

Ethical Standards of Media Practice in the Digital Space in Algeria: -An Analysis of the Fundamental Laws 12/05 and 23/14-

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Abstract:

This study examines the ethical standards governing media practice in the digital space in Algeria, with the aim of highlighting the necessity of adhering to professional ethics amid the rapid expansion of electronic publishing and the resulting legislative gaps. Adopting a descriptive and comparative methodology, the study analyzes the ethical and legal principles enshrined in Algerian organic law No 12/05 of 2012 and organic law No. 23/14 of 2023 as primary analytical tools. The findings reveal, first that Algerian legislation has granted broader freedom to media practice while maintaining a strong emphasis on ethical responsibility, and second that organic law No 23/14 represents a significant development by establishing a regulatory authority for electronic journalism to ensure ethical compliance in the digital media environment.

Keywords: The Digital Sphere, Media Practice, Media Professional Ethics, Ethics of Digital Media.

1. Introduction:

Digital journalism represents one of the most significant manifestations of technological convergence in the field of media and communication, It has fundamentally reshaped the relationship between media tools and the public by enhancing the credibility of information through the integration of multimedia formats, sound, image, and video, This capacity to deliver real-time, on-the-ground coverage has not only expanded the scope of journalism but also reinforced its relevance and acceptance in a society that is constantly seeking fresh, up-to-date content.

Moreover, digital journalism has democratized the media landscape by making media production and dissemination accessible to virtually all individuals, regardless of time or place. This shift has opened the door for both institutional actors and members of the public to engage in the processes of publishing and expression with unprecedented freedom particularly given the free and interactive nature of digital communication. This transformation is evident in the proliferation of websites, online news platforms, social media pages, and digital news groups, which have collectively altered the structure and dynamics of the media sphere.

As a result, the mechanisms of journalistic practice that were once standard in the traditional media environment have undergone substantial change when applied to digital contexts, These changes have redefined the roles of both media institutions and audiences, with users now actively contributing to content creation rather than merely serving as passive recipients, This participatory model has introduced a new layer of media content that complements traditional journalism.

However, this new digital content often operates beyond the constraints of geographic boundaries and conventional oversight, enabling it to bypass institutional gatekeeping and regulatory frameworks, In many cases, the freedom offered by digital platforms has not been matched by an equivalent sense of responsibility, Accuracy and objectivity are frequently compromised, and ethical lapses have become increasingly common.

This evolving reality necessitates a critical reflection on professional ethics in the era of digital media, The emerging digital environment, while modern and dynamic, continues to struggle in its efforts to establish clear

professional, ethical, and legal frameworks that can govern journalistic practices. Consequently, many scholars and practitioners have called for urgent reforms aimed at regulating and ethicalizing media behavior, in order to curb irresponsible conduct and practices that are alien to the core values of journalism.

2. Research Problematic:

Media and communication technologies have long played a vital role in preserving the ethical foundations and cultural values of societies. Accordingly, media professionals are expected to uphold this responsibility by adhering to established principles, regulations, and professional codes of conduct commonly referred to as media ethics. These standards aim to safeguard journalists' rights, particularly access to information, while ensuring the public's right to accurate, credible, and trustworthy content.

However, the rapid expansion of digital journalism has introduced new ethical challenges that traditional frameworks struggle to address effectively. In the digital media environment, issues such as the spread of fake news, the circulation of unverified or misleading content, the race for speed at the expense of accuracy, and violations of privacy have become increasingly prevalent. These challenges are further compounded by legal ambiguity and weak regulatory enforcement, making ethical commitment more critical yet more difficult to uphold.

Despite the importance of ethical codes in promoting professionalism, credibility, and social responsibility, they often lack binding force and effective enforcement mechanisms. As a result, ethical violations frequently go unpunished, leaving media institutions and practitioners vulnerable to misconduct. Among the most serious breaches are conflicts of interest, particularly in digital journalism, where relationships with political or economic elites can compromise objectivity and transform media platforms into tools of propaganda.

In light of these challenges, this study raises the central question of how Algerian media legislation, particularly within the digital sphere, can address specific ethical issues such as misinformation, lack of content verification, and conflicts of interest, and whether existing legal and ethical frameworks are sufficient to regulate digital journalistic practices while

balancing media freedom with ethical responsibility.

This leads us to the central research question of the present study:

What are the ethical standards governing media practice in the digital environment as outlined in Organic Law No. 12-05 and Organic Law No. 23-14 related to media regulation in Algeria?

This overarching question gives rise to the following sub-questions:

-What are the regulatory guidelines governing media practice in the digital environment?

-What are the specific features and ethical challenges associated with digital media practices?

-What ethical standards for digital media practice are outlined in Organic Law No. 12-05?

-What ethical standards for digital media practice are outlined in Organic Law No. 23-14?

3. Significance of the Study:

Amid ongoing debates surrounding ethical charters for digital media and the urgent need for a comprehensive regulatory framework, this study contributes to the broader body of research aimed at addressing these concerns. It seeks to shed light on the current state of media practice and the ethical conditions governing it within the realm of electronic journalism.

By examining the ethical standards and principles established by Algerian legislation, the study offers a critical analysis of how media institutions are expected to operate within a defined legal and moral framework. In doing so, it provides valuable insights into the intersection between professional conduct, digital transformation, and regulatory policy in Algeria's evolving media landscape.

4. Objectives of the Study:

-To critically examine the unique characteristics and evolving nature of media practice within the digital environment, particularly in light of the transformations brought about by technological convergence and user interactivity.

-To explore the legal and regulatory landscape that governs digital media in Algeria, with a focus on the specific provisions and frameworks applicable to online journalism and media production.

- To identify and analyze the legal and ethical instruments introduced by the Algerian legislator for the regulation of digital media activities, and to assess their effectiveness in shaping responsible journalistic conduct.

-To determine the core ethical and regulatory standards emphasized by Algerian law in relation to digital journalism, and to evaluate the extent to which these standards address the challenges posed by the contemporary digital media environment.

. 5Methodology and Research Tools:

This study adopts a descriptive research approach, which aims to gather data about the phenomenon under investigation and provide an accurate portrayal of its real-world characteristics. Accordingly, the research relies on the survey method, which is commonly used to obtain comprehensive and precise information that reflects the structure and dynamics of a given social reality (Kandilji, 1999, p 105).

The descriptive method is further understood as a systematic set of research procedures designed to describe a phenomenon through the collection, classification, processing, and critical analysis of relevant facts and data. This approach enables the extraction of meaning and the formulation of findings or generalizations regarding the subject of inquiry (Al-Mashhadani, 2019, p 15).

Within this methodological framework, the study will involve the collection and analytical examination of legal texts with ethical dimensions that regulate electronic publishing. These texts will be assessed through an interpretive lens that takes into account the political, technological, cultural, and social contexts in which they operate. In addition, attention will be given to how the right to communication and digital freedoms are exercised within Algeria's digital media landscape.

6. Conceptual Framework of the Study:

6.1. The Digital Sphere:

The digital sphere as the technological environment can be defined as “a set of interrelated elements with varying roles, competencies, functions, and scientific capacities that interact within an integrated system aimed at accomplishing specific tasks” (Lhouati, 2014, p 52).

The International Federation of Library Associations and Institutions

(IFLA) offers another definition, describing the digital sphere as “a setting in which information is processed digitally and accessed via modern communication tools that provide full and direct access to information, whether for commercial or service-based purposes” (Bouchamla, 2015).

This environment is composed of digital functions and activities that rely on available tools and platforms, involving numerous technologies and human teams working interactively to reshape the nature of the services provided.

6.2. Media Practice:

Media practice is often defined as “the performance associated with media-related platforms and communication channels, which equips individuals with the capacity to express themselves, engage with audiences, and produce news content marked by clarity and adaptability” (Bekdouri, 2021, p 540). This view emphasizes the functional aspect of media practice as a dynamic process that blends communication with technological literacy.

According to Ahmed Zakaria Ahmed, media practice involves “the execution of journalistic work within the framework of communication policies established by media professionals, including the rights, responsibilities, and operational boundaries assigned to them”, This perspective implies that media practice encompasses a wide array of influencing factors; political, regulatory, and even disciplinary, that define the boundaries within which media actors operate.

Another definition frames media practice as “the set of norms, methods, and procedures followed and upheld by journalists in the execution of their professional duties within media organizations” (Krikat, Bouziane, 2020, p 676).

In this sense, it includes the guiding principles adopted by media practitioners in their handling of content intended for public consumption, in alignment with the socio-cultural characteristics of the communities they serve.

6.3. Media Professional Ethics:

Media ethics may be understood as “a set of moral, behavioral, and professional values adhered to by both journalists and media institutions in

the course of their duties” (Sadaka, 2009, p 27), These values typically include general ethical norms such as truthfulness, integrity, and balance, as well as context-specific principles shaped by the unique characteristics of particular societies or institutions, Over time, these norms often become formalized into recognized professional charters or codes of ethics that guide media practice.

"Hanberg" defines media or journalistic ethics as “the core obligations that every journalist must uphold, which include the pursuit of fair, comprehensive, accurate, honest, and clear reporting”, According to the author, this ethical commitment also entails safeguarding sources, protecting the public interest, respecting legal frameworks and individual privacy rights, and correcting errors in published material when they occur (Belmoulai, 2021, p 101).

6.4. Ethics of Digital Media:

The digital environment, media ethics may be defined as “a set of ethical rules that govern the media process conducted through the internet” (Belmaamer, 2022, p 395) This definition highlights the ethical benchmarks that guide the production and dissemination of content in the digital sphere.

These standards remain linked to the traditional functions of media such as informing, entertaining, and preserving cultural heritage but require reexamination in light of the distinctive features of digital media.

Accordingly, the ethics of digital journalism consist of a body of principles and standards followed by content creators and editors who operate within online platforms and digital environments, These ethical frameworks aim to safeguard the rights and interests of audiences, the profession, and society as a whole, by promoting responsibility, transparency, and accountability in the production and circulation of journalistic content.

7. Ethics of Online Journalism in Algerian Legislation:

7.1. Overview of the 2012 Media Law:

The enactment of Organic Law No 12-05, dated 18 Safar 1433 AH (corresponding to January 12, 2012), marked a pivotal moment in the evolution of media legislation in Algeria. This law emerged in the context of a broader wave of political reforms announced by former President

Abdelaziz Bouteflika during his speech on April 15, 2011, in which he pledged to initiate a national dialogue involving political parties and civil society actors to address a range of societal issues.

Comprising 133 articles across 12 chapters, this legislative instrument introduced a new legal framework for media regulation, with Article 1 explicitly affirming for the first time the right to information and freedom of the press. This marked a significant departure from the 1990 Media Law, which had focused solely on the right to information, without affirming press freedom as a distinct principle.

Notably, the Algerian legislator addressed digital journalism in Chapter Five of the law, particularly in Articles 67 and 68. These provisions established a clear legal distinction between independent electronic journalism and other digital communication formats, deliberately excluding citizen journalism and audiovisual content distributed via the internet, as well as any form of digital media used for industrial or commercial promotion. The law thus seeks to institutionalize electronic journalism as a formal category, while distancing it from less regulated or participatory forms of online communication.

Organic Law No 12-05 clearly reflects the Algerian legislator's explicit concern for professional media ethics. A full chapter -Chapter II of Part Six- is devoted to journalistic ethics and professional conduct, underscoring its centrality within the law's 133 articles distributed over 12 chapters. This emphasis highlights the legislator's intent to define the principles and regulations governing the practice of the right to information and freedom of the press.

Moreover, Article 2 of the law affirms the freedom of the press while simultaneously requiring that it be exercised within a framework of legal and ethical constraints. These boundaries, as stipulated by the legislator, are designed to balance freedom with responsibility, and include adherence to the following key elements:

- The Constitution and laws of the Republic;
- Islamic values and other recognized religions;
- National identity and the cultural values of society;
- National sovereignty and unity;

- National security and defense requirements;
- Public order considerations;
- The country's economic interests; The duties and obligations of public service;
- The citizen's right to comprehensive and objective information;
- Confidentiality of judicial investigations;
- Pluralism of opinions and viewpoints;
- Human dignity and individual and collective freedoms.

Moreover, the sixth chapter of this Organic Law affirms a set of ethical principles and professional standards that journalists and media institutions are expected to uphold in order to achieve ethical, trustworthy, and violation-free journalism, Article 83 establishes the right to access information and the citizen's right to objective and comprehensive news coverage, It obligates institutions and administrative bodies to provide journalists with requested information, thereby safeguarding the public's right to be informed, within the limits set forth by the Organic Law and prevailing legal frameworks, particularly the restrictions outlined in Article 84.

The second section of this chapter, titled "Professional Ethics and Conduct" further articulates core ethical imperatives for media practice. Article 92, in particular, imposes a binding duty on journalists to adhere to professional ethics and codes of conduct. The article stipulates that: "The journalist must ensure full respect for the ethical standards and codes of conduct of the profession during the exercise of journalistic activities".

In addition to the provisions outlined in Article 02 of this Organic Law, the journalist is specifically required to observe the following obligations:

- Respect the emblems and symbols of the state;
- Demonstrate a consistent commitment to producing comprehensive and objective news reports;
- Report facts and events with integrity and impartiality;
- Correct any inaccurate or false information that may be published;
- Refrain from exposing individuals to danger or harm;
- Avoid any offense to national historical memory;

- Refrain from glorifying colonialism in any form;
- Abstain from directly or indirectly endorsing racism, intolerance, or violence;
- Avoid plagiarism, defamation, and slander;
- Refrain from using professional status for personal or material gain;
- Avoid publishing or broadcasting images or statements that violate public decency or provoke public sentiment.

These provisions reflect a comprehensive ethical framework intended to preserve both the dignity of the profession and the rights and sensitivities of the public within the context of media practice in the digital age.

Article 93 places significant emphasis on the protection of individuals' private lives, explicitly stating: "It is prohibited to violate the private life, honor, and dignity of individuals...".

In this regard, the law obliges journalists to refrain from infringing upon the personal integrity of both private citizens and public figures. This provision raises an inherent tension between the affirmation of press freedom on one hand, and its restriction through such legal clauses on the other.

A closer analysis of the law's provisions reveals the Algerian legislator's clear intent to embed ethical journalism principles into practical reality. This is particularly evident in Article 94, which mandates the establishment of a High Council for the Ethics and Professional Conduct of Journalism. The council is to be formed through elections by professional journalists, reflecting a genuine legislative effort to enable self-regulation within the media sector.

Further reinforcing this commitment, Article 96 grants this council full legal authority to draft and ratify a Journalistic Code of Ethics. In addition, Articles 97 and 98 endow the council with disciplinary powers to sanction ethical violations and to define procedures for appealing imposed sanctions. This framework highlights a deliberate effort to institutionalize ethical governance within the media landscape, particularly as it evolves in the digital environment.

Article 99 of the Organic Law stipulates that "The High Council for the Ethics and Professional Conduct of Journalism shall be installed within

a maximum period of one year from the date of publication of this organic law”.

Unfortunately, this provision remains unfulfilled in practice. Despite its significance, the establishment of this council has yet to materialize, remaining confined to legislative text without actual implementation over the years. This inertia has, even if implicitly, undermined the credibility of media practice in Algeria.

This situation underscores the urgent need to operationalize the High Council for the Ethics and Professional Conduct of Journalism, especially in light of the growing proliferation of disinformation, plagiarism, and misrepresentation, phenomena that threaten public morality and societal values.

Moreover, the law clearly outlines the nature of sanctions and financial penalties applicable to certain ethical violations, such as insult, falsification, defamation, and bribery. These are codified under Title IX, specifically in Articles 117, 118, 123, and 126 of Organic Law 12-05 (Organic Law No. 12-05 relating to media, 2012).

7.2. Overview of Organic Law No. 23-14 on Media Regulation:

Organic Law No 23-14 on media was promulgated on 10 Şafar 1445 AH, corresponding to August 27, 2023, and published in Issue No 56 of the Official Gazette of the People's Democratic Republic of Algeria.

This law, structured into seven chapters comprising a total of 56 articles, aims to establish the mechanisms and frameworks governing the media sector, as well as the modalities of professional journalistic practice. In line with democratic principles, the law reaffirms -particularly through its first article- the imperative of exercising journalistic activity in a context of freedom, as guaranteed by the legal and constitutional order.

According to Article 2 of the Organic Law, the legislator adopts a unified definition of media activity, characterizing it as the dissemination and broadcasting of news and knowledge through all available means. This definition inclusively encompasses the domains of print and electronic journalism as well as audiovisual media -unlike the 2012 Media Law-, which differentiated between these categories and precisely delineated the responsibilities specific to each platform.

It appears that, through Article 3 of this new Organic Law, the Algerian legislator has taken deliberate steps to reinforce media freedoms within the framework of constitutional provisions and the principles outlined in the Organic Media Law.

However, this support is conditioned by a series of ethical, religious, and national considerations, including:

- Islam and the national religious frame of reference;
- Other recognized religions;
- National identity, as well as the religious, ethical, and cultural values of the nation
- National sovereignty, territorial integrity, and unity;
- Public order, national security, and defense;
- The fundamental symbols and institutions of the state;
- Human dignity and individual and collective freedoms;
- The country's economic interests;
- Citizens' right to full, impartial, and accurate information;
- The confidentiality of preliminary and judicial investigations;
- The pluralistic nature of intellectual and ideological currents.

In a significant development, the Algerian legislator, for the first time, introduced a regulatory authority dedicated to overseeing the field of electronic journalism. This is stipulated in Chapter I of Title IV of the new law, Article 13 explicitly establishes the *Regulatory Authority for Print and Electronic Journalism*, described as “an independent body possessing legal personality as well as administrative and financial autonomy.”

The article further notes that the functions, composition, and operating procedures of this regulatory authority will be governed by the provisions set forth in the law relating to print and electronic journalism, which outlines the professional standards and ethical codes to be observed by media practitioners.

Title V of the law, entitled The Journalism Profession and the Ethics and Deontology of the Profession, is divided into three chapters. These sections address the rights and freedoms of journalists in the exercise of their profession, while also outlining a number of restrictions and normative principles that media professionals are required to observe in the treatment

of content intended for public dissemination.

For instance, Article 16 explicitly ties the status of the journalist to the obligation to comply with the provisions of the organic law, indicating that their professional activities are subject to criteria and principles as defined by the legislature.

This law dedicates an entire chapter to the ethical and deontological obligations of journalists, mandating the establishment of a High Council for Journalism Ethics and Deontology. Article 34 details the requirement for such a council, including the procedures and criteria for appointing its members. Furthermore, the second clause of the same article confers upon the Council the authority to draft, formalize, and ratify a professional code of ethics that governs journalistic conduct.

Article 36 further endowed the High Council with an additional prerogative: the discretionary authority to determine the nature of disciplinary sanctions resulting from breaches of the ethical code, as well as the mechanisms for appeal. However, this provision appears susceptible to revision and may open the door to favoritism in the imposition of sanctions, thereby undermining the integrity of Algeria's media legislation.

Ideally, the law should have included a clearly defined list of infractions and corresponding penalties to which journalists may be subject. Such a list ought to be submitted to the Council for approval by majority vote, and subsequently communicated to media institutions and professionals in the field. This would enhance transparency and ensure that sanctions are applied equitably and impartially, devoid of subjectivity or personal bias in the interpretation of infractions.

In addition to the provisions set forth in Article 3, Article 35 of the Organic Law explicitly codifies a set of prohibitions that journalists are legally bound to observe in the exercise of their professional duties. Specifically, journalists are prohibited from:

- Publishing or broadcasting false or misleading information;
- Endangering individuals through media content;
- Glorifying colonialism or denigrating national memory and the symbols of the Algerian War of Liberation;
- Directly or indirectly promoting racism, terrorism, extremism, or

violence;

- Publishing or broadcasting -whether directly or indirectly-any form of hate speech or discriminatory discourse;
- Exploiting their profession for personal or financial gain;
- Resorting to illicit or unethical means to obtain information, images, or documents;
- Publishing or disseminating images, statements, gestures, or insinuations that are immoral or offensive to public sentiment;
- Violating the rights of the child;
- Undermining the image, dignity, or honor of women;
- Infringing upon individuals' private lives or violating the presumption of innocence;
- Accepting financial or material benefits of any kind that may compromise their objectivity, professional independence, or editorial judgment;
- Yielding to pressure that may distort the integrity of information, or conditioning the dissemination of information upon receiving compensation or other forms of advantage.

Unlike the 2012 Media Law, the new Organic Law introduces additional prohibitions and limitations, notably aiming to safeguard the private life of vulnerable groups, particularly children and women, while explicitly forbidding journalistic engagement in matters that compromise their dignity and honor. Furthermore, the law places stricter emphasis on preventing the use of deceptive or unprofessional methods for obtaining information.

The law also provides detailed clarification regarding financial and legal penalties associated with ethical violations committed within the framework of journalistic practice. These include offenses such as bribery, falsification of information, defamation, and even espionage. These provisions are articulated in Chapter Seven of the law, notably in Articles 45, 46, 48, and 50 (Organic Law No, 23-14 relating to media, 2023).

8. Conclusion:

In conclusion, the findings of this study reaffirm the critical importance of ethical principles as an indispensable foundation for media practice across the spectrum of digital platforms. This imperative stems primarily from the vast expansion of freedom enabled by modern virtual spaces, which in turn has significantly reshaped the ethical responsibilities of media institutions. As digital environments increasingly blur the boundaries between professional journalism and user-generated content, the need for well-defined ethical standards becomes ever more pressing.

This study was conceived as part of a broader academic endeavor to highlight the transformative shifts occurring within the media landscape, with a specific focus on the evolving professional ethics in the context of digital journalism. Through a critical reading of Algeria's legal framework, namely, Organic Law 12-05 and the more recent Organic Law 23-14, it has become evident that while legislative efforts have sought to regulate media conduct, gaps remain in the translation of these principles into operational and enforceable mechanisms.

The laws in question offer a legal roadmap of ethical values and professional obligations aimed at fostering a culture of responsibility and integrity among journalists. They underscore the necessity of adopting a dedicated code of ethics grounded in the social responsibility theory of the press. Such a code should serve as a moral compass for navigating the complexities of digital media practice, where immediacy often supersedes verification, and sensationalism competes with objectivity.

Moreover, the study reveals that current media practices in Algeria, particularly within the realm of online journalism, require a qualitative leap forward. This involves not only the modernization of legal frameworks but also the development of structured editorial policies tailored to the demands of the digital era. Moving beyond ad-hoc or improvisational approaches, the Algerian media landscape would benefit from a standardized publishing methodology that aligns with both international ethical benchmarks and national socio-cultural values.

Ultimately, it is the ethical framework that legitimizes journalistic professionalism and solidifies the trust-based relationship between the

media and the public, When such ethics are reinforced by binding legislation and institutional mechanisms, they become not merely aspirational ideals but operative standards that govern practice, ensure accountability, and strengthen the democratic role of the media in society.

9. Recommendations:

- Encourage media institutions to develop self-regulatory ethical frameworks within the boundaries permitted by national legislation.
- Urge the Algerian legislator to further elaborate on ethical provisions in media laws and to treat them as binding and enforceable rather than merely advisory.
- Prioritize the accuracy and depth of content over the pursuit of journalistic exclusivity or breaking news.
- Promote comprehensive media coverage that reflects the plurality of opinions and ideological differences within society, thereby contributing to the reinforcement of democratic values.
- Establish explicit laws or codes of ethics that clearly regulate individual rights and freedoms in media coverage across emerging digital platforms and multimedia environments.
- Ensure the availability of adequately trained human resources to perform the various specialized roles required in digital journalism, rather than over-relying on the concept of the "multi-skilled journalist," which may compromise the quality and credibility of content disseminated via electronic newspapers and social media platforms.

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