

The limitations of short-term imprisonment in the perspective of modern criminal policy

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Abstract:

The value of short-term imprisonment has begun to weaken as a means of deterrence and as a tool in the hands of contemporary criminal policy. This has led criminal jurisprudence to the necessity of constantly thinking about and predicting the future of this punishment. Accordingly, it aims to find a way out of the impasse in which the short-term imprisonment penalty has found itself by looking to establish different means or measures that are more effective in confronting crime. This is known as the necessity of penal development in a way that fulfills all the desired goals by proposing alternatives to the latter that clearly embody the contemporary penal objectives aimed at reform and social rehabilitation in order to reduce the spread of the crime phenomenon.

Keywords: *Short-term imprisonment; Disadvantages; criminal policy; penal development; penal alternatives.*

I. Introduction:

Human thought has settled on considering punishment in general and short-term imprisonment in particular as a tool to combat crime. Despite the developments that short-term imprisonment has witnessed, it has had many disadvantages that made it unsuccessful in achieving deterrence in both its general and specific types, as society underestimates the severity of this punishment due to its short duration and its inability to achieve the required reform for those convicted, through the interaction between novice criminals and professional criminals in the prison environment and their saturation with criminal culture.

1. Importance of the topic:

The importance of the topic is evident through its examination of the Algerian legislator's approach to keeping pace with developments in the field of modern penal policy.

The study also gains importance through its identification of alternative

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penalties, their characteristics and advantages, and its provisions and application conditions, particularly in light of the efforts of many regimes to reconsider their penal policies and adopt an alternative penal system.

2. The Problem:

Based on the change in the concept of custodial punishment resulting from the ideas that spread following the Enlightenment, after which punishment became more of a tool for reform and rehabilitation than a means of reprimand, numerous alternatives emerged. This prompted the Algerian legislator to keep pace with these developments and seek advanced methods and alternatives that depart from the classical concept of criminal punishment. Based on this, the main research problem arose, revolving around:

To what extent are alternative punishments effective in overcoming the limitations of short-term imprisonment and responding to the requirements that modern criminal policy seeks to achieve?

From this main problem, sub-questions emerge, revolving around:

- What are the most significant shortcomings of short-term imprisonment?
- What is the role of alternative punishments in overcoming the disadvantages of short-term imprisonment?

3. Study Methodology

The descriptive and analytical approach is predominant in the study, which gathers, analyzes, and explains ideas, clarifying everything related to short-term custodial sentences, and presenting the effects of their application and their most significant negatives. It also reviews alternative punishments, identifying their types and implementation mechanisms according to Algerian law, through analyzing the legal texts dedicated to these alternatives.

4. Study Objectives

The study aims to:

- Identify the negative effects of short-term custodial sentences on the convict, his family, and society.
- Highlight the effectiveness of penal alternatives in reforming, rehabilitating, and socially reintegrating convicts.

- Clarify the Algerian legislature's approach to alternative punishments.

5. Study Plan

The subject will be studied through a two-part plan, preceded by an introduction that includes the most important elements. The first section explores the shortcomings of short-term imprisonment in achieving the goals of contemporary criminal policy. The second section explores the role of alternative sanctions in overcoming the limitations of short-term imprisonment. Finally, the conclusion outlines the most important findings and some proposals.

I. The shortcomings of short-term imprisonment in achieving the goals of modern criminal policy

Although short-term imprisonment plays a distinctive role in combating crime, as a primary means of applying special deterrence to certain types of offenders whose crimes are characterized by recklessness, as well as deterring those who have recently committed crimes, as well as occasional criminals, etc., this does not mean that the latter is free of negative effects, the prevalence and apparent nature of which is observed in more than one aspect. This will be addressed in detail in this section through three points.

1. The Legal Effects of Short-Term Imprisonment

The application of this type of short-term sentence usually has negative legal implications, highlighted by the phenomenon of prison overcrowding and the spread of recidivism.

A. The Phenomenon of Prison Overcrowding

Criminal justice systems in various countries around the world still rely on imprisonment as a primary deterrent, deterrent, and reformatory punishment. Consequently, the prison population increases automatically, resulting in an exacerbation of prison overcrowding.

a. Definition of the Phenomenon of Prison Overcrowding

It can be defined as the number of prisoners exceeding the actual housing capacity of the designated penal institution. It also refers to the increase in the number of prisoners beyond the prison's capacity, leading to a disruption of its function. It also refers to the actual number of prisoners exceeding the prison's design capacity during a given period. The

number allocated to each prison is determined based on its design and the space allocated to each prisoner in the sleeping area.¹

b. Effects of Prison Overcrowding

1. On the one hand, overcrowding in penal institutions leads to the inability of those in charge to provide the necessary requirements for their full management, which prevents the achievement of punishment goals. It also places additional burdens on them, hindering the prison's primary function. Reform programs then fail and become hollow, devoid of any benefit. On the other hand, overcrowding prevents convicts from enjoying certain conditions that promote human rights, such as health and social care.²

2. Prison overcrowding also leads to the failure of reform programs for those serving long sentences to achieve their goals, the most important of which is the reform and rehabilitation of convicts. Furthermore, the interaction with criminals with criminal experience leads newly criminals to steadily and quickly engage in more serious crimes.³

B. High recidivism rates

As a result of the negative feelings that afflict those released and the increased hatred they feel toward society as a result of the negative effects of their sentence,

they lose their sense of belonging. Not to mention the negative experiences they have gained, they become more dangerous than before. Losing their jobs and being viewed with contempt contributes to their relapse into crime.⁴

a. Definition of Recidivism

Several definitions of recidivism have been proposed, most of which are similar in meaning. Recidivism is when a person commits a crime after being sentenced to a final judgment for another crime. In other words, it is the legal description given to a person who has relapsed into crime after being sentenced to a penalty pursuant to a previous final judgment, within the conditions specified by law.⁵

Therefore, in most legislation, recidivism has become a reason for aggravating the penalty. This is due to two important considerations. The first is that when a criminal is convicted and sentenced for the first crime,

he has received a warning from society not to repeat the crime, but he has been careless and has ignored this warning. Consequently, a more severe penalty must be imposed. The second is that the subsequent conviction, followed by the commission of a second crime, indicates that the offender has a dangerous tendency and a criminal nature that requires aggravation or modification of the penalty in the event of recidivism. ⁶

b. The reasons leading to the increasing rates of recidivism are numerous and varied. We will focus on:

1. The inability of the released prisoner to adapt socially, as the living conditions within the penal institution contribute to deepening the gap between the institution's community and society outside its walls. In light of this isolation, the released prisoner will find no one closer than his fellow inmates, as they alone do not feel the stigma of mingling with him. Clearly, this situation does not bode well for a healthy return to society. Rather, the opposite possibility is recidivism, especially since this condition is usually accompanied by intense resentment toward his social environment, which leads to an urgent desire to harm those around him in revenge. ⁷

2. The impact of the convict's short-term association with those with criminal records and high-risk criminals. This is a contributing factor and a catalyst for his recidivism if he has a criminal predisposition. ⁸

2. The social and economic effects of short-term imprisonment.

This penalty often exposes the convict to numerous social and economic problems. It is more severe than other forms of imprisonment because it directly impacts not only the prisoner, but also his or her family, the daily economy, etc.

A. The Social Effects of Short-Term Imprisonment

The disadvantages of imprisonment are numerous, affecting the prisoner and those around them, including family members and members of society.

a. Between the prisoner and his family members

The family of the convict faces estrangement and alienation between them and the prisoner, in addition to numerous difficulties due to the absence of a breadwinner and the cessation of essential financial resources. This may lead to the homelessness and begging of the wife and children, especially minors. They may resort to crime in search of a living,

which contributes to the creation of a new class of criminals. The family of the prisoner also suffers from the stigma that haunts them, and the workplace or school environment may be affected, resulting in negative repercussions such as leaving work or dropping out of school.⁹

b. Between the Prisoner and Community

Achieving harmony between the released prisoner and society is an extremely difficult goal, as it clashes with public opinion and the ingrained image they have of this group in general. This changes the nature of interactions between the prisoner, his friends, and his employers from what they were before the sentence. This often results in withdrawal from friends, leaving work, or even changing residence.¹⁰

B. The Economic Effects of Short-Term Imprisonment

Among the economic effects of short-term imprisonment are those affecting the prisoner, his family, and society, which will be explained later.

a. On the offender and his family members.

As for the inmate's family, as a result of the head of the household being imprisoned, all family members are required to bear the responsibility of providing the financial resources to live on and save face, as well as to pay the burden of defense services and visitation expenses, etc.

b. On society

The judiciary's resort to short-term custodial sentences, to the point of extravagance, has resulted in penal institutions bearing exorbitant expenses, in addition to depriving the state of new productive capacities, which could play a significant role in supporting the national economy.¹¹

It is worth noting that the penal institution's sufficiency in meeting the inmates' needs for food, clothing, and medical care teaches them dependency. As soon as they are released, they tend to return to prison walls, not out of a love of crime, but rather out of a desire for the luxury of rest and unemployment, far from toil. This in itself is a burden on the state budget.¹²

Referring to criminal jurisprudence, we find that it has been divided regarding short-term custodial sentences into several opinions, resulting in two trends:

The first trend sees the necessity of maintaining them while limiting their

application relatively, based on the deterrent effect they provide to novice and occasional criminals, given that short-term sentences serve as a warning against recidivism. It is also necessary to establish institutions to separate different categories of criminals.

The second trend sees the need to abolish it completely and replace it with other penalties. This is based on the fact that the short period of time in a penal institution is insufficient to identify and classify prisoners, and it is not possible to develop appropriate reform programs during this period. Based on the above, we can say that the final abolition of short-term custodial sentences is difficult to achieve. It still has indispensable benefits, and its complete abolition is practically unattainable. The only realistic way to solve the problem is to limit the cases in which this punishment is applied.¹³

On the other hand, its effects must be mitigated and its disadvantages reduced by seeking alternatives to short-term custodial sentences. As a result, there seems an urgent need to adopt alternatives to short-term sentences, through which the intended goals of these alternatives are achieved while simultaneously avoiding the negative effects of short-term sentences. Consequently, it is necessary to develop a variety of alternatives that are appropriate for deterring offenders and correcting their behavior without Having to imprison them and cost the state huge expenses.¹⁴

II. The Role of Alternative Sanctions

in Achieving the Goals of Contemporary Criminal Policy

Based on the change in the concept of punishment brought about by the ideas that spread following the Age of Enlightenment, where punishment became a tool for reform and rehabilitation rather than a means of reprimand, many alternatives have emerged in modern penal policy, and both the Algerian legislator and some comparative legislation have attempted to enshrine them in practice.

1. Alternative Sanctions Enshrined in Algerian Legislation

The Algerian legislator has followed the modern penal trend aimed at achieving security and societal stability by reforming, rehabilitating, and reintegrating criminals, establishing the foundations of criminal justice.

A. Alternative Sanctions Provided for in the Penal Code and the Code of Criminal Procedure

Given that the Penal Code is the primary framework within which the features of the crime and the prescribed penalty are united, it is only natural that possible alternatives to penalties be included in the same law, along with the practical application provided by the Code of Criminal Procedure to combine substantive and procedural legitimacy.

a. The suspension of execution system

It is the suspension of the execution of a sentence for a limited period, intended as a trial, until the court determines that the offender will not re-commit other crimes in the future.¹⁵

This system was introduced by the Algerian legislator under Order 66-156 in Articles 592 and following.¹⁶

Suspension of execution is a suitable alternative that can fulfill the deterrent and prevention functions of punishment. The deterrent function is achieved through the threat of a penalty issued by the judge after liability is established. The prevention function is achieved by preventing the convict from committing crimes in the future, fearing the actual execution of the sentence.¹⁷

b. The Public Benefit Work System

The Algerian legislator did not define the penalty for public benefit work, but it can be inferred from the text of Article 5 bis 1 of 09-01: It is an alternative penalty to imprisonment, whereby the convict performs unpaid work for a legal entity subject to public law, under certain conditions. 18¹⁸

Public benefit work is among the primary penal alternatives* that spares the convict the disadvantages of short-term imprisonment, the most important of which is mingling with dangerous criminals, as it applies to less dangerous criminals, for whom simply restricting their freedom and requiring them to perform community service work under supervision and oversight is sufficient.¹⁹ The public benefit work system also grants a great deal of freedom, while simultaneously protecting society from any inappropriate behavior by the offender, thus achieving both interests. On the other hand, this system contributes to reducing the costs of combating crime imposed on the state. It also helps the convict learn a new trade, thus creating new earning opportunities for him, reducing the likelihood of him committing crimes and assisting in his integration. And his direct

connection with the community.²⁰

B. Alternatives Provided for in the Prison Organization and Social Reintegration of Prisoners Law 04-05/18-01

This law stipulates three alternatives, all of which aim to make reintegration a continuous and ongoing process. These are the semi-freedom system, the conditional release system, and the electronic monitoring system.

a. The semi-freedom system

This system is considered the final stage of the gradual system, stipulated in Article 104 of Law 04-05. It is a system whereby a prisoner who has been finally sentenced is placed outside the penal institution during the day, alone without guarding or administrative supervision, and returns to the institution each evening. The semi-freedom system occupies an important position in the perspective of modern penal policy, as it is one of the practical mechanisms aiming to achieve its goals in reforming and rehabilitating the convict and reintegrating him into society, so that the majority of legislation not only stipulates this alternative but also seeks to find practical procedures that ensure its proper implementation. This system expresses the transition from treatment in a closed environment to treatment in a free environment, although in reality it combines the two methods, and is considered an appropriate framework for preparing the convict and moving him towards the stage of freedom. Work and study outside the walls of the penal institution are only two means that allow the convict to enter the free world and prepare himself to face the responsibilities that will be placed on his shoulders at the time of final release.²¹

b. the Conditional Release System

The Algerian legislator did not explicitly define this system, but rather merely stipulated its purpose. Therefore, referring to jurisprudence, we find that it has been given various definitions, most of which agree that it involves the release of a person sentenced to a custodial sentence before the end of their sentence, if it is proven that the time spent in prison was effective in their reform. This is provided that they adhere to the obligations imposed upon them, maintaining their good behavior during the remaining period, and that they will return to the same penal institution if they fail to

comply with these obligations.²²

*The rationale behind conditional release is to encourage the prisoner to reform themselves within prison so that they can be released before the end of their sentence. The remaining period of the sentence is subject to a portion of restricted freedom, serving as a transitional period from prison life to free life. Furthermore, it provides the convict with good behavior with the opportunity to find honorable work that will avoid the supervision of the authorities for the remainder of their sentence. Once the sentence is over, they can continue to work in that job. Which he chose for himself.*²³

c. Electronic Monitoring System

*In the face of widespread criticism of short-term custodial sentences, and within the framework of rationalizing penal policy, promoting human rights, and making pretrial detention an exceptional measure only, Algerian legislators, like other legislation, have initially adopted the electronic monitoring system as an alternative to pretrial detention. This is to ensure the implementation of judicial oversight obligations under Order No. 66-156, which includes the Code of Criminal Procedure, and also as an alternative to custodial sentences under Law No. 18-01, which includes the Law on the Organization of Prisons and the Social Reintegration of Prisoners.*²⁴

*Referring to the same law, we find that this alternative punitive measure is defined in Articles 150 and 150 bis 1 as: "A procedure by which a convict can serve all or part of the sentence issued against him outside the penal institution at the request of the convict, his defense counsel, or the judge enforcing the penalties automatically. This is done by placing an electronic bracelet around the convict's wrist or foot, which allows the convict to be identified at the place of residence specified in the decision to place him under electronic surveillance, issued by the judge enforcing the penalties."*²⁵

Among the most important justifications for adopting electronic surveillance are its saving of significant sums of money to the public treasury, instead of spending them on penal institutions. In addition, it preserves family ties and strengthens the relationship between the convict and his family, based on the convict's ability to fulfill his familial and professional roles in a manner that allows him to integrate socially, free

from the stigma that would have been attached to him upon his imprisonment.

2. A model of some of the alternative penalties stipulated in comparative legislation and the possibility of their application in Algerian legislation.

A section of modern jurisprudence has acknowledged the futility of short-term imprisonment and has even questioned its effectiveness. It has been subjected to intense criticism due to its inherent disadvantages. This has prompted many comparative criminal legislations to adopt alternative penalties that avoid these disadvantages. In this section, we will discuss some of these alternatives.

A. The Sentence Installment System

The sentence installment system—in intermittent periods—is one of the exceptional applications of the principle of continuity of enforcement to avoid the negative consequences of short-term imprisonment. It takes two forms: imprisonment or a fine. In Belgium, weekend imprisonment can be applied from 8:00 PM on Saturday to 6:00 AM on Monday, and then again the following week, with the weekend days deducted from the total sentence.²⁶

Therefore, this system is considered a means of individualizing punishment that the legislature authorizes the criminal judge, taking into account the personality of the convict and the requirements of appropriate punitive treatment. It is also a means by which the convict, their family, and society can avoid the disadvantages of short-term imprisonment. We note that the sentence installment is imposed by the court that issued the sentence, and thus represents an example of the extension of the judiciary's authority in the area of enforcement, which confirms the continuity of the criminal case until the end of the sentence.²⁷

B. The Sentence Deferral System

Comparative legislation does not recognize the sentence deferral system, but it does specify the conditions for its application. From this, we can deduce that the sentence deferral system is a modern form of short-term imprisonment alternatives, whereby the judicial body does not announce the sentence despite the necessary conditions being met. This occurs after the accused is convicted of guilt and after the court orders the confiscation of the dangerous and harmful substances used to commit the

The limitations of short-term imprisonment in the perspective of modern criminal policy -----

*crime. For example, in the French Penal Code, Article 132-60 states that the judge may defer the sentence if it becomes clear that the criminal can be rehabilitated, that imminent harm can be remedied, and that the disturbance resulting from the crime will cease. Accordingly, the convict remains free and can be placed under the supervision of a person appointed by the court or required to provide a bond in kind or in person. If he succeeds in improving his behavior, no negative measures will be taken against him. If he fails, the court has complete discretion in punishing him.*²⁸

The Algerian legislator may adopt these two penal alternatives as they are considered Special penal systems - if the conditions for their proper application are met, whether those related to the convict or the punishment, etc. - are more effective in taking advantage of the advantages they contain and enabling convicts to open up to the outside world and establish relationships with society, which paves the way for their integration after their final release, which is what contemporary penal policy aims to achieve.

Conclusion:

Through our study of the limited scope of short-term imprisonment from the perspective of modern criminal policy, and our focus on uncovering all the negatives and disadvantages of this penalty affecting the convict, their family, and their community, we arrive at the following conclusions:

1. From the legal perspective, the phenomenon of prison overcrowding, the spread of recidivism, and the burden on the state treasury are all emerging. This is not to mention the societal unacceptance of the behavior of this group and the stigma that follows them even after their release. Add to this the economic losses incurred by families, represented by the absence of a breadwinner, which forces them to seek a source of livelihood and bear the burden of defense costs, etc.

2. Modern trends in criminal policy call for concerted efforts at the national and international levels to limit the spread of this type of penalty, or at least to restrict its scope and move toward more effective penal systems.

3- The Algerian legislature should devote itself to alternatives to short-

term imprisonment within the Penal Code, the Code of Criminal Procedure, and Law 05-04, as amended and supplemented by Order 18-01, which includes the Prison Organization Law.

4- The possibility for the Algerian legislature to implement some of the penal alternatives applied in comparative legislation, which have proven effective, such as the system of delayed sentencing and the system of disbursing sentences in installments.

To this end, we can add some suggestions:

- Calling on the Algerian legislature to keep pace with the developments taking place in the field of alternative punishments.*
- It would be beneficial to reduce the conditions for benefiting from public service work, suspending execution, and extending sentences, from sentences not exceeding three years to five years, without restricting the length of the sentence imposed.*
- It would be desirable to issue laws requiring judges to rely on alternative punishments and reduce the number of custodial sentences except in specific cases, especially since they have discretionary power to choose imprisonment or its alternatives.*
- It is important to expand the scope of institutions that receive convicts sentenced to community service to include private and charitable institutions.*
- It is necessary to work on developing the human resources within penal institutions, both quantitatively and qualitatively, to meet the aspirations of the reform and social reintegration policy for prisoners.*

References:

1 For more information, see Bouhentalah Yassin: The Punitive Value of the Liberty Punishment, a supplementary thesis for a master's degree, specializing in Criminology and Punishment, Faculty of Law and Political Science, University of Hadj Lakhdar, 2011-2012, p. 29. Ahmed Mohamed Barak: Consensual Punishment in Islamic Law and Contemporary Criminal Systems, a thesis submitted for a doctorate degree, Faculty of Law, Cairo University, 2009, p. 35.

2 Khalfi Abdel Rahman, pp. 38-39, Alternatives to Punishment: An Analytical Jurisprudential Study, 1st ed., Modern Book Foundation, Lebanon, 2015, pp. 38-39

3 -Abdul Jawad Adel Abbadi Ali: *Short-Term Deprivation of Liberty and Their Alternatives*, 1st ed., International House for Publishing and Distribution, Giza, Madar, 2006, pp. 53-54.

4 Wada'i Ezzedine: *Alternative Penalties as a Guarantee to Reduce the Disadvantages of Short-Term Deprivation of Liberty Sentences*, *Academic Journal of Legal Research*, Issue 1, Volume 11, Algeria, 2020, p. 51.

5 Boukmach Mohamed: *Recidivism*, a thesis submitted for a master's degree in Sharia and Law, Faculty of Social Sciences and Political Sciences, Hadj Lakhdar University, Batna, 2001-2002, pp. 86-88.

6 Bouhentala Yassin: Reference cited previously, p. 85.

7 See / Khalfi Abdel Rahman: Reference previously cited, p. 38 / Madani Abdel Rahman Taj El-Din *Alternatives to Short-Term Imprisonment in Criminal Law*, published in 2022 <http://journals.nauss.du.sa/1-9-2025>, accessed on 7:05 PM.

8 Abdul Jawad Adel Abbadi Ali: Reference previously mentioned, p. 51.

9 Belhamzi Fahima: *The Imprisonment of Liberty: Its Significance and Implications*, *The Academic Journal of Legal and Political Research*, Issue 1, Volume 9, Laghouat, 2025, p. 666.

10 Khalfi Abdel Rahman, *op. cit.*, p. 44.

11 Farah Issam: *Administrative Criminal Law and the Crisis of Short-Term Imprisonment*, *Maaref Magazine*, Issue 21, Algeria, 2016, p. 150.

12 Ayman Abdel Aziz Al-Malik: *Alternatives to Deprivation of Liberty Punishments as a Model for Reform in the Criminal Justice System*, PhD Thesis, Security Sciences, College of Studies, Department of Social Sciences, Naif Arab University for Security Sciences, 2010, p. 41.

13 The same reference, the same page.

14 Farah Issam, *op. cit.*, p. 151.

15 In addition, short-term sentences have not proven effective in reducing the spread and exacerbation of criminality. Therefore, there is an urgent need to search for alternative penalties that can be used to reform, rehabilitate, and socially integrate criminals. For further expansion, see Wadi Rami: Reference cited above, p. 6.

16 Al-Majali Tawfiq: *Explanation of the Penal Code*, General Section, p. 422.

17 Order No. 66-156 of June 8, 1966, as amended and supplemented by Law No. 04/14 of November 10, 2004, containing the Code of Criminal Procedure.

18 The issue raised here primarily relates to the system of splitting the suspension of execution, whereby a judge can order the suspension of a portion of the sentence while the remaining portion remains in effect. For more information, see Khalfi Abdel Rahman, reference cited above, p. 109.

19 Law No. 09-01 of June 8, 1966, containing the Algerian Penal Code, Official Gazette of the Algerian Republic, No. 15, dated March 8, 1966. *Jurists' opinions differed

regarding the legal nature of the penalty for public utility work, with some viewing it as a mere security measure and others viewing it as a stand-alone penalty. See: Mohamed Touiji and Abdelkader Atmani, "Punishment for Public Utility Work in Algerian Legislation," Journal of Law and Development, No. 3, Tahri Mohamed University, Bechar, 2020, pp. 54-55.

20 20- Saadawi Muhammad Al-Daghir: Punishment and its Alternatives in Contemporary Criminal Policy, 1st ed., Dar Al-Khalduniya for Publishing and Distribution, Algeria, 2012, p. 80.

21 Order No. 04-05 of 66-156 of February 6, 2005, containing the law regulating prisons and the social reintegration of prisoners. According to Article 106 of the same law, among the categories benefiting from the half-life system are first-time offenders who have 24 months remaining on their sentence.

22 Ibrahim Akram Nashat: Criminal Policy: A Comparative Study, 1st ed., Dar Al-Thaqafa for Publishing and Distribution, Jordan, 2008, p. 170.

23 Al-Mashhadani, Muhammad Ahmad: Principles of Criminology and Punishment in Positive and Islamic Jurisprudence, 1st ed., Dar Al-Thaqafa for Publishing and Distribution, Jordan, 2008, p. 202.

24 Wadi Imad Eddine: Transitioning from an electronic monitoring system as an alternative to temporary detention to an alternative system for short-term custodial sentences and its impact on rationalizing penal policy, Afak Journal of Research and Studies, Issue 1, Volume 5, Algeria, 2022, p. 732/. This penalty is also stipulated in Article 5 bis of Law 24-06 issued in the Official Gazette 30, replacing the prison sentence with work for the public benefit, with the convict being placed under electronic monitoring, provided that certain conditions are met that serve the prisoner personally and the public interest, reducing the burden on the state treasury. Regarding the conditions for benefiting from it, they are prohibited in Article 5 bis 7 of the same law. For more information, see the electronic bracelet and placement under surveillance as an alternative penalty to imprisonment. Author: Abdelhak7, published in: 2024 www-almoustatmir.dz/1-9-2025, accessed on 6:25 pm.*

25 See Articles 150 and 150 bis of Law 18-01 of January 30, 2018, containing the Law on the Organization of Prisons and the Social Reintegration of Prisoners, supplementing Law No. 05-04 of May 6, 2005.

26 Wada'i Ezzedine, previously cited reference, p. 67.

27 The same reference, the same page

28 For more information and expansion, see: Khalfi Abdel Rahman, previously mentioned reference, p. 212 and Fahima Belhamri, previously mentioned reference, p. 670/ BERNARDO BOULOC DROIT General Penal Code: 21st edition, Paris 2009 - Jacques le rouge, The Prison, the Cavalier, Paris: 2001.