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**Law Department English Lecture**

**Specialty : First year LMD**

**TEXT STUDY 01**

Algerian law relies on direct sources referred to as fundamental texts as well as indirect or "derived" sources. Thus, our primary focus is on fundamental texts, which mainly encompass

The Constitution: The fundamental law, the current constitution that governs Algeria (constitution adopted by popular referendum after independence). It consists of a preamble outlining the historical foundations and the Muslim identity of Algeria, and it is inspired by the Declaration of the Rights of Man and of the Citizen. The constitutional text itself incorporates decisions from the Constitutional Council.

International Treaties: Once ratified by the Parliament or through a referendum, they have a binding force superior to a constitutional law.

The Law: It consists of all legislative texts. Several types of laws are distinguished: constitutional laws (which modify the constitution), organic laws (which specify and implement articles of the constitution), and ordinary laws (adopted after parliamentary procedures).

Decree: Its drafting and promulgation are the responsibility of the executive branch: decrees are signed by the President of the Republic and the Prime Minister (they often serve as "implementing decrees" for a law).

Ordinance: After a favorable opinion from the Council of State and with the President of the Republic's consent, the ordinance is adopted in the Council of Ministers and has the force of law.

Order: It can be ministerial, prefectural, or municipal in the hierarchical order. It is a practical decision. Depending on its source, it applies to a geographically delimited territory.

Next, there are indirect or derived sources, including:

Jurisprudence: These are texts emanating from the courts on which judges rely to resolve certain disputes. These texts can be an interpretation of the law or a response to a situation characterized by legal gaps. They set a precedent, meaning they serve as a reference for similar cases.

Doctrine: It comprises analyses and studies of legal concepts, specific cases, or social facts that can assist judges in their decision-making process.

Custom: It is a set of habits and responses to practical situations that have arisen outside the justice system but have gained consensus within the judicial authorities, which have endorsed and potentially generalized them over time.

Jurisprudence, doctrine, and custom can lead to a legislative act that formalizes a practice, thereby giving it the force of law.

**TEXT COMPREHENSION :**

1- **Give a title to the text ?**

2- **What are the main sources of Algerian law? What elements do each of them contain?**

3- **What are the different categories of laws?**

4- **Give the corresponding verbs for the following nouns:**

* *Constitute* - *Apply* - *Sign* - *Ratify*

5- **Give the verbs corresponding to the following nouns:**

* *Promulgation* - *Decision* - *Drafting* - *Interpretation*

6- **Identify four adjectives in the text and state to which noun or pronoun they refer.**

B- **Terminology/Translation:**

**Translate the following terms and expressions into Arabic:**Haut du formulaire

1. **-The judicial authority**
2. - **The order** -
3. - **The decree** -
4. - **The ordinance** -
5. - **The popular referendum** -
6. **The fundamental texts** -

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