

**Rentier State and the Restriction of Media Freedom in Algeria:
Electronic Media as an Alternative?**

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Abstract:

Through this article, we are going to highlight the impact of the peculiarities of the political-economic environment in Algeria on freedom of media. The rentier nature of the state in Algeria directly affects the level of press freedom in two ways: politically, the fact that the rentier states are characterized by reducing the margin of political participation and public freedoms. Economically, the rentier nature of the state weakens the market and its mechanisms, which reduces the opportunities for independent financing of the media and allows pressure on them to use political-economic mechanisms: such as the state's monopoly on the advertising, printing and distribution market, so the private press establishment remains in a state of subordination to the case, which imposes on it a number of concessions and reduces the importance of Legal guarantees of freedom of media.

Keywords: Rentier state, freedom of media, publicity, advertising market, electronic media

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INTRODUCTION

Press freedom is one of the relative public freedoms, no matter how different the political and economic environment of the political system in which the various media are operating. However, if the restrictions on media freedom are clearly defined in totalitarian and authoritarian regimes, whereat the media turns, according to Gramsci's concept of hegemony, into a manipulating tool in the hands of the ruling regime that works on ideological mobilization in its favour; besides it also knows various restrictions in terms of liberal democracies, which although adopt protective public liberties and consider them as the pillars of their ruling system, the media freedom is subject to the power of money. Hence, the media represent institutions whose freedom is linked to their survival and continuity, which in turn are linked to their financing mechanisms and the actors contributing thereto, that would affect the guidelines of the media providing finance thereof and may impose on the media an editorial line that serves their orientations and interests.

Indeed, in the so-called flexible dictatorships, the freedom of expression is granted to the press through the legal texts ensuring the respect of this right. Yet, this right is shortly withdrawn of its content by resorting to tools that restrict the newspapers' freedom to access and broadcast information, open field to express personal opinions openly and criticize the implemented public policies.

Rentier States are known by the monopoly of their systems for the systems of management and distribution of rents, and the marginalization of the role of political and social actors to ensure the endurance and stability of the ruling regime.

This study problematic revolves around highlighting the mechanisms through which the rentier State affects the press freedom in Algeria and, based on that, the extent to which electronic media can be considered as an alternative allowing the mitigation of the effects of these restrictions.

1. The rentier State and the development of the media freedom in Algeria:

The central policy of the Algerian political and economic environment is mainly of a rentier nature, as the country gets most of its tax revenues from oil rents. Likewise, The rentier State is mostly characterized by the principle of distribution of resources obtained from abroad, which makes the regime less dependent on the society since their basic revenues result from the exportation of the nation's natural resources to the international market and not from taxes paid by the local community. In that way, the regime it not pressured to provide political freedom to its citizens or adhere to their control. In other words, as long as the rentier State continues to receive sufficient external revenues, it will not have strong incentives to implement democratic measures, introduce social reforms or plan for development.

However, the distributive rentier State is categorized by the fact that the rents originating from aboard (exports) represent the largest source of the nation's revenues that are mainly

Rentier State and the Restriction of Media Freedom in Algeria: Electronic Media as an Alternative?



managed and distributed by public authorities. Thus, these measures lead to the complete dependence by people on the State's incomes to improve their living standards, diminish the power of the opposition and prevent its leaders from participating in the political sphere; as a result of which, the society politicization will surely reduce and it will then become subject to the ruling regime (Matsunaga, 2000).

Indeed, the State's ownership of the nation's major resources allows it to: Make the opposition elites silent, control them through the implementation of a highly selective distribution process, and gain mass legitimacy through the application of a disproportional distribution process in exchange of social stability. In his study relating to the rentier State in Iran, Hussein Mahdawi considers that the distribution method in the rentier State is comparable to social assistance "which compels the citizens to accept the differences emerging from the various social classes", the fact of which helps the regime to endure a State of social stability without resorting to violence and coercion (Kaya, 2008).

More to the point, Rachid Ben Dib considers, in his book pertaining to the crisis of the rentier State in light of the transitional period in Algeria, that the rentier State "cannot allow the existence of autonomous centres of influence as the emergence of such centres will reduce the control of the rentier groups" (Bendib, 2006).

Subsequent to which, the impact of the State's rentier nature on the media space in Algeria will be brought through the following influence elements:

- Politically, since the rentier States are characterized by diminishing the borders of citizens' political participation and public freedoms due to their financial independence on the rentier revenues.
- Economically, by weakening the local market and the mechanisms thereof, thus reducing the chance of creating an independent funding source for the media, and enduring its dependence on State's financial support. Therefore, this makes it unable to guarantee the press freedom of its journalists and it will be compelled to adopt a media line that properly aligns with the interests of the public authorities, which may resort to the use of several mechanisms to deter the same, particularly advertising, in light of the control of public advertising and in the face of the weakness of the national private sector and the marginality of the representation of the foreign private sector, as explained below.
- The regime's monopoly over the management and distribution of rents, which leads to monopolization of information related to such management, the absence of transparency and the frequent obscuration of concrete field data, thus impeding the right to access to information and restricts the freedom of journalists to bring, broadcast and analyze information.

The phases of development of the relationship between the State's rentier nature and the openness of the press space can be divided into three main phases



1.1 Media dominance during the establishment of the rentier State (1970 - 1986):

1.2 During the seventies and until the mid-eighties and after the nationalization of hydrocarbons in February 1971, the petroleum taxation were ranging between 50% to 60% of the State's total revenues. At the time, the Algerian State started to lean towards adopting various characteristics of the distributive rentier policy. Economically, a development strategy, that is based on pumping huge public investments into the national economy and the expanded distribution of rentier resources, was adopted in order to improve the living standards of the various social categories from one hand, and to strengthen the legitimacy of the ruling regime from the other hand, through the provision of free healthcare and education, along with the adoption of highly motivating wages and social security policies.

Politically speaking, the rentier nature of the Algerian State - at this stage - helped the regime to enforce its bureaucracy in controlling the various active social actors through the adoption of a single party system and the entire exclusion of the opposition parties that had been created since the independence. In addition, the Algerian regime made sure to control the labour and students organizations through the implementation of repressive policies that combine deterrent and repressive measures on one hand, and the distinctive containment policies characterizing the rentier States, based on selective or mass distribution of rents, on the other hand. Thus, all these oppressive measures transformed these organizations into mere mass organizations whose only role is limited to mobilizing the masses in favour of achieving goals of the ruling bureaucratic regime.

According to Gramchi, the media space was a clear reflection of these choices, as it was transformed into an effective tool to perpetuate the ideological dominance of the public authorities. However, this fact is clearly demonstrated in the Media Law of 1982 whose articles contained the consolidation of the State's dominance over the media sector as a whole (RADP, Loi 82-01 du 06/02/1982 portant Code de l'information, 1982). Further, the first article of this law stipulates that the media sector is one of the national sovereignty sectors under the supervision of the National Liberation Front party. More and more, the third article of the same law states that "the right of media is freely exercised within the scope of the country's ideological preferences, the moral values of the nation and the directives of the country's political leadership". Nonetheless, this bold statement contradicts the concept of the media freedom, and transforms the media into a mere tool that serves the interests of the ruling regime in imposing unilateral direction categorizing such stage.

For the purpose of consolidating the regime's tight dominance over the media and not to leave any margin of independence for this sector, the Media Law of 1982 contains various measures, the most important of which was stipulating the membership in the National Liberation Front party to take the position of the director of a media institution, and imposing the State's monopoly over the distribution of written and video news and audiovisual advertising. More to the point, this has realistically been materialized by the



State's monopolizing the overall audio-visual and written media, which have all been public and subject to directives of the country's political leadership and the lone party, against the total exclusion of the private sector from investing in the media industry. However, the situation in question remained as is basis until the rentier State crisis that emerged in the mid-eighties as a result of the collapse of oil prices and the reduction of the public treasury's revenues from the oil levies.

1.3 The crisis of the rentier State and the relative openness of the media sector 1989-1998:

1.4 The collapse of oil prices in the mid-eighties resulted in a decline in oil revenues from about 60% in the seventies to less than 25% in the second half of the eighties and the beginning of the nineties, in parallel with the aggravation of the external indebtedness, the lack of exchange reserve and the decline of public investments and employment. As a result of which, the ruling regime lost the basis of its legitimacy and influence thereof and was compelled to open up the political and economic freedoms. Nevertheless, due to the absence of oil revenues, the State was in need of national and foreign private sector funds and investments, and was compelled to authorize the political participation for various social and political forces as a way to alleviate social protests and try to compensate for the deficit in its political legitimacy resulting from the rent crisis.

Indeed, this period was marked by the adoption of the 1989 Constitution of political pluralism and stipulation by the same of the need to respect public freedoms, including freedom of expression and freedom of the media. Moreover, such actions have in a similar way been followed by the issuance of Law 90-07 related to the media, which paved the way to the establishment of private newspapers. Likewise, journalists have alike benefited from free headquarters and getting 03 years of free rental, whilst waiting for the newspaper is capable to ensure financing thereof (Mostefaoui, 2013).

However, such openness was relative, as it was proportional to the phase of a multi-dimensional crisis (political, security, economic and social), coming as a reaction by the regime to maintain the continuity thereof, thus making the granted democratic gains relatively restricted in such a way that the regime would not lose its total control over society. Besides, in the media sector, and in return of the privileges granted to private newspapers, the State's monopoly over the audiovisual media was maintained, and the freedom of the independent written press has alike been restricted by controlling advertising

as the most important source of funding thereof. In 1992, the government of Belaïd Abdesselam issued an instruction that contained obligation of the public institutions to direct their advertisements to the public institution of publishing and advertisements, which is responsible for the distribution thereof on newspapers without being subject to objective criteria, in respect such as readability and penetration (Mostefaoui, 2013).



1.3. Between 2000 and 2014: Recovery of rents and the relative restriction of freedom:

In parallel with the rent recovery anew, the period from 1999 to 2008 was marked by the clear setback on democratic gains, seeing that this stage was marked by the adoption of a number of decisions and the return of some distinctive practices of the one-party stage. Nonetheless, such changes confirm the aforementioned study results showing that one of the characteristics of the distributive rentier State is the reclusion of political systems and their non-involvement of citizens in the political process, as the regime does not rely on the regular levying and obtains resources that make it not in need of social contributions. More to the point, the weak contribution by the citizens to the national levying diminishes their right to claim for their political rights. In addition, the increase of rents allows the regime to make the opposition silent and form client social groups (clientelism) that support and stand for its policies in an exchange of significant political and social advantages.

Some of the key decisions that have been taken during this stage are listed below (عكاش، 2010):

- Preventing the opposition parties from expressing their opinions in the mass media, such as preventing the political parties who boycotted the presidential elections of 2004 or the ones opposing the amendment of the 2008 constitution from expressing their own opinions and providing justification thereof to the public opinion.
- Aggravating the pressures on the various components of civil society, such as independent media and professional syndicates. Besides, the independent union organizations are facing countless obstacles that restrict their right to practicing trade-union activities, the most important of which are: refusing to grant them registration receipt to legally practice their activities, resorting to justice frequently to diminish workers' right to strike, arresting a number of unionists and dismissing others from their occupations, etc...
- Constitutionally speaking, this stage (in 2008) was marked by a constitutional amendment that cancelled the principle of presidential terms restriction included in the 1996 Constitution, whereat Article 74 thereof stipulated that a presidential term lasts for 05 years and the election of the President of the Republic can be renewable. More to the point, the President has alike concentrated several powers in his prerogatives, in respect such as his legitimacy of appointing ministers and officials occupying senior positions instead of the Head of Government who was transformed in the constitutional amendment to a Prime Minister whose task was limited, according to Article 79 of the amended constitution, to "implementing the program of the President of the Republic,". In virtue of which, this has abolished the principle of dual executive power, which became within the lone prerogatives of the President of the Republic.

During this period, journalists were also subjected to judicial prosecutions, arrests and investigations. In addition, a set of deterrent legal measures were issued against journalists

Rentier State and the Restriction of Media Freedom in Algeria: Electronic Media as an Alternative?



in the Law issued on 26th June 2001 pertaining to the Penal Law, which Mahmoud Belhimer, deputy editor-in-chief of Al-Khabar newspaper at the time, described as:

“A significant decline of the press freedom, as tightening penalties against journalists, in the exercise of their duties through criticizing the performance of officials, means deterring any attempt taken by journalists and, through them, citizens to exercise their basic right of holding government officials accountable and monitoring their performance... These deterrent amendments...are meant to silence the voice of the press, which has been harshly criticizing the political officials, namely the President of the Republic”(بلحيمر، 2007).

As a fact of matter, the Penal Code mentioned above included provisions that ranged from financial fines to actual imprisonment for a period from 03 months to 01 year against anyone who would offend the President of the Republic through wordings meaning insults, defamation or slander; whether by writing, drawing, verbal utterances, or any other electronic, informational or media means. However, in case of recurrence, penalties and fines would be doubled.

1.4. Media Law 2012: Between the recognition and the restriction of the Press Freedom:

The 2012 Media Law implies an implicit acknowledgment of the right to information, starting from the first article that defines it as the so-called organic law aiming to: “...determine the principles and rules that govern the practice of the right to information and the press freedom”. Moreover, this law has alike contributed to the organization of the media sector and approved the principle of the media freedom; further, it authorized the audio-visual media pluralism for the first time since the independence. Ultimately, it allowed the establishment of private audio-visual channels, and implicitly acknowledged the activity of electronic media, leaving the regulation of these two sectors to subsequent regulatory texts (RADP, Loi organique 12/05 du 12 janvier 2012 relative à l'information, 2012).

In addition, media law retracted the issue of criminalizing journalists and subjecting them to imprisonment, whereat and the penalties, for breaching the moral and legal rules contained therein, were turned into financial fines only, as per evidenced by the provisions of Articles 116 to 126 of that law. Nevertheless, this latter introduced a number of restrictions and measures that put the journalistic work under political censorship of the authority. Likewise,

Article 02 of the Media Law emphasizes the free practice of the media is subject to the respect of the constitution, the laws of the republic, the constants, the national values and the dignity of others, the fact of which is shown to be normal. However, this law limits this freedom with the necessity to show respect to some values and provisions that were not existing in the 1990's media law, and some of them represent real restrictions on media freedom in terms of being subject to the discretion of public authorities and allowing



publicness and ambiguity according to which it was formulated to be exploited according to the will of the authorities under every circumstance.

In case the respect for the Constitution, the laws of the Republic, Islam and every other religion, is clearly stated in concrete texts and provisions, the meanings of the cultural values of society and the economic interests of the country are general concepts that can be given a number of specific significations according to a purely political will. For instance, how to determine the content of the cultural values of society in such a manner that journalists show respect thereof? Who determines such cultural values? How will the content of the country's economic interests be determined? And whose interests are they? Are they the interests of the national entrepreneurs? foreign investors, importers or exporters? If the country lacks a well-defined economic policy, what are the criteria adopted to determine the country's economic interests? Does the exploitation of the shale gas serve the country's economic interests? Does criticizing the regime's decisions – regarding the shale gas – prejudice these interests? Is the media coverage of the citizens' protests against this option considered disrespectful to the country's economic interests??

Moreover, the regulatory authority for the written press was established, through the 2012 Media Law, which was considered an independent authority with a legal personality that works to control publications and written periodicals by receiving their financial accounts and ensuring transparency of the economic rules in the operation of publishing institutions, respecting the rules and standards of advertising and the contents thereof, along with collecting all information from administrations and press institutions for the purpose of ensuring the respect of their obligations. Subsequent to which, it represents a real supervisory authority that would deter the written media institutions, either paper or electronic, in the event that they would considered as violating the rules set by the said authority, whereat the deterrence may result in withdrawing the accreditation and stopping the publication of the newspaper.

The composition of the regulatory authority includes 14 members, including 07 members appointed by high-ranking officials in the State, and 07 others representing journalists elected by their colleagues. Besides, the President of the Republic appoints 03 members of this authority, including its president, whose vote is considered a casting vote if the votes of the rest of members are equal during the deliberations on a specific issue. In virtue of which,

these measures gives the President of the Republic the right to directly interfere in the formation of the regulatory authority. Moreover, the President of the Council of the Nation and the President of the People's National Assembly propose four (04) other members who will be appointed by the President of the Republic. As for the elected members, they are required to have more than 15 years of professional experience and not to engage in any other activity during their six-year term of office.



2. Economic obstacles to press freedom in Algeria

Advertising is an important source of funding for media; therefore, it is a variable and being used for analysis purpose of the extent of independence of the press, seeing that the funder has influence on the newspaper direction. In view of that, the advertising market is affected by the position of the national and foreign private section in a given country. Nonetheless, the advertising market in Algeria is still significantly weak due to several reasons, the most important of which are: The weakness of the private sector and the obstacles it faces due to the State's rentier nature, from one side; and the State's maintaining of monopoly over the majority of the advertising market and the failure to arbitrate the market mechanisms, from another side; in addition to a public semi-monopoly of printing.

2.1. Marginal settlements of the private investments and the difficulties they face

The political and economic choices of the ruling regime after independence did not serve the national private sector and failed to contribute to the development thereof. Thus, the socialist option for development was based on the principle of combating the private property, whilst the State's oil revenues allowed this later to largely dispense with private investments and focus on public investments. Besides, politically, the national bourgeoisie was considered as a threat to the socialist revolution and to the regime stability, the fact of which led to a set of measures being taken so as to restrict its growth and consolidate the State's control over the same; including: the necessity of requesting accreditation from bureaucratic entities, capping the approved investments and preventing the private sector from bank financing. Nevertheless, the eighties witnessed a relative regression from the previous options, whereat it opened more space for the private sector's contribution to the development efforts, namely with regards to the development of the disadvantaged and isolated areas, which is considered as an indication of the inability of the public sector alone to respond to all the requirements of comprehensive and balanced development. However, the contribution scope of the private sector remained restricted by the necessity of obtaining accreditation and with an investment ceiling that cannot be exceeded.

On the other hand, the economic liberalization, upon the economic crisis of the mid-eighties, allowed the appearance and expansion of the businessmen class, both numerically and economically. Moreover, the investment field was opened, the accreditation was cancelled and significant fiscal and financial advantages were granted to investors, the fact of which allowed the numerical development and the increase in the economic influence of investors to the extent that the private sector had become dominant over the national economy outside of hydrocarbons. Although this openness, bureaucratic and political restrictions continued to hinder the activity of productive private investors in the face of stimulating the activity of importers, particularly in light of the recovery of oil rents since the beginning of the millennium, from which this latter category benefited, as the import bill



doubled in dramatic way against the decline in the share of the productive sectors in the gross domestic product.

Economy-wise, this stage had been characterized by the abundance of bureaucratic obstacles limiting the growth of the productive private sector, either national or foreign, to the extent that the World Bank considers the investor path in Algeria to be the same path of the warrior. More to the point, Algeria's ranking declined from rank 116 in 2006 to rank 148 out of a total of 183 countries in 2012, whereat the regression continued in the business climate ranking by ranking Algeria in the 157th position out of a total of 190 countries in the report of 2020 (World Bank, 2020).

As a result of which, most national private institutions had been confined to very small institutions whose staff does not exceed 09 workers, representing more than 97% of the total national institutions authorized in 2019 (Ministère de L'industrie et des mines, 2019). Hence, this necessarily reflects on the advertising market and contributes to the weakness of the same .

The same applies to the foreign direct investments being exposed to several bureaucratic obstacles and suffering from many amendments to investment laws, the latest of which was contained in Article 04b of the Supplementary Finance Law of 2009, which included that foreign investments can only be achieved through a partnership between the foreign and national investors whereat the national partner share is 51%. However, this fact led to the reversion of foreign investors and the weakness of foreign investments alongside the decline thereof from 2.3 billion dollars in 2010 to 1.5 billion dollars in 2018 (CNUCED, 2020).

As a matter of which, a study on media and advertising conducted by Sigma Group for advertising investment in Tunisia has shown that the Tunisian advertising market is evaluated to 85 million dollars in 2019 (Zargouni, 2020), whilst the Moroccan advertising market is evaluated to 800 million dollars (Khatla, 2021), compared to 200 million dollars for the Algerian market. Above and beyond, such superiority of Morocco can be explained by the dynamism and diversity of its economy as well as the importance of the foreign

investment therein. More to the point, "Hassan Zargouni", director of Sigma Advertising Investment in the Arab Maghreb, considers that although the resemblance of the purchasing power level in the three Arab Maghreb countries, the advertising market in Morocco remains in the lead, far from Algeria and Tunisia, whereat Morocco invests \$16 per person per year, compared to \$8.5 per person in Tunisia and only \$5.5 per person per year in Algeria, or approximately 200 million dollars.

Furthermore, the Director General of the International Advertising Agency "TBWA" branch in Algeria, Alexandre Beaulieu, has alike attributed the weakness of advertising in Algeria to the excessive dependence of its economy on the hydrocarbons sector, along with its dependence on imports at the expense of the productive economy. Besides, he admitted that:



“As long as the Algerian economy remains dependent on hydrocarbons and the groups monopolizing imports, which weaken the free competition and punish the consumer, advertising will certainly remain marginal” (Zargouni, *Le Maghreb est ultraconnecté mais internet ne séduit pas les annonceurs*, 2015).

2.2. The State’s monopoly over the advertising market and the failure to arbitrate the market mechanisms

The state’s continuing monopoly over the advertising market allows the advertising distribution process to be subject to political and subjective considerations, and allows the regime to control the fate of a number of independent national newspapers. In this respect, the directive issued by “Belaid Abdeslam” in 1992, compelling public institutions and administrations to direct their advertisements to the public institution for publishing and advertising under the tutelage of the State, which is still valid. In virtue of which, this fact allowed the institution to continue controlling the national advertising market by 65% in 2020, as per declared by the Minister of Communication (Belhimer, 2020). Subsequent to which, this monopoly has created an unequal distribution of advertisement, which does not respond to the objective conditions that govern the advertising market in various countries, whereat the volume of advertisements presented to newspapers is supposed to be proportional to the readability and penetration thereof. In addition, public newspapers receive a significant number of advertising pages, although their readability is significantly low, whilst the more readable independent newspapers benefit from fewer numbers of public advertisements, the fact of which allows public authorities to restrict the spread of independent press with critical discourse. For example, Ech-Chaâb newspaper, whose penetration rate does not exceed 0.06% (the penetration rate represents the relationship between the number of the newspaper readers and the total concerned population), benefits from a number of advertising pages ranging between 12 and 14 pages per day,

most of which originate from public institutions, whilst El Khabar newspaper, which is considered as one of the largest national newspapers in terms of readability, with a penetration rate exceeding 16%, benefits from 10 to 11 pages only, most of which originate from private institutions, in exchange for preventing the same and preventing El Watan newspaper, which is considered the largest newspaper in terms of readability in the French language, from public advertising for several year.

2.3. The printing problem

The printing of newspapers in Algeria is monopolized by five public printing institutions, the most important of which is the Algerian Printing Company, which issues alone more than 900 thousand copies per day. Further, the printing of a number of newspapers has



effectively been suspended due to the debts of the printing houses, which are evaluated in total at 04 billion DA, as per declared by the sector Minister in July 2014, of which 200 million DZD only have been paid. Likewise, the sector Minister at the time considered that the suspension was made for purely commercial reasons. Nevertheless, we may wonder why commercial reasons are not taken into consideration when it pertains to advertisement?

It should further be highlighted that El Watan and El Khabar newspapers managed, upon persistence, to relatively break the public monopoly by investing in three private printing houses since 2001. Nonetheless, their financial situation has shown to be significantly deteriorating due to the financial deficit that has persisted for several years, reaching 60 million dinars in 2017, and doubling to 130 million dinars in 2018 (Benelkadi, 2019); the fact of which compelled the two newspapers to reduce their expenses by taking various measures, the most important of which pertains to suspending the issuance of the Friday edition of El Khabar Riadi (sportive) newspaper.

Indeed, the economic constraints and financial difficulties experienced by several national newspapers, which have been intensified by the economic and financial crisis since 2014, which resulted in the public funding weakening due to the collapse of oil revenues, have definitely contributed to the declaration of bankruptcy and the closure of 23 national newspapers (Ounoughi, 2020).

3. Electronic press as an alternative to bypassing the economic obstacles?

Considering the various economic mechanisms necessary to ensure the continuity of the media institution, which in doing so contribute in restricting the freedom of the media, one can ask to what extent the openness to electronic media can be considered a mechanism to lighten the economic restrictions on the media freedom by overcoming the problem of printing and reducing the financial costs relating to the written newspapers, and thus reaching easily a large number of readers, namely in light of the high level of internet coverage thanks to the 03rd and 04th generation technologies to more than 80% of the population since 2017.

3.1 The emergence of electronic press and the legal organization thereof: The emergence of electronic journalism in Algeria was linked to the emergence of electronic versions of traditional daily newspapers, whereat the French-speaking El Watan newspaper created the first press website in 1997, on which it has been relying to present its front page and the most important headlines of the same. Besides, the situation developed in the following years for several other newspapers, in respect such as Liberté, El Khabar, El Youm, Ech-Chaâb and El Moudjahid newspapers in 1998. In virtue of which, purely electronic media websites have been created, the first of which was: Algérie – Interface, which has been created in 1999 and had been operating, at its inception, from France with foreign financial support. Hence, it managed to get more than half a million visits to its website in just two months from its creation (بلعالي, 2006). Subsequent to which, it has



known a wide spread by creating several other websites, in respect such as: Algeria Watch and TSA.

The Organic Law No.12/05 pertaining to the media, in its Article 67, defines the electronic press as: “Any online written communication service, projected for the public or a category of public, published on a professional basis by a physical or legal person under the Algerian law that has control of the editorial line of its content”; moreover, Article 68 of the same law considered that “publications distributed in paper form do not fall into this category when the online version is completely identical to the original version” (RADP, Loi organique 12/05 du 12 janvier 2012 relative à l'information, 2012).

Additionally, the sector of electronic media remained devoid of legal regulation for several years, the fact of which caused the fragile status of the electronic newspapers that continued to operate without rules controlling their own status and with no specification to the conditions of their work and the mechanisms of their benefit from the advantages of the professional journalistic work; this, it allowed every person, even if he was not an experienced journalist, to open and run an information website, by creating a communication agency, registering it in the commercial register, and paying the staff salaries through the same. Nevertheless, such status makes the institution not considered a media newspaper and does not benefit, subsequent to which, from public advertising or from the aids given by the State (Taiebi Moussaoui, 2016). In virtue of which, the demands of journalists continued to expedite the issuance of a legal text to regulate such sector, the fact of which has actually happened at the end of 2020, by the issuance of the Executive Decree 20/332 dated 22nd November 2020, pertaining to the determination of the modalities of conducting media activity via internet, publishing the response or correction via the website.

3.2. Regulation of the electronic press as per the Decree 20/332:

The Decree 20/332 regulated several aspects with the activity of electronic journalism, whereat it determined the conditions that must be met by the electronic newspapers and their executive staff, which are represented for the most part in the necessity of their settlement in Algeria, provided that their staff includes at least one permanent professional journalist. Besides, Article 05 of the decree also requires that the official thereof must of an Algerian national, must be awarded a university degree and at least have three years of experience in the media, in addition to the condition of not being sentenced in cases of insult, slander, hate and offense (RADP, Decret 20-322 fixant les modalités d'exercice de l'activité d'information en ligne et la diffusion de mise au point ou rectification sur le site électronique, 2020).



3.3. The electronic press and lightening the economic restrictions on media freedom

The Decree No.: 20/332 prevented absolutely the electronic newspapers from obtaining foreign financial support, and local unless there is an organic link between the donor and the beneficiary, which conditions apply as well to the paper newspapers.

Although, electronic newspapers require much less capital than paper newspapers which require the acquisition of headquarters and larger equipment and the employment of a staff of journalists and technicians than the electronic newspapers, which can be satisfied with only one professional journalist. Moreover, it does not require printing expenses that cost paper newspapers exorbitant money and caused, as previously set out, to drowning them in debts.

On the other hand, the financial resources of electronic newspapers remain more limited than those of paper, some of which acquire about 40% of their resources from selling newspapers (Taiebi Moussaoui, 2016). Also, electronic newspapers are, until now, limited to their own resources, in addition to the electronic advertising for some private institutions that have a low cost compared to paper advertising, seeing that some studies have revealed that the value of electronic advertising is 25 times of reduced amount than the value of paper advertising. In addition to the weakness and decline of the private advertising market in the last year due to the exposure of many private institutions to the stoppage or suspension of their activities due to the repercussions of the epidemic crisis “Covid 19”, on the one hand; and the anti-corruption operations that resulted in the condemnation and arrest of a noteworthy number of officials of the largest local private institutions and even branches of foreign companies.

At the same time, electronic newspapers have yet to benefit from public advertising, which represents 65% of the advertising market, due to the delay in issuing a legal text pertaining to the regulation thereof until the end of 2020, and giving them a period of 12 months to adapt their own status to the legal conditions contained therein.

In closing, it should be highlighted that the economic and financial crisis that the country has been facing since 2014, in addition to the popular uprising and the resulting demands to change the values and mechanisms of the regime’s functioning, have contributed to the government’s recognition of the need to reconsider the rules relating to the distribution of public advertising so as to become more balanced and in accordance with market mechanisms. Besides, the Minister of Communication Ammar Belhimer said that 15 objective criteria have been defined so as the public advertising shall through which be distributed, that are based on respect for the law of supply and demand in view of the readability of the newspaper, the number of its copies, the extent of its professionalism and respect for the commercial law and its registration in taxation department, as well (Ounoughi, 2020)



CONCLUSION

The economic pressures are considered one of the most important means of restricting the press freedom and restricting the legal guarantees thereof. Besides, the various media are also economic institutions that must generate significant incomes to survive in the market, the fact of which makes advertising, printing and distribution as vital necessities for them. Nevertheless, these media in Algeria have remained, since independence, for the most part monopolized by the State and they are not subject to free market mechanisms, the fact of which has allowed to reducing the margin of the press freedom through the possibility of exerting pressure and blackmail thereon. Nonetheless, the spread of electronic media and the remnants of the economic and financial crisis, have allowed, albeit relatively, to bypass some economic obstacles, particularly those linked to the investment in major headquarters. On the other hand, the delay in issuing regulatory texts for this specific sector has contributed to the weakness of the resources thereof, and its dependence on private advertising of limited cost, waiting for the embodiment of the reforms promised by sector officials since 2020.

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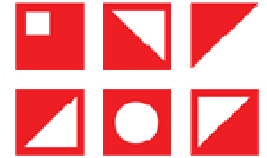


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