

# The legal framework for the prevention of violence in the Administrative and sports sector in Algerian community and the mechanisms for combating it

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## Abstract:

Through our treatment of this topic, we aim to achieve the main goal of identifying solutions, mechanisms and legal controls that would prevent and reduce violence in the sports environment. One of the most important findings in our study is that the strict application of laws without manipulation would clean the sports environment from the phenomenon of violence, in addition to the need to develop mixed devices from all sectors that work to implement and accompany the provisions of Law 13-05 and the accompanying regulatory laws.

**Keywords:** The legal framework, Sports violence, sports environment, Algerian community.

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## 1. Introduction:

Sport builds the body, develops the mind, and relaxes the soul. Practicing it is a beneficial activity for humans, and watching it is a joy and enjoyment for the onlookers and spectators, and entertainment for those present. It has become a prominent cultural aspect in the lives of nations, and it has become an important means of promoting the values of coexistence, cooperation, and loyalty, which are values that contribute to protecting humans from destructive ideas and dangerous criminal trends. . In the distant past, sports were practiced in the open, then they became gated components, advanced facilities, and stadiums equipped with the latest equipment and technologies. Hence, interest in sports increased by countries and governments, and they competed in establishing stadiums, arenas, and racetracks.

The sportsmanship remained prevalent in competitions and sports activities until it became infected with the disease of blind fanaticism and violence in all its forms and types. As soon as people heard about a match, they rushed to the sports stadiums for the purpose of fanaticism for this or that team or to enjoy watching the match.

Violence in sports is considered one of these manifestations that clearly and clearly affects sports and its results by introducing delinquent and irresponsible behaviors that indicate a shaky and

backward psychology of its owner, so he proceeds to violate normal and moderate behavior by detonating the negative force hidden in actions that contradict logic. And the laws in force, as a result of his action, he causes material and moral damage to the individual, the institution, and society as a whole, In the face of this scourge, the state had to pass an arsenal of laws that criminalize these acts and provide them with various penalties that would satisfy them by limiting and preventing this phenomenon.

Due to the increase in this phenomenon at the global and local levels, this necessitated that the legal and security authorities have a decisive role in sports demonstrations in general and football in particular, as it is considered a public gathering that includes many different groups of people in addition to the important figures who may be present at the matches. The police protect her.

Since independence and until today, Algeria has relied in its organization of the sports community on many legal regulations and legislation that would advance sports in general and impose strictness and organizational and institutional discipline to prevent and reduce the phenomenon of violence in the sports field, whether at the level of sports activation in Sports structures, or at the level of sports facilities, as well as at the level of sports practice.

## **2. The problem of the study:**

The issue of sports violence and riots on the occasion of sports demonstrations constitutes an important focus of studies and scientific research, especially from a psychological and legal perspective, given the place that sports have come to occupy in the lives of societies. The truth is that this problem is not new, as sports history bears witness to serious events and incidents related to violence and acts of violence. Riots. Football also maintains its lead, given that most of the incidents of violence, aggression and riots occur during its competitions.

In this regard, we refer to the decision of the Manchester Court, issued in October 1908, banning the playing of football due to the negative aspects that permeate it, such as violence and sports hooliganism that undermine public security and harm the safety of people and property. In addition to what also happened in 1964 during the meeting between Peru and Argentina, which resulted in 350 deaths, more than 500 injuries, sabotage and destruction of property, and material damage to facilities.

Most studies also indicate that the issue of violence in stadiums has affected most of the countries of the world, poor and rich, developed and underdeveloped, as well as developing and undeveloped, due to its negative manifestations that disrupt the security of stadiums and undermine and disturb public order. From here came the idea of the research, which is to identify On the solutions, mechanisms and legal controls that would prevent and reduce violence in the sports community as a whole, which we formulate in the form of the following question:

- Are the laws currently in force in Algeria very effective in combating delinquency and violence in the sports community? Is it sufficient to reduce this phenomenon?
- Can sports violence be limited to the level of sports facilities only?

**3. Objectives of the study:** Through this research, we seek to achieve the primary goal of identifying solutions, mechanisms, and legal controls that will prevent and reduce violence in sports, and this is through the following:

- 1- Clarifying the nature of sports violence by defining the term violence in stadiums, or what is known as sports violence, and defining its forms and types inside and outside stadiums.
- 2- Identify the motives and causes of riots and violence in stadiums and the factors that control them.

3- Measures taken to confront sports violence within the framework of Law 13-05.

4-Punishments taken in the context of violence committed in sports competitions and demonstrations.

#### **4. Reasons for choosing the topic:**

The reasons for choosing to address this topic lie in the extreme importance that the topic of violence prevention in sports has become, given the enormous losses that it has caused on the human and material levels.

In addition to the growth of this phenomenon, it has been offset by the lack of study and analysis of the real causes behind this phenomenon, and thus the failure to find effective solutions to prevent and reduce it.

#### **5. The approach followed:**

In this study, we have relied on two approaches: the descriptive approach and the critical and legal approach. The descriptive approach is by addressing the phenomenon of violence, explaining it, and analyzing it from a social, psychological, and legal perspective, in addition to

The legal and critical approach delve into the text of the current laws that address the phenomenon by highlighting the positives, negatives, and shortcomings that prevail in these laws from a regulatory and applied perspective.

#### **6. Defining terms and concepts:**

**6.1. The concept of violence:** We cannot define sports violence before we address the concept of violence first

Violence has different concepts depending on the angles from which it is viewed. It differs in language from sociology and legal science, so we will discuss each concept separately.

Language: Violence by him and against him, violence and violence: he was not kind to him, so he is violent. Violence of so-and-so: he blamed him, stressed him, and blamed him.

Violently: violence against him, violence against him: taking him violently. (Al-Bustani, 1997, p. 638).

Terminologically: Violence is defined terminologically as a Latin word derived from force, which means to carry. Accordingly, the word violence means carrying force or deliberately exercising it against a person or something. (Al-Kholy, 1996).

Social definition: It is the actual use of force or the threat of its use, and it may express a set of contradictions and imbalances inherent in the social structure. (Hijab, 2003, p. 167).

Legal definition: It is physical force and physical coercion, or physical coercion and the use of force without right, and the word refers to everything that is severe, unfair, and extreme. (Al-Issawi, 2005, p. 187).

#### **6.2. Definition of sports violence:**

The term sports violence refers to the physical and moral practices and actions issued by individuals, groups, or sports organizations, which are mostly directed against the state, individuals, bodies, or sports structures, where sports violence is linked in form and content to the sports situation in which they live in a way. Immediately, before, during or after a sports competition.

This athletic delinquency has been explained from a social perspective, as sport for these people is a social aspect that distinguishes them between the classes and categories of society, and Lushin was forced to state that participating in sports does not necessarily mean that the individual belongs to a subculture of delinquents.

In this regard, experts Abdel Fattah Lotfy and Ibrahim Salama believe that the reason for delinquent behavior and social deviation among some individuals is due to their lack of suitable opportunities to teach sports and play games in an acceptable manner, and the practice of physical and sports activities surrounded by directed and sponsoring educational leadership. It would confront the behavioral and social deviation that produces sports violence (Al-Khouli, 1996, p. 221).

Sports violence is defined as “every word or action, before, during, or after every sporting demonstration, competition, or meeting, in addition to violence expressed in physical actions, committed in the same circumstances and aimed at harming the safety of people and attacking public and private property.” “And disturbing public comfort and obstructing traffic” (Mahfouz, 2005, p. 12).

### **6.3. Definition of the sports administrative center:**

The sports environment means the spatial, temporal, and human environment that is stimulating and appropriate for practicing physical and sporting activities, whether for elite sports, competitive sports, or recreational sports, with all the material, moral, and human capabilities available to achieve the goal for which you strive. (Al-Kholy, 1996).

**Article 13 of Law 13-05 relating to the organization and development of physical and sporting activities stipulates the enumeration and highlighting of these settings according to their nature, density, programmes, objectives and conditions for their implementation as follows:**

- ✓ Physical education and sports.
- ✓ School sports and university sports.
- ✓ Military sports.
- ✓ Sports for people with disabilities.
- ✓ Competition sport.
- ✓ Elite and high level sport.
- ✓ Sports for everyone.
- ✓ Sports in the world of work.
- ✓ Traditional games and sports. (Algeria, Official Gazette No. 39, 05/30/2021).

### **6.4. Definition of physical activity and sports:**

Hassan Ahmed Al-Shafi'i defines it as “every social activity that contributes to improving the human motor, health, and psychological fields and is determined primarily by the elements of training and competition, and the efforts, rules, and regulations that they require to regulate this, which makes this activity preserve human health and lead him to social integration and education.” This activity uses forms of movement, including activities that use physical, physiological and mental muscles or tools that indicate the presence of some physical or moral sporting activity. (Al-Shafi'i, ed. 2004, p. 11).

As for the second article of Law 13-05 related to organizing and developing physical and sporting activities, it defines physical and sporting activities as “essential elements that contribute to the intellectual development of citizens, their physical preparation, and the preservation of their health. They are a factor in promoting and preparing young people, as well as strengthening social cohesion.”

It is a recognized right for all citizens without discrimination, and the promotion and development of physical and sporting activities is considered a public good, meaning that the state attaches

utmost importance to them in enacting its national policy on the social, cultural, economic and political levels.

### **7. Causes of violence in sports:**

The visions that address the issue of sports violence may differ, psychologically, socially, and legally, but they agree that violence in sports circles has become considered a topical issue. Its most important causes must be investigated and effective and positive solutions must be given to prevent and combat it.

In this regard, Ziegler pointed out that studies and research have been conducted on the phenomenon of sports violence and hooliganism, which have deduced the following causes and factors: excessive crowding, the influence of alcohol and drugs, weak personal control of the leader and coach over his team members, poor refereeing, and fanatical fans. Severely for her team, negative performance. They are often the most important reasons leading to and encouraging acts of negative delinquency that result in sports violence.

**7.1. Excessive mass crowd:** It is not just a group of individuals with no connection between them, but rather it is a gathering in which a certain mentality is assumed, often new characteristics that appear in the behavior of the individuals forming the crowd, which in turn differ from their characteristics when they are individuals outside the crowd, and it is one of the most important human characteristics. The camp is:

- Extremism and being quick to believe what is said, which leads to the creation of rumors.
- Extreme impulsive thinking accompanied by a sharp gaze.
- Intolerance and not giving the opportunity for opposition or discussion.
- The dominance of a certain spirit, which is either tyranny and control, or, on the contrary, submission, surrender, and conformity.

Social facilitation is also considered one of the most important components of the crowd through the ability to motivate individuals and direct their behavior towards the direction that pleases them. The physical presence of one of the figures, regardless of their affiliation, would create a response characterized by unity and unification among the rest of the crowd members, which gives the impression of generality.

**7.2. The effect of alcohol and drugs:** They are strange substances that are toxic to health, have no therapeutic goals, are harmful to health, destroy intelligence, and erode reason and logic. They are circulated and consumed by a specific group of individuals without discrimination in terms of age, within the structures and facilities designated for the practice. Sports can contribute greatly to arousing individuals and the environment in a negative way, provoking chaos and delinquency leading to violence. (Al-Kholy, 1996, p. 228).

**7.3. Players:** Violence and riots may occur inside the stadiums as a result of one of the players (primary or substitute) during the match agitating the audience and making them emotional in a way that means that there is injustice or some kind of bias on the part of the match referee, which ultimately leads to arousing the ire of the audience. In sympathy with this player and his drive behind what he demonstrated in the form of acts characterized by violence and rioting, as the reason for this is due to the lack of awareness and lack of sports ethics among many players, who are often

seen as the spark that ignites the fire on the field, and This is due to their poor framing. (Bale Abdul Karim, Bin Saghir Muhammad, Bin Asla Zakaria, Bouhaha Izz Al-Din, [N Yato Abdul Wahhab, Bin Aada Muhammad, 2007).

**7.4. Coaches and club presidents:** Coaches, club presidents, and the team's technical staff often carry out some actions and behaviors on the field, through which they provoke the supporters and fans in the stands, in addition to some of their provocative statements to the fans of the competing teams, through various media outlets before the date of the match, which would For the fans to break their silence and start sports riots.

**7.5. Media:** The means of communication and media, in their various forms, play a major role in influencing the individual and the group by directing local and international public opinion towards a specific sporting issue, whether positive or negative, and by moving away from credibility and objectivity in dealing with the media material directed to the public. The public is thus a major factor in stirring up strife and souls Through implicit incitement to violence and rioting in sports circles.

**7.6. Poor arbitration:** During the management of competitions and sporting events, arbitration and arbitrators have a great impact in directing the behavior of individuals through poor arbitration and bias towards one side over the other, far from respecting the laws and regulations in force and far from arbitrating logic, reason and objectivity, which is what It would work to provoke individuals to think about delinquent behavior that results in violence and riots. (Al-Kholy, 1996, p. 228).

**7.7 Members of the security apparatus:** Among the matters that lead to the occurrence of acts of violence and riots are those committed by some police officers charged with maintaining order and securing sports matches, through their mistreatment of a supporter or his arrest, whether based on an error or transgression by the security officer in a way that raises the eyebrows. The rest of the audience in the stands became angry, which led to them sympathizing with him and starting a riot to denounce this behavior and show their dissatisfaction.

**7.8. Stadiums' lack of international specifications and standards:** The narrowness of sports stadiums and their failure to meet the initial conditions and specifications for containing and hosting a football match is often the reason for non-respect of applicable laws, especially regarding the management of matches that are described as hot and fateful, as stated in the International Federation's guide. FIFA Football Association specifications for sports fields in which football matches are held: "The field should have specific specifications and accessories inside the field, separating the changing rooms, the referees' room and an administrative room. The field should also be fenced and built with fixed materials, entry and exit doors, rescue services, and lighting detectors." , The backup electric generator, a special entrance for the ambulance, a special entrance for players to enter the stadium and the field, and the first aid room." However, most Algerian stadiums do not meet these specifications and the minimum conditions for holding a football match with an audience, as most of the stadiums in Algeria were built in the seventies and eighties. It is considered to have a limited capacity and does not accommodate the real number of fans, and it has not kept pace with developments in international stadium designs, in terms of its particular consideration of the security aspect in its construction.

**8.9. Economic and social conditions:** Most researchers and psychologists believe that economic and social conditions (unemployment, poverty, school dropout...) may push supporters, especially

teenagers, to exploit this opportunity to carry out acts of riot and violence, given their psychological suffering and the state of emptiness and frustration they suffer from. This makes it easier to excite them to do these things. (Bala Abdul Karim, Bin Saghir Muhammad, Bin Asla Zakaria, Bouhaha Izz Al-Din, [N Yato Abdul Wahhab, Bin Adah Muhammad, 2007).

## **9. Various images and forms of violence in sports**

**9.1. Verbal violence:** it is the offensive words and phrases used by the public and supporters, those practicing sports activity (players) and those responsible for it (referees, coaches and club presidents), in addition to writings that include statements and slogans raised on the occasion of sports dates, and the matter does not stop when they are considered an insult to the reputation. The two clubs go beyond that to consider it a violation of public order and security. In this context, the Algerian Penal Code criminalizes statements that include a call for an unauthorized gathering, whether armed or unarmed, and direct incitement to it through speeches calling for or inciting it. This is punishable whether that call produces an effect or not (Article 100 BC). p) and about the verbal threat (AD 286 BC).

**9.2. Violence through writing:** The use of writing as a method of violence appears through the expressions included in the banners raised on the occasion of sporting events, the drawings and phrases written on the walls, and the advertisements distributed to the public or posted on the occasion, which include insults or defamation (Articles 297 to Articles 298 and 298). bis), a threat (AD 284 to 286 BC), or an insult (AD 144 BC).

**9.3. Violence by attacking the integrity of the body:** It is those physical acts and behaviors that constitute crimes aimed at harming the integrity of the body, whether using weapons or without them, as their victims are either players, referees, managers or supporters. In this regard, the Algerian Penal Code provides complete criminal protection for the safety of persons by stipulating strict penalties for every intentional beating and injury without the use of any means when the penalties prescribed for the perpetrator of these acts fall according to the harm caused to the victim, from mild violence (Article 442 BC) to temporary incapacity (Article 442 BC). p) to cause permanent disability (m. 264 BC) to death (m. 254, 261 BC).

**9.4. Violence by assault on property:** We mean assault on public and private property by sabotaging facilities and equipment, intentionally destroying and deliberately setting fire to buildings and means of transportation in order to paralyze their activities. In view of the seriousness of these acts and the seriousness of the damage that results from them, the legislator criminalized them and increased the punishment for their perpetrators. For example, if the matter involved intentionally setting fire to buildings and means of transportation, the perpetrator would be punished in accordance with Article (396 of the Code) with increased punishment. If the matter involved On public property (Article 396 bis, Q.A.), and the law also prohibits the intentional destruction of the aforementioned property through demolition and vandalism (Art. 406 bis, Article 407, Q.A.). Violence on the occasion of sporting events occurs in the following places:

### ***Before entering the stadium:***

Crowding and crowding at the entrances to the stadium.

Various attacks on the public road and the squares adjacent to the stadium between supporters.

Stone-throwing attacks on the bus carrying the visiting team.

***Inside the stadium:*** It is divided into

***Stands:*** Friction between supporters of the two teams often leads to quarrels, acts of violence, and throwing stones and solid materials that were brought in through the entrances after inaccurate touching, or other things bought from inside the stadium (bottles of water and various drinks). Supporters also resort to removing chairs and benches and smashing them. And igniting its wood in various violent operations.

***After leaving the field:*** When the match ends, the supporters of the defeated team express their dissatisfaction and anger with acts of violence, which often extend to assaulting the referee, by storming the changing rooms or the field floor, in addition to their intense rush when leaving the field, which prompts them to assault. On others, starting with walking in the middle of the road and blocking the passage of cars, vandalizing other people's property by smashing car windows or shop fronts, interspersed with various thefts, especially kidnapping, that is, snatching everything they see from chains in the hands or neck of passers-by or items inside cars or Offered for sale. (Bale Abdul Karim, Bin Saghir Muhammad, Bin Asla Zakaria, Bouhaha Izz Al-Din, [N Yato Abdul Wahhab, Bin Aada Muhammad, 2007).

***Inside the field:*** The field, including referees and players inside the touchline and outside the touchline between managers and substitutes, sometimes violence occurs between them, such as quarrels, beatings, insults and threats, or they are victims of being stoned by spectators.

## **10. A mistake that results in violence and leads to liability in the sporting field**

Sports activity, despite its differences and diversity, between what is based on the effort of the individual and what requires the efforts of the group, and what falls under the category of combat games, is mostly based on self-preservation and exerting the maximum possible physical effort, but despite that, it cannot be achieved. To respect the common rules of play stipulated in the game, which must be respected by the competitors, and any deviation from this rule requires the perpetrator of an intentional harmful act that violates the rules of the game to be legally responsible.

Anyone who follows the legal affairs in the sports field will see that the active activity, with all its complexities, problems and negative results, does not have its own legal system that respects its privacy as a separate activity from the rest of the activities, and that in the event of damage, it is referred to the rules of civil law, so the rules of civil liability must be applied. The rules of criminal liability depend on the element of error, which is mostly civil error, and the damage, and the necessity of a causal relationship between them. The injured party must prove by all means of proof the validity of what he claims, that the error created the damage and that they are interconnected by virtue of the causal relationship between them, While criminal responsibility depends on the availability of the elements of the crime, including a legal element that prohibits and punishes the commission of such an act, a material element represented by committing the act in a material way, and a moral element that embodies the presence of intent and criminal intent that arranges the result.

However, the privacy of sporting activity had to be respected. Despite the legal prohibition and criminalization of committing physical acts that are harmful to the safety of people, we find in sporting activity that there are sports that permit these acts. For example, combat sports depend on the personal confrontation of the competitors, which would cause harm to the parties. Quarrels.

Accordingly, it can be said that it is necessary to abandon dependence on the rules of civil law, even if it is the general law from which all laws are derived, and to establish new rules of responsibility in which the privacy of sporting activity is respected, based on sporting error based on respecting and considering the rules of the game and fair competition. A basic rule that must be respected, and any deviation from this rule is considered a violation and sporting violence. (Zakaria, "Applications of Legal Liability in the Sports Field," May 2018).

### **11. Sports violence and the principle of the right to practice sports:**

As previously mentioned, some sports assume that a competitor deliberately harms his opponent's body, as is the case in combat sports and sports in which violence is used or those that require self-defense. Is this considered a type of sports violence?

By agreement of jurisprudence and law, it is considered permissible for a player to practice a sports game within the rules of the game, even if this results in what could be considered a violation of the body and safety of others. The reason for its permissibility lies in the fact that the player has exercised a right approved by the sports custom law, with the state's encouragement of sports games and under supervision. Of which.

In order for the action to be considered permissible, it is required that the game be one of the games approved by sporting custom, as it regulates its rules and determines its traditions, and it may be practiced within the borders of a specific country. It is also required that the act subject to permissibility occur during the practice of the sports game, against the other competitor who participated in the competition by choice without The offender violates the rules and laws of the game.

This means that the conditions for permissibility in practicing sports must be met:

The game must be recognized.

The acts of violence must have been committed during exercise and not outside of it.

Adhere to the rules of the game. (Solomon, 1995, p. 128).

### **12. Sports violence committed inside sports facilities**

Considering sports facilities in their various forms and the services they provide within the public facility, they are the spatial space in which words and actions are committed that are classified within the category of sports violence.

#### **12.1. Definition of sports facilities:**

In terms of terminology:

It is defined as "institutions established by the community to serve the sports sector in all its aspects, so that it has an organizational structure consistent with the size of this institution and its objectives, in a way that benefits serving that community in line with its objectives, so that the management and development of sports activities depends on these institutions (sports facilities) ) and the capabilities available therein. (Mohammed, 2011/2012, p. 13).

#### ***Legally:***

Executive Decree No. 91-416, corresponding to November 2, 1991, specifying the conditions for establishing and exploiting sports facilities, Article 1: A sports facility is considered, within the [www.psychologyandeducation.net](http://www.psychologyandeducation.net)

meaning of this decree, any facility open to the public and prepared for physical and sporting practices.

The decision dated January 26, 1997 specifying the burden book containing the general conditions for establishing and exploiting sports facilities, Article 02: Sports facilities are considered sports facilities within the meaning of Executive Decree No. 91-416 mentioned above: Every facility is open to the public and is specially prepared for physical, sporting and/or recreational practices.

Executive Decree No. 09-184, corresponding to May 12, 2009, specifying the procedures and standards for technical and security approval of basic sports facilities open to the public, as well as the methods for their application, Article 02: All spaces, structures, units, and annexes that make up the basic sports facility. (Zakaria, Securing sports facilities and the commitment to ensuring the principle of safety in Algerian legislation, 2018).

### **12.2. Actions leading to sports violence in sports facilities:**

What we mean by this is the physical behavior of a person that is in conflict with the law and committed inside sports facilities, structures and institutions. The act is the essence of criminalization and that is why it is said “there is no crime without action.” The action includes being positive as well as it can be negative as well as including that It may be physical, accompanied by a physical act. It may also be verbal or verbal. The one who is ordered by the law to do something and refrains from performing it has violated the law, just as the one who is ordered by the law to refrain from doing the act and does it. In both cases, his action is considered a violation of the law.

#### **12.2.1. Positive action:**

An action is considered positive if it is issued by the actor in the form of a voluntary organic movement. The action begins with a movement issued by one or more members of the body, and it is a physical movement because it is a reflection of a muscular movement performed by the individual. If the movement is repeated and linked by a unit of sequence, it is a physical action. When this physical action is coupled with the will to commit it, the picture of behavior is complete.

#### **12.2.2. Negative action:**

Acting with behavior based on abstinence, that is, a person’s reluctance to do an act required of him by law if he were able to do it. (Solomon, 1995, p. 151).

There are real-life examples of sports violence committed within sports structures, institutions and facilities, which cannot be limited to Algeria due to their abundance, and they occur repeatedly every sports season, especially in football, as it is the most widespread and popular sport among the various segments of society. We will mention a group of issues in this regard as follows:

- 1- The issue of incitement that caused a football scandal by the managers of the Mouloudia Algiers football team by not climbing to the honorary podium, in the Republic Cup final, which caused tension among the club’s supporters and sympathizers about the justification of the committed act.
- 2- The case of the expatriate JS Kabylie player from Cameroon, “Albert Ebusi,” who was a victim of violence committed inside a sports facility, by receiving a stray stone from the stands as he entered the locker room, which caused him a severe injury that led to his immediate death.

3- The case of the MC Club and the JS Kabylie Football Club at Constantine Stadium in the context of the Republic Cup semi-finals, which caused violence, riots and chaos, resulting in many losses.

### **12.3.2. Criminalized acts of violence in light of Law 13-05:**

In addition to referring Law 13-05 regarding the organization and development of physical and sports activities and their development, in Article 215 thereof, criminal acts in general to the applicable legislation related to punitive legislation in its general framework, considering that the behaviors included in sports violence do not fall outside the scope of criminal acts punishable by law. The same procedures apply to general and private crimes, and in addition to that, the Algerian penal legislator enumerated in Law 13/05 a number of acts that he considered to be acts of sporting violence that rise to the level of punishable crimes, and he enumerated them as follows:

- *Attempting to forcefully enter or climb into a sports facility during or on the occasion of sporting events:* Punishment: A fine from 5,000 DZD to 15,000 DZD, and the penalty is increased by imprisonment from two to six months and a fine from 10,000 DZD to 20,000 DZD, or one of these penalties when the perpetrator commits the violation. stipulated in the first paragraph above, by entering or attempting to enter the sports facility while intoxicated.

-*Attempting to bring alcoholic beverages into the sports facility during or on the occasion of sporting events:*

Punishment: Imprisonment from two to six months and a fine of 50,000 DZD to 100,000 DZD, or one of these penalties.

*Entering a sports facility during or on the occasion of sporting events while in possession of drugs or psychotropic substances or under their influence:*

Punishment: Imprisonment from one to three years and a fine of 50,000 DZD to 100,000 DZD.

- *Possession or bringing a white weapon into a sports facility during or on the occasion of sporting events:*

Punishment: He shall be punished with the penalties stipulated in Article 39 of Order 97-06 relating to military equipment, weapons and ammunition.

- *Possession and seizure of fireworks, meteors, or explosives, as well as any other item of the same nature that would harm the security of the public or the organization or conduct of the sporting event:*

Punishment: Imprisonment from six months to one year and a fine from 50,000 DZD to 100,000 DZD, or one of these two penalties.

The penalty shall be doubled when the violation is committed by every employee in sports supervision, an athlete, or an employee charged with organizing or monitoring the entrances to sports facilities or maintaining order, or who enters or contributes to facilitating the entry of persons in possession of the materials or things stipulated in the first paragraph above.

- *Using or throwing fireworks, meteors, or explosives, as well as any other material of the same nature, in the stands or in the arenas designated for a sporting event:*

Punishment: Imprisonment from one to two years and a fine of 100,000 DZD to 200,000 DZD.

***- Inciting the public to violence or provoking them with words or gestures inside or around sports facilities, or causing the cessation of a sports demonstration by disrupting the security of persons or property, or by entering or invading the playing area on which the sports demonstration is held, or intentionally obstructing the entry or normal movement of people or the proper functioning of the arrangements. Security, by collective occupation of the sports facility spaces on the occasion of a sports demonstration:***

Punishment: Imprisonment from six months to one year and a fine of 50,000 to 100,000 DZD, or one of these two penalties.

***- Throwing projectiles or solid or movable objects in the sports facility, or throwing or throwing any other projectile against the means or users of sports supervision, citizens, participating teams, or their supporters during or on the occasion of holding sports demonstrations:***

Punishment: Imprisonment from one year to six months and a fine from 100,000 DZD to 200,000 DZD. The penalty is doubled if the shooting or throwing is directed at means of intervention by the services in charge of security, ambulance, and civil protection.

***- Inserting or carrying signs or banners bearing obscene expressions, obscene writings or pictures that affect the dignity and sensitivity of people, or posting banners inciting hatred, racism, chaos or violence during or on the occasion of sporting demonstrations:***

Punishment: from six months to five years and a fine of 100,000 DZD to 200,000 DZD.

***- Insulting the anthem of a foreign country or its national flag during or on the occasion of sporting demonstrations:***

Punishment: from three to six months and a fine of 50,000 DZD to 100,000 DZD, or one of these two penalties.

***- Selling entry tickets to a sports facility without an illegal license or qualification during or on the occasion of holding sporting events, or falsifying them:***

Penalty: from 5,000 DZD to 10,000 DZD.

The penalty shall be imprisonment from two to six months and a fine of 10,000 DZD to 50,000 DZD, or one of the penalties stipulated in the first paragraph for the action of the agent charged with selling tickets.

Anyone who counterfeits entry tickets to a sports facility shall be punished in accordance with the provisions of the Penal Code.

***- Bribery and taking promises, advantages and bets:***

Anyone who, for the purpose of changing the conduct of a sports competition in violation of the regulations and standards that it conducts, or takes or promises, directly or indirectly, gifts, grants, or other material or financial privileges to any person, especially a player, coach, referee, arbitration committee, organizer, volunteer sports coach, or The national team, the commercial sports company, a player's agent, or users of sports supervision.

***- Entering the facility despite being prohibited from doing so:***

Punishment: from three to six months and a fine of 50,000 DZD to 100,000 DZD. (Ahmed, 2015, pp. 476-481).

### ***13. Ways to prevent sports violence from a legal perspective:***

The Algerian legislator has taken Sports Legislation 13-05, as it regulates physical and sporting activities and issues related to them, as the primary means of preventing the phenomenon of sports violence. Thus, it stipulated a set of legal controls that would work to vary the means of prevention and reduction. This phenomenon, while referring criminal acts committed in the context of serious violence to the provisions of the Criminal Code (Penal Code).

#### **13.1. Measures taken to combat sports violence within the framework of Law 13-05**

Article 201: Creating and activating supporters' committees in order to promote and accompany supporters.

Article 205 and Article 206 Establishment of a national executive committee to prevent and combat violence in sports facilities. It shall be provided with state committees, concerned with studying all measures aimed at preventing and combating violence in sports facilities and working to enable consultation between actors from all sectors.

Article 207: Establishing a national card for persons provoking violence and sports hooliganism who are prohibited from entering sports facilities, and it is updated periodically.

Articles 209, 208: Creating bodies affiliated with the guardian authority charged with organizing and managing sporting events, concerned with developing proactive security plans to reduce violence.

#### **13.2. Penalties taken within the framework of Law 13-05: There are two types**

##### **13.2.1. Penalties taken in the context of violence committed in sports competitions and events**

Article 215 of Law 13-05 states: "In addition to the penalties stipulated in the applicable legislation and regulation, the athlete or group of athletes and the users of the coaching shall be subject to disciplinary penalties in the event that they commit serious errors or fail to observe the sports laws and regulations.

Cases of serious error, the nature of the penalty, the methods of its application, as well as the methods of appeal are determined in the basic laws of the relevant sports bodies." (Algeria, 05/30/2021).

***The most important penalties that can be imposed on athletes and coaching users in the event that they commit serious mistakes that violate the rules of play or applicable regulations are as follows:***

- Alarm.
- Temporary and final suspension.
- Financial fines.
- Discount.
- Exclusion.
- Termination.
- Judicial follow-up.

Article 247, which stipulates penalties of imprisonment and a fine for anyone who, for the purpose of changing the course of a competition or sports event in violation of the sports regulations and standards in which it is conducted, grants privileges and offers bribes and gifts.

### **13.2.2. Penalties taken in the context of violence committed inside sports facilities:**

Stipulated in Articles: 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 247.

### **14. Proposed solutions to reduce the phenomenon of violence in sports:**

The phenomenon of sports violence is complex because it is linked to multiple aspects. It requires sufficient focus and attention in containing youth who support and love sports, including Algerian youth, through intensifying awareness and guidance on how to express their joy at the victory of their favorite team or national team. Combating The negative aspects associated with sports call for everyone's cooperation.

A number of solutions can be presented that would limit the growing phenomenon of violence in sports:

#### **14.1. Interest in education:**

Education and learning from early childhood are important matters in the school environment, because they contribute to the development of a person's intellectual, aesthetic, and physical abilities, in addition to promoting integrity, tolerance, and mutual respect for others. The school should look at the practice of sports as a means of teaching values. Social, especially since the role of sports in preparing young people becomes more important when they participate in organizing and managing school sports matches, and training pupils and students to monitor and comment on sports matches can contribute to the development of critical thinking, as can university students. "Study ambitious programs that demonstrate the relationship between sports and culture."

#### **14.2. Controlling the sports crowd: This is done through:**

- Providing the appropriate amount of separation between fans and players on the one hand, and the fans of each club and another on the other hand.
- Not printing more tickets than the stadium's capacity, regardless of the individual financial gain, in addition to preventing the sale of tickets on the black market, because doubling the price increases the viewer's alertness to rioting.
- Providing security and safety factors inside the stadiums, and not bringing drink bottles, straws, or hard tools into the stands.

**14.3. Media:** This is done through spreading cultural and sports awareness by the media in all its forms, written and audio, as they are the most watched means by young people who spend the majority of their time following sports news. This is achieved by not using phrases that excite viewers, and not distinguishing between Sports teams mean the neutrality of the sports media and the lack of politicization of sports. Defeat in an ordinary sports match becomes as if it were a defeat of dignity, nationalism, or national reputation, which is the case in Arab sports matches.

**14.4. Players:** must take advantage of sports psychology to regulate the moral stress that the player is exposed to during the match or before it, in terms of tension and turmoil, and emphasize the player's commitment to the referees' decision, regardless of the result, in addition to not provoking the competing fans, and not resorting to violence or attempting Harming an opponent in an

unsportsmanlike manner leads to a criminal or disciplinary penalty, which leads to riots, in addition to the necessity of conducting scientific and practical tests for players and administrative coaches in sports clubs on the one hand, and emphasizing the necessity of choosing referees known for integrity and justice on the other hand. (Farfar, 2016, pp. 32-33)

## **15. Conclusion:**

Sport is no longer a frivolous physical activity that only provides entertainment and recreation, but it is now an effective and integral part of the comprehensive system of any society, and it is an integrated part of the total social systems, like the rest of the socialization systems, and this is in view of the lofty values that it carries and operates. To broadcast and embody them in social circles, but this does not prevent denying the idea of the existence of a group of negative phenomena that may affect these values and principles, and this is the result of individual and group behaviors that are sometimes delinquent, working to spread negative thoughts that are irritating to the human soul, and that work to Violence, especially in sports circles, is a result of a lack of acceptance of others and respect for their superiority.

Therefore, sports violence has become one of the issues that worries the state through the consequences and material losses in property and human lives. Therefore, the phenomenon must be confronted with all means and means to prevent and limit its spread in social circles.

This can only be achieved by enacting deterrent laws that curb the unruliness of these corrupt groups, and accompanying their implementation with an application that ensures limiting the spread of the phenomenon. Anyone who observes the legal affairs in Algeria will find the availability of legal material through sports legislation, but the problem remains in the methods of effective and correct application of it.

***From this standpoint, we will try to provide a number of recommendations that we consider necessary:***

- *Activating the texts of the articles contained in Law 13-05 regarding confronting the phenomenon of violence in sports.*
- *Accelerating the issue of sports regulatory laws.*
- *The necessity of adapting the laws related to sports and the topics associated with them with developments taking place in the world.*
- *Creating mixed bodies from all sectors that work to implement and accompany the provisions of Law 13-05 and the accompanying regulatory laws.*
- *Imposing strictness through external oversight bodies whose mission is to determine the actual implementation of the stipulated laws.*
- *Good coordination and cooperation between law enforcement forces during sporting events.*
- *Good distribution of security formations distributed across the most important axes and main roads adjacent to the stadium during sporting events.*
- *Encouraging studies related to the sporting environment, regardless of their topics, as they address specialized issues and matters. -*
- *Encouraging initiatives aimed at advancing the youth and sports sector.*

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