

Préparation d'une leçon modèle pour les matières éducatives

Intitulé de module	Introduction to Law
Semestre	01
Unité d'enseignement	unité de découverte
Crédit	02
Coefficient	01
Langue d'enseignement	English
Volume horaire du module	1h30 x 12 weeks

I. **Objectifs du cours (Course objectives)** : on completion of this module, the student will be able to:

- understand what is meant by the term "Law".
- list the different divisions of Law.
- Compare and differentiate the various branches within each division of Law.
- identify the different sources from which laws derive, with a particular focus on Algerian law.
- Explore the process of legal interpretation, including cases where interpretation is necessary due to ambiguity or gaps in legislation.
- Examine how the Law could be stripped of its binding character through the repeal.

II. **Prérequis (Prerequisites)**: The student should at least know:

- what is meant by the term "State" and its main elements;
- the importance of the law within society.

III. **Contenu de module**

Chapitre 01: *The legal rule*

This chapter addresses the following subjects:

- The concept of Legal rule and its characteristics: (General and abstract, rule of conduct, a social rule and has a binding character).
- The relationship of the legal rules to other rules of conduct
- Types of legal rules based on their degree of obligation and on their subject.

Chapitre 02: *Divisions of Law*

This chapter addresses the following subjects:

- criteria for the division of Law
- Public Law and its subdivisions
- Private Law and its subdivisions

Chapitre 03: Sources of Law

This chapter addresses the following subjects:

- Formal/ Official sources of Law : Legislation (written sources): Constitution (Fundamental legislation), Ordinary legislation and Regulations (Subsidiary legislation).
- Standby sources of Law (unwritten sources): Principles of Sharia Islamia, Customs and principles of nature Law and rules of justice.
- Interpretative sources of Law: Case-law and Legal doctrine.
- sources of Law in Algeria.

Chapitre 04: Scope of the application of the Law

This chapter addresses the following subjects:

- The application of Law in terms of persons
- The application of Law in terms of time: The principal of the Non-retroactivity of the Law and The principal of the direct effect of the Law.
- The application of Law in terms of space: The principal of the territoriality of Law and the principal of the Personality of Law.

Chapitre 05: Interpretation of the Law

This chapter addresses the following subjects:

- types of law interpretation: legislative interpretation, judicial interpretation, doctrinal interpretation and administrative interpretation.
- cases of law interpretation: clear legal text, defective (flawed) legal text (Material error, Ambiguous text, Incomplete text, incompatibility).
- Methods of interpretation of the law

Chapitre 06: Repeal of the Law

This chapter addresses the following subjects:

- the meaning of the repealing
- the different types of the repealing;
- the effect of the repealing;

IV. Références

- The Algerian Constitution of 2020 available on www.joradp.dz.
- Ordinance No. 75-58 of 26 September 1975 on the Civil Code, Official Journal No. 78, 1975 available on [Civil Code | Algerian Law Portal](http://www.joradp.dz).
- Faysal Benhalilou, Shadi A. Alshdaifat, legal studies in English, University of Sharjah, first Edition, 2019
- Mohamed Salem Abou El Farag, Introduction to the commercial law of Qatar, Dar Al Nahda Al Arabia, Second Edition, 2012.

- Rajendra Kumar, Paper - I Subject – Jurisprudence - I Unit – IV: Sources of Law Topic: Custom, Faculty of Law University of Lucknow 201
- Wael Allam, Legal Studies in English, University of Sharjah, First edition, 2010.

Présentation d'un cours

Every society needs Laws to maintain the social order and stability. In fact, without Laws there would be no social order. Maintaining the social order can be possible and plausible through the following:

- Stating which behaviors are legal and which are not;
- Protecting people's rights and freedoms;
- Representing the will of the majority while also protecting the rights of minorities;
- Promoting desirable social and economic behavior;
- Resolving disputes either through the courts or by advocating for alternative dispute resolution methods;

It is in this perspective that this course introduces students to the main legal concepts and the Judicial system in Algeria, starting with the definition of Law, its divisions and its main sources. Covering also the different scopes of application of the LAW (in terms of space, in terms of time and in terms of persons), the interpretation of the Law and finally, the repeal of the Law.

- **target audiences:** students of the first year of the preparatory cycle of Graduate Schools in Algeria as well as Law students of the first year.