

Legal Protection for Societal Security from the Digital World Risks

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Abstract:

Social security is the responsibility of all individuals when it comes to any form of digital violation. In light of this, Algerian law has placed constitutional, criminal, and civil protection to protect it against all types of violations that may occur, especially in the context of the dominance of social media platforms, which have become a highly dangerous social institution. Consequently, it necessitates comprehensive measures that balance the right to information, communication, and privacy within the family and societal security framework.

the digital space that constitute a violation of privacy due to the easy access to personal

Society has become in imminent danger because of the programs and information contained in information of individuals and its use in violation of the law.

Key words: Legal Protection, Societal Security, Digital World Risks.

Introduction:

Security is considered a fundamental value that ensures the stability of human relationships. However, the world's ongoing changes in terms of tools, means, ideas, and beliefs reveal the magnitude of challenges faced by societies and their institutions due to the .dominance of the digital world

The challenges posed by the digital world are the most significant threats to societal security in this era. The dominance of digital platforms and devices, such as smartphones and tablets, has deeply engaged individuals in the virtual world. Consequently, their data and information have become accessible without adequate protection, leaving them vulnerable to exploitation by individuals with criminal tendencies who seek to leverage their available information on social media platforms. Besides, understanding the various dimensions of digital violations affecting individuals and families in the digital world is essential, and establishing a legal, ethical, and social protection framework that considers the digital environment's specificities is necessary. However, such a framework should include strict legal measures against violators in the digital sphere, as any infringement on digital space should be considered a highly dangerous crime. Digital violations against society, institutions, and individuals, particularly children, constitute serious offenses that harm victims significantly. These violations can destroy their morals, psyche, emotions, and reputation. They also disrupt their personal lives by exploiting their data and information for manipulation and assault . From this perspective, the following problematic arises: How serious is the legal protection

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prescribed for societal security from the risks of the digital world? This will be addressed through the following elements:

-The first section: The concept of the digital world and its risks on societal security

The digital world is a broad and enigmatic concept that requires identifying its indicators and risks to societal security.

-The first requirement: The evolution of the concept of societal security in the dominance of the digital world

It seems that the determinants of the digital world, with the strength of their dominance, have become capable of influencing societal security, dismantling relationships within it, and altering the traditional concepts of its institutions. This necessitates defining its concept and understanding its methods and degree of impact.

Firstly, the concept of the digital world: It is the virtual environment produced by the digital revolution in the modern and contemporary era, consisting of tools, technologies, and platforms found on the Internet that enable electronic activities centered around digital interaction. The most famous examples include Facebook, Twitter, Instagram, Google+, Myspace, and others¹

Moreover, it is noteworthy that these institutions have become part of social upbringing, and the latter is defined as a social process that encompasses the entirety of human life, starting from its inception. It involves developing the individual's innate capacities, training him to meet needs, and preparing him for social life within a specific social framework². It provides a digital form to the human senses—visual, auditory, and kinetic—enhancing the pleasure of virtual communication more than reality itself. This has led to computers, games, and internet communications, including social media platforms, gaining dominance, paving the way for the emergence of new cultures and values.³

Secondly, the concept of societal security can be defined as a state of reassurance in which social upbringing institutions concerning families, particularly children⁴, have a sense of confidence in their formation, lives, and assets, protected from any violation. It entails individuals within these institutions exercising their rights in security and safety. Therefore, security signifies inclusivity in all aspects of life, encompassing liberation from fear and need. It means being liberated from fear, regardless of its nature or source, and from need, regardless of its type or origin. Private and public security (individual and family) are inseparable, affecting and being affected by the other positively and negatively⁵.

From this perspective, proper security encompasses comprehensive protection of all aspects of the family, including children's material and moral well-being (psychological, physical, livelihood, intellectual, cultural, etc.) and exercising their rights in a safe and secure environment. These aspects form an integrated system of family security, ensuring the safety of its members. Family security is a continuous dynamic process⁶ that involves all its actors.

Thirdly, the features of the digital world grant individuals and their institutions a tremendous ability to interact and engage in vital information exchange among people⁷. These virtual realms offer the capacity to invent an entirely different dimension from reality based on audio-visual interaction to provide pleasure and excitement⁸.

It creates a "virtual reality" that allows users to construct scenes and scenarios or virtual worlds, simulating the real world. These imaginary worlds, generated by numbers and symbols, immerse the users through sensory deception and automated interactive effects, enabling them to experience activities that would be challenging to pursue in their lives, such as flight training, space exploration, or temporal journeys through geological eras.⁹

Individuals, especially children, can create an imaginary world specific to them, engaging in various activities such as conversation, games, decoration, entertainment, music, discussions, and lessons. It also grants them equality, freedom, and the choice of the desired quality of life, whether it's their actual life or temporarily assuming another person's life.¹⁰

Moreover, the Internet has another illuminating aspect, allowing individuals who struggle with communication difficulties to practice social skills, build trust, experiment with identities and hobbies, and keep up with emerging technologies. However, this can only be achieved within the framework of secure Internet, which is both a responsibility and a right.¹¹

-The second requirement: The risks of the digital world on societal security.

Social network platforms have dark aspects related to misuse, which manifest in the following ways:

Firstly, psychological risks: revolve around addiction to digital content. It is defined as excessive reliance on and habitual use of the network, accompanied by a constant longing, an inability to disengage, and experiencing withdrawal symptoms when deprived. These symptoms may include anxiety, depression, aggression, and others.¹² It often entails unproductive engagement for social and entertainment purposes, serving as a means of amusement and filling voids.¹³

As a result of addiction, there is psychological isolation that leads to the deterioration of social skills, which are explained in the context of the difficulties of adaptation, as well as the acquisition of reprehensible characteristics such as lying, variegation, harassment, obscene speech, loss of confidence, aggressiveness, cowardice, loneliness, autism, living in the illusion portrayed in the virtual world.¹⁴

These factors impact the academic achievement of a child who is a sensitive member of both the family and society. He struggles to differentiate between what is real and what is virtual, reaching a point where the real world becomes an extension of the virtual world. This immersion can plunge him into autism, where his mind is indoctrinated, weakening his resistance to resist enticements and subsequent exploitation. Especially given that electronic products include cultural and moral patterns within attractive characters, they become unified with these figures, satisfying their innate cravings to become invincible superheroes in their imagination.¹⁵

Additionally, relying on copying and electronically writing programs undermines his communication, writing, and linguistic skills, resulting in a dependent individual whose equilibrium is disrupted without the electronic devices he is accustomed to¹⁶.

Moreover, it leads to serious phenomena such as electronic infidelity, marital silence, family disintegration, the spread of social ills, atheistic ideas, deviant behaviours, and actions that deviate from socially and religiously accepted norms. This indicates a deliberate process of stripping children, teenagers, and families of their connections to the real world. It signifies the risks of cognitive explosion in the technology field for family members, as it ultimately results in a collection of emotionally rigid machines due to their continuous interaction with electronic devices and equipment.¹⁷

Secondly, social risks: Include the breach of societal security and its institutions, especially the family and school, due to the disruption of standards in dealing with the functions and components of the digital world. This leads to the emergence and exacerbation of family problems, familial disintegration, psychological crises, and intensified internal and external conflicts. Consequently, familial distancing occurs, as each individual prefers his private island. From this perspective, personal possessions such as a phone, television, computer, list of friends, and personal interests become available to the individual. This ultimately prevents him from establishing good relationships with his family members, leaving his emotional connection within minimal boundaries, as he resorts to communicating with strangers to seek advice and engage in solitary experiences.¹⁸

- The excessive use of social media can impact traditional family relationships due to the emergence of alienating content that affects religious beliefs by monotheism's objections, skepticism, and conflicts in faith. Additionally, it leads to the acquisition of idolatrous and pornographic habits, adversely affecting individuals' mental and psychological well-being, particularly within the community.¹⁹

- The negative impact on the social and ethical values system as a result of the proliferation of websites, pages, and platforms that offer pornographic, violent, or terrorist content in the digital world, which have usurped the roles of parents, families, and society, transforming into alternative familial units, especially for children and teenagers, exerting control over their minds and shaping their behaviour without the family's influence²⁰. As well as other acts such as intrusion and illegal penetration into the account of subscribers on the network, which leads to leakage and eavesdropping of personal information or access to files and tampering with them without the permission of the owners.²¹

- The loss of social awareness among family members within the household is caused by the erosion of ideal values and principles through chat rooms, addiction to pornography, or violence. This reinforces aggressive tendencies in children, particularly leading them to engage in deviant behaviours. This phenomenon arises from the fact that children and teenagers are naturally curious towards stimulating content, and the interactivity of websites plays a significant role in easily tempting and luring them into engaging in harmful activities.²²

- It becomes an escape from social pressures and negative emotions typically associated with early development, such as the search for identity, imbalances in physical and psychological

satisfaction, difficulties in adaptation, shyness, feelings of boredom, social alienation, and more.²³

- The decline of personal freedoms and human privacy in social media has transformed people's activities into publicly documented and traceable transactions and interactions through various online channels. Consequently, individuals have become mechanized entities governed by the internet, which has stifled creativity, critical thinking, freedom of movement, and transition. Additionally, the proliferation of symptoms such as depression, eye disorders, spinal and joint problems, and obesity has become widespread.²⁴

- The dissemination of new cultural and educational forms that align with the significant technological advancements in computers and the internet, including damaging elements such as horror, murder, screaming, fighting, shooting friends, madness, death, suicide, pornography, and more.²⁵

- The lure of children for exploitation in pornographic materials committed through electronic media within this context, which are produced and disseminated via the internet or directly accessed by an audience, primarily through social networking sites.

Thus, the misuse of social media revolves around sexual exploitation, blackmail, fraud, harm, seduction, and others²⁶. It also incites the dissemination of pornographic images and dialogues.²⁷

Thirdly, security risks: Social networking sites can pose a genuine threat to familial security by impeding the endeavours of individuals, families, communities, or societies to carry out tasks or achieve goals, whether they are material, moral, or a combination of both. These risks have profound negative implications for family security²⁸. This is evident in their transformation into platforms for disseminating criminal ideas, which serve as a means of defaming individuals. For instance, personal defamation involves spreading, broadcasting, and advertising personal information to exploit, causing harm to reputation, tarnishing one's character, and eroding trust in the individual after exposure to the public eye.²⁹

Moreover, sensitive electronic information concerning victims can be obtained through hacking, theft, or exploiting trust and security, which should not be disclosed to others³⁰. However, such information is openly disseminated through social media platforms.

- Disseminating private photos and videos of others without obtaining their consent, and in the case of one party publishing a photo that includes them together, also constitutes a violation of the sanctity and privacy of others. Reposting materials involving defamation hold the perpetrator responsible, adversely affecting his mental well-being and reputation.

- Blackmailing individuals entails threatening the victim by disclosing his secrets and manipulating him to gain material or moral benefits. The virtual world serves as the stage for such crimes through the misuse of features provided by social networking sites.

- Obtaining information, data, and secrets related to the victim's private life, whether through a trust or by hacking their device and stealing its contents, including photos, videos, recordings, and chats.

- Extorting individuals by exerting pressure and threatening to disclose information the victim does not wish to make public. This stage involves gaining control over him to the point where he has no choice but to comply with the extortionist's demands, or they will suffer psychological and physical harm.³¹

Family members' contrasting lives, especially children, are experiencing become evident. They may appear secure within the confines of their homes, but in reality, they face criminal and deviant strangers who exert their efforts to prey on and exploit them.³² The danger lies precisely within their homes, indicating that the once secure havens are no longer sufficiently safe due to the pervasive presence of technological media.

-Second Section: The established legal and ethical regulations for safeguarding societal security from the risks of the digital world

Safeguarding societal security necessitates protecting it from any violation, regardless of its nature or origin in the digital world. It is essential for family members to feel reassured, enabling them to assume their roles and positions in society and exercise all their political, economic, and other rights. Thus, they reside in a state of serene security, free from any perception of threat to the family's essence or the well-being of its individuals.

- First requirement: Legal Protection for Societal Security from the Hazards of the Digital World

The escalation of misconduct in the digital world, along with its tools and components, has compelled numerous countries worldwide to amend their criminal legislation and enact laws incorporating punitive deterrent measures against perpetrators of internet-based crimes. Recognizing its uncontrollable nature, disregarding or altogether preventing it, is not an intelligent and realistic solution³³. The objective is to ascertain the offender's identity and trace his activities.³⁴

Firstly, constitutional protection: It is noteworthy that the child's security enjoys constitutional protection, as stated in Article 71 of the Algerian Constitution, which affirms that the family shall be protected by the State.

The child's rights are protected by both the state and the family while considering the child's best interests.

The state shall protect and guarantee children who have been abandoned or are of unknown parentage.

Under penalty of criminal prosecution, parents shall ensure the upbringing of their children.³⁵ The constitutional founder emphasized protective measures for societal components, including the family, which is the most important institution for social development, particularly for vulnerable children susceptible to all forms of violations, especially digital violations on social media. This liability rests upon state and social development institutions, as childhood is the creator of the future, whether positively or negatively.

Moreover, Article 54 of the Constitution prohibits the misuse and exploitation of the freedom of the press, which is a constitutionally guaranteed right, in a manner that infringes upon the dignity, freedoms, and rights of others. Of course, the primary focus of protection is on the child, as a human being whose sanctity, dignity, and privacy can be violated both in reality and in the digital realm. From this standpoint, the state ensures that the information directed towards children through various means maintains a balance between their physical and intellectual well-being while taking into account the best interests of the child when making any action, measure, judgment, or administrative or judicial decision concerning them, as stated in Article 7 of the Child Protection Law.

Secondly, criminal protection: Digital violation occurs within the virtual domain. As The Algerian penal law states honor crimes in the fifth section of the Algerian Penal Code, specifically in Articles 296 to 303 repeated 2, under the title of "Assaults on honor and personal integrity, and the disclosure of secrets" in the first chapter of the second section, which deals with "Crimes and Offenses against Individuals."

Thus, acts exploiting espionage technology to violate the sanctity of private life have been criminalized. This provision is derived from the new French Penal Code of 1992, specifically in Article 226-2, which emphasizes the criminal judge's concern for the elements constituting the offences of spying on and exploiting private life. This is manifested in their attention to the element of the private location, which is considered more crucial than the condition of "intentional interference with the sanctity of private life by any technology or means"³⁶. It involves creating offensive content without the person's consent and making it accessible to the public through any means. However, it is the legislator's responsibility to intervene by regulating the publication through social media platforms, given their widespread prevalence

Additionally, Article 333 repeated PCA criminalizes the dissemination of indecent images, videos, and materials and their possession in any manner or public circulation. Publicity is inherent in their publication through various expected means, including social media platforms.

Referring to Algerian Law No. 15-12, the Child Protection Law, we find in Article (2/2) that the exploitation of children in pornography is considered a situation of endangerment, stating: "...the sexual exploitation of the child in various forms, particularly through their involvement in pornography and prostitution or engaging them in sexual performances."

However, what is criticized is that the primary focus should be on children in vulnerable situations and the neglect of child victims, especially those subjected to sexual exploitation, particularly in pornography through technological media, as mentioned in Article 333 repeated 1, PCA.

Perhaps the most significant provision regarding the criminalization of child abuse on social media platforms is found in Article 141 of the Child Protection Law, which states: "Without prejudice to more severe penalties, anyone who exploits a child through communication means, regardless of their form, in matters contrary to public morality and public order shall be punished with imprisonment from one (1) to three (3) years and a fine ranging from 150,000 DZD to 300,000 DZD."

The broad language used in this article regarding forms and means of communication encompasses social media platforms and any medium involving audio and visual recordings, filming, blackmail, publication, defamation, and other crimes when their content harms the child's morals, reputation, health, and privacy.

However, it was incumbent upon the Algerian legislator to establish specific parameters for the various forms of exploitation individuals face in the digital world, given their inherent dangers and increasing prevalence. This is particularly crucial as these acts occur within a distinct virtual environment that requires a high level of expertise to prevent tampering and ensure that perpetrators do not escape punishment.

According to Article 115 of the Media Law of 2012, the responsibility shall be attributed to the provider of communication services, as he allowed for disseminating harm to others through communication platforms. The article states: "...the director of audio-visual or internet communication services and the owner of the news that was broadcast bear liability for the audio and/or visual news broadcasted by the audio-visual or internet communication service."³⁷

- The second requirement: Ethical regulations

The risks societal security faces due to the dominance of social media platforms cannot be sufficiently mitigated through legal protection alone. It is necessary to accompany it with ethical guidelines that enhance the resilience of families against all forms of violation. Some of these measures include:

Firstly, surveillance: It is the responsibility of families, which are the most important social institutions for upbringing, to monitor and control their children's interactions with social networking sites and to determine their behavioral patterns and usage habits on the internet in general and social media platforms in particular.

- Allocating the necessary time to familiarize themselves with the terms and conditions of social media platforms before family members, especially children, create accounts and ensure they are fully aware of their children's online activities. They should not allow them to isolate themselves in enclosed spaces while engaging in electronic communication.³⁸

- Educating family members, especially children, about virtual friends and how to communicate with them, emphasizing the importance of maintaining boundaries as long as they do not honestly know them. Additionally, guiding them not to share everything related to themselves, such as self-taken photos (selfies), live broadcasting, their activities, locations, and secrets, as trust cannot be placed in strangers whose true intentions are unknown. Therefore, avoiding adding them or accepting their friend requests is crucial³⁹. Moreover, using security features like a strong and inaccessible password.⁴⁰

- Exercising control over determining locations and times of social media usage, protecting children from disturbing, explicit, or distressing content by respecting and establishing privacy boundaries, and exercising caution in engaging with virtual friends in real life.⁴¹

- Enriching the child's cultural and entertainment resources and fostering their engagement in productive social activities.⁴²

Secondly, raising awareness: Families need to educate their children about the risks of social media networks and guide them towards responsible and safe internet usage, mainly when dealing with social media that children and teenagers consistently immerse themselves in and excessively use. This includes communicating with strangers and sharing personal photos, videos, and recordings without awareness of the potential dangers that could jeopardize their security, even within their own families. It is imperative to raise their awareness about the various aspects of these virtual worlds, highlighting both the positive aspects that benefit them and the negative aspects that can harm them and even ruin their lives.

Thirdly, family dialogue: Provides a sense of security to family members, preventing them from living in isolation and allowing strangers to control them. This can only be achieved through constructive dialogue, coexistence, and effective communication⁴³. Through such dialogue, parents can have a detailed understanding of their children's online activities and their interactions on social media platforms. In the event of harassment⁴⁴, they will be capable of addressing them promptly and appropriately, protecting their children from harm.⁴⁵

- Creating an educational environment that fosters communication between the family and the school, establishing channels of dialogue to address the challenges children may encounter during their development. This ensures that they do not fall prey to addiction or be subjected to psychological or physical abuse⁴⁶.

Conclusion:

Based on the information mentioned above, it becomes evident that the digital world poses significant risks to societal security, necessitating the implementation of protective measures including:

- Raising awareness about the risks of social media networks and the imperative need to rationalize their usage⁴⁷. Acknowledging the magnitude of this issue within families and utilizing all available means to monitor and supervise children while they engage with social media platforms. This includes being aware of their contacts and the content of their conversations, enabling the implementation of measures to prevent children from falling prey to child predators.
- Restricting children's access to pornographic materials that corrupt their morals and penalizing those who exploit social media to lure children into such unethical activities.⁴⁸
- Emphasizing the importance of religious guidelines as a framework governing the ethical use and dissemination of information through electronic media. This focus aims to ensure that the content aligns with societal interests, promotes individual and communal benefit, and remains free from corruptive elements. Such an approach serves as a deterrent for individuals who may engage in criminal acts and as a means of protecting potential victims.⁴⁹
- Endeavouring to establish a secure environment for members of society by taking into account the child's best interests through promoting alternative activities, raising children's awareness about their psychological and physical privacy, and their right to

bodily sanctity. Additionally, nurturing them in virtues of morality, integrity, and lowering gaze while developing educational curricula related to healthy sexual education as a preventive measure against sexual promiscuity resulting from premature sexual maturation due to adult exploitation, simultaneously addressing the need to aid children in overcoming the aftermath of trauma, including physical, psychological, and emotional disorders, feelings of conscience and shame, ...etc.

- Instituting protective mechanisms to eradicate adult and child-related explicit materials from electronic media, employing punitive measures and removal programs, and safeguarding exploited children, internet users, families, and the community from vulgarity.
- Disseminating awareness through various means that encourage individuals to report child exploitation cases in explicit materials, whether perpetrated by parents or witnessed by those browsing electronic media.
- Implementing necessary legal measures that strengthen penalties for individuals with criminal inclinations who violate the privacy of society's members, especially children, while providing protective measures for child victims to obtain appropriate compensation for the damages incurred due to digital violations on social media platforms.
- Strengthening familial and societal control by activating the multifaceted roles of the family in upbringing and socialization and socially equipping children at every stage of their lives.
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