby national media institutions must invest in "defensive" AI technologies to detect fabricated videos and conduct fact-checking. Returning to the professional origins of journalism, based on source verification and pluralism, is the final fortress for electoral media against the overwhelming digital chaos⁴⁸.

Section V: Evaluation of the Algerian Model and Prospects for Future Reform

The final section provides an analytical assessment of the effectiveness of the current legal framework in bridging the gap between theory and field practice. It evaluates the functional synergy between regulatory bodies and identifies the persistent loopholes created by technological fluidity and economic interests. This axis concludes with a forward-looking vision, proposing "smart" legislative updates to fortify the Algerian model against future digital challenges.

A- Analytical Assessment of the Legal and Field Gap:

The primary challenge in the Algerian experience lies in the dialectic between the "perfection of the text" and the "complexity of the context." While the 2020

Constitutional Amendment succeeded in shifting the media philosophy toward "institutionalized freedom"⁴⁹, the field reality still suffers from an invisible resistance to change. This gap is not due to a lack of legislation, but rather to the traditional mentalities governing some media institutions that still operate under the remnants of the "directed mobilization" era.

True neutrality requires more than just equal airtime; it demands a change in the "editorial culture" that governs newsrooms. The "structural bias" linked to the interests of shareholders often creates a form of "soft censorship" where certain candidates are ignored not by law, but by professional neglect. Therefore, legal regulation must move beyond monitoring broadcast minutes to evaluating the "quality of coverage" and the fairness of the narrative presented to the voter.

To bridge this gap, the Algerian model must focus on institutionalizing "media transparency" as a daily practice rather than an occasional electoral obligation. The transition toward a "public service" model is the only way to restore the citizen's trust in official media. This requires financial and administrative autonomy for public channels, ensuring they remain a platform for all Algerians, regardless of their political or ideological orientations⁵⁰.

B- Jurisdictional Overlap and the Need for Functional Synergy:

The duality of oversight between the National Independent Authority for Elections (ANIE) and the Audiovisual Regulatory Authority (ARAV) creates a unique legal landscape. While ANIE ensures "visual justice" through the technical lottery of broadcast slots⁵¹, ARAV is concerned with the professional and ethical dimensions of the discourse. This overlap, while appearing coordinated, may lead to "diluted responsibility" if a media violation occurs in the grey areas between technical and editorial content.

The necessity of a "functional synergy" arises from the fact that electoral media is a dynamic process that does not wait for slow administrative decisions. The "deterrent powers" of regulatory bodies⁵² must be activated in real-time to correct any deviation in the media path. Neutrality in this sense is a "preventive" rather than a "punitive" concept, requiring constant coordination to protect the voter from "disguised political advertising" and misleading framing.

Moreover, the judicial oversight provided by the administrative judiciary acts as a final safeguard against any potential abuse of power by these regulatory bodies. This "balance of oversight" ensures that while the media is held accountable for its neutrality⁵³, its freedom is simultaneously protected from arbitrary administrative interference, creating a healthy environment for democratic competition.

C- Towards a "Smart" Legislative Framework Against Digital Chaos:

The digital transformation has rendered "territorial jurisdiction" a relative concept, as algorithms do not recognize national borders⁵⁴. The Algerian legislator is now faced with the challenge of "digital sovereignty," where neutrality must be protected in a space characterized by fluidity and anonymity. The current legal arsenal, although updated, needs to evolve toward "algorithmic transparency" to uncover the forces directing digital propaganda behind the scenes.

Confronting "Deepfakes" and AI-driven disinformation is no longer a technical luxury but an existential necessity for electoral integrity. The criminal protection of national identity⁵⁵ must expand to include the "digital identity" of candidates. This requires the establishment of specialized forensic units capable of detecting fabricated content during the "electoral silence" period, where the impact of disinformation is most lethal to the voter's free will.

Finally, the ultimate fortress against media chaos is the citizen themselves. Enhancing "Media Literacy" transforms the voter from a target for manipulation into a conscious partner in the oversight process. Future reforms should prioritize "self-regulation" within newsrooms⁵⁶, fostering a professional conscience that values the "right to know" above any partisan profit, thus completing the circle of legal and ethical regulation in the Algerian model.

Conclusion

In its final analysis, this study concludes that the Algerian model of electoral media has successfully established an advanced legal arsenal aimed at ensuring equal opportunity and neutralizing media outlets from narrow political conflicts. Through the 2020 Constitutional Amendment and the subsequent Organic Law 21-01 and Media Law 23-14, the legislator has moved from a traditional "state media" model toward a "public service" philosophy. However, the process of evaluating media performance during electoral cycles represents a critical reading of the alignment between legislative theory and field practice, revealing several key findings that define the current landscape.

Foremost among these findings is that Algeria has successfully transitioned the supervision of electoral media from the guardianship of government administration to constitutional independent bodies, namely the National Independent Authority for Elections (ANIE) and the Audiovisual Regulatory Authority (ARAV). This structural shift has significantly reduced the historical dominance of official "authority media" discourse, opening a genuine path for political pluralism where the media functions as a public service rather than a mobilization tool for the executive branch. Furthermore, the adoption of the "public lottery" mechanism for allocating airtime quotas has proven highly effective in achieving actual visual and temporal justice among all candidates, regardless of their political weight or previous parliamentary presence. This ensures that access to media outlets is a right guaranteed by objective technical standards, thereby protecting the principle of equal opportunity from administrative or political discrimination.

Despite these constitutional and institutional milestones, the study reveals a persistent gap between advanced legislative texts and complex field realities. While the current legal framework provides a robust architecture for neutrality, the actual media scene still faces challenges related to structural bias. The economic interests of private media owners often create a form of disguised political advertising that circumvents strict legal prohibitions through selective news framing and biased editorial headlines. This text-practice gap is further exacerbated by the challenge of cross-border digital liquidity, where a clear regulatory asymmetry exists between traditional media—which strictly adheres to legal controls like the 48-hour electoral silence—and global digital platforms operating outside national territorial jurisdiction. This creates a legal loophole where sponsored advertisements and unmonitored digital campaigns can influence the voter's will during the blackout period, threatening the integrity of the sovereign electoral process and making traditional legal deterrence less effective against global algorithms.

Additionally, the research highlights the emergence of sophisticated technical risks, specifically Artificial Intelligence (AI) and deepfake technologies, which represent the most prominent existential threat to future electoral integrity. The study finds that the speed of digital disinformation far exceeds the current monitoring and deterrence capabilities of regulatory bodies. Protecting political neutrality now requires evolving from textual oversight to algorithmic forensic oversight capable of verifying digital content in real-time before it impacts the public consciousness. On an institutional level, the effectiveness of the Algerian model remains rooted in a functional synergy and a precise balance of oversight between administrative, regulatory, and

judicial bodies, where the administrative judiciary acts as the ultimate guarantor against any abuse of power, ensuring that media penalties are based on proven legal violations rather than malicious political considerations.

Ultimately, this study demonstrates that achieving political neutrality is a dynamic process that does not stop at punitive legal regulation alone, as legal texts—no matter how deterrent—are insufficient without human and ethical pillars. The integrity of the democratic process in Algeria depends on building an independent professional culture that immunizes the newsroom from external pressures. Safeguarding the voter's will in the digital age is fundamentally dependent on the professional conscience of the journalist through self-regulation and internal codes of honor, alongside the media literacy of the citizen, which serves as society's primary defense against propaganda and digital manipulation. Therefore, future legislative evolution must shift toward algorithmic vigilance to protect the media scene from the infiltration of disguised political money and the manipulative power of misleading artificial intelligence.

- Recommendations

In light of the results reached, we suggest the following recommendations:

- Amending Organic Law No. 21-01 and Media Law No. 23-14 to create a joint digital forensic unit under ANIE and ARAV to remove deepfakes during the electoral silence period.
- Establishing a financial monitoring mechanism connecting ARAV, ANIE, and the CTRF to audit the funding sources of political advertisements targeted at Algerian voters on social media.
- It is necessary for the Ministry of National Education to integrate digital literacy into secondary school curricula to build social immunity against systematic disinformation campaigns during elections.
- Accelerating the activation of the Higher Council for Journalistic Ethics to enforce codes of honor in newsrooms and shield Algerian journalists from administrative and financial pressures.

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