

Text Study n1

❖ *Capacity to marry*

Marriage capacity is considered valid upon reaching the age of 19. However, a judge can grant an exemption for a reason of interest or in case of necessity.

❖ *Polygamy*

It is allowed to marry more than one spouse if the reason is justified. The husband must inform his previous spouse and the future spouse and submit a marriage authorisation application to the presiding judge of the tribunal of the conjugal house area.

The president of the tribunal can authorise the new marriage if he/she notes their consent and that the husband has proven the justified reason and his capacity to offer equality and the necessary conditions for marital life.

❖ *Elements that constitute a marriage*

Marriage is entered into by consent of the future husband and wife, the presence of the marriage guardian and of two witnesses and the issuance of a dowry. Consent results from request by either part or consent of the other using any term to indicate that the marriage is legal. The request and consent of a disabled person are validated when expressed in any written or gestural form indicating marriage in the usual language or custom. Entering into marriage for a woman is the responsibility of her guardian who is either her father or one of her close relatives. A judge is the guardian of a person who has no relatives.

The marriage guardian (Wali) cannot prevent the person placed under their guardianship to enter into the marriage if she wishes it and if such marriage is advantageous. In case of objection, the judge can authorise the marriage. However, the father can object the marriage of his virgin daughter if that is in the interest of the daughter.

A Wali (marriage guardian), whether the father or another, cannot force a person placed under their guardianship to get married and cannot force them into marriage without their consent. The dowry is what is paid to the future wife in money or any asset that is legally licit. The dowry is her property and she can freely own it.

❖ *Spouse rights and obligations*

The obligations of spouses are as follows:

Maintain marital bonds and duties of joint life, jointly contribute to protecting the interests of the family, protecting the children and their sound upbringing, Maintain kinship and good relations with parents and relatives, Cohabitation in harmony and mutual respect in indulgence, Mutual discussion in managing family affairs and keeping intervals between childbirths, Respect their respective parents and relatives and visit them, Each spouse is entitled to visit and

host their parents and relatives in goodwill.

❖ **Filiation:**

Filiation is established by valid marriage, the recognition of paternity, apparent or flawed marriage and any marriage cancelled after consummation. A child is affiliated to their father by legal marriage, the possibility of marital bonds unless paternity is denied as per the legal procedures.

Questions:

I-Comprehension:

1. Suggest a title to the text.
2. Specify the conditions so that polygamy is allowed in Algeria?
2. Enumerate the Algerian elements of marriage as mentioned in the text?
4. How Filiation is legally proven in Algeria?

II-Terminology and lexicology:

1. Find synonymous for the word “oppose”
2. Give the nouns of the following verbs: validate, prevent, prove, maintain.
3. Translate into Arabic the underlined terms and expressions.

The Correction of the text

I-Comprehension

. The title of the text: Marriage-1

: The conditions for allowing Polygamy in Algeria are-2

The justification of why getting married again*

. The approval / the consent of both wives: the previous and the future one*

. The submission of a marriage authorization application*

. The capacity and the necessary conditions for marital life*

: The Algerian elements of marriage/ or any Islamic marriage are-3

. The consent/ the agreement of both spouses (husband and wife)*

The presence of the marriage guardian. *Two witnesses. *The issuance of the dowry*

: The filiation is legally proven in Algeria by/ through-4

Valid marriage, the recognition of paternity, apparent or flawed marriage, and any -
. marriage cancelled after consummation

II-Terminology and Lexicology -

The synonym: Oppose = Object-1

The nouns: validate = validity. prevent = preventing. maintain = maintenance -2

:Terminology from the text -3

The article: 41 of the AFC « A child is affiliated to their father by legal marriage, the possibility of marital bonds unless paternity is denied as per the legal procedures.”

المادة 41

: ينسب الولد لأبيه متى كان الزواج شرعيا وأمكن الاتصال ولم ينفيه بالطرق المشروعة."

English	Arabic
guardianship	الولاية
Asset	الاصول
jointly contribute to protecting the interests of the family	التعاون على حماية مصالح الاسرة
exemption	استثناء
marriage authorisation application	طلب ترخيص بالزواج

English	Arabic
The marriage Relationship	العلاقة الزوجية
The parent-Child Relationship	العلاقة بين الوالدين والطفل
Divorce	الطلاق
Annulment	فسخ الزواج
Spouse/ spouses	الزوج/ الزوجة/ الزوجين
Capacity to marry	أهلية الزواج
Polygamy	تعدد الزوجات
The conjugal house	بيت الزوجية
The president of the tribunal	رئيس المحكمة
Elements that constitute a marriage	أركان الزواج
Guardian/ wali	ولي الزواج
witnesses	الشهود
dowry	المهر/ المهر
Consent	الرضا
Spouses rights and obligations	حقوق و واجبات الزوجين
Marital bonds	الرابطه الزوجية
Marital life	الحياة الزوجية
Joint life	الحياة المشتركة
Filiation	البنوة/ اثبات نسب الابوة
Valid marriage	الزواج الصحيح/ الشرعي
flawed marriage	الزواج/ النكاح الفاسد/ نكاح الشبهة
Consummations	دخول الزواج
paternity	الابوة