

# FIRST SEMESTER LECTURES



**Legal English presented  
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# 1. Lecture 1 : an Overview of Law

## 1.1. The Definition of Law

Blackstone said that Law in its most general sense is : « that **rule** of action which is **prescribed** by some **superior** and which **the inferior** is **bound to obey** »

**Law** is the **system of control** « a set of rules » through which **society** operates .i.e. **citizens** must **obey** those rules.

**Law** is a **formal method** of controlling people and **society** through **rules set down** and **enforced** through **the legal system**.

## 1.2. The Importance of Law

- It acts as a **guideline** as to what is accepted in society. Without it, there would be **conflicts** between **social groups** and **communities**.
- Law keeps everyone **safe**; it also provides **security**, **peace** and **protection**.
- Without law, people were **free** to do anything they wish. But, a law has **imposed** certain **limitations** and **restrictions** that have to **be followed** by each **citizen**.
- We need law to **ensure equality**, and security in communities.

- Thomas Jefferson states, “The **study** of the law **qualifies** a man to be **useful** to himself, his **neighbours**, and to **the public**.”

## 1.3. Areas and Branches of Law

Within national law, there is usually a clear distinction between public and private law.

- **Public law** involves the state or government in some way, while **private law** is concerned with **disputes** between private individuals or businesses.
- Both public and private law can be subdivided into different categories:

### 1. Public Law

#### A. Public International Law

Public international law governs the relationships between states and other entities operating on the international plane.

#### B. Constitutional law

- ✓ The rules which regulate the structure of the main branches of government: the **executive**, the **legislature**, and the **judiciary**, and their relationship to each other, and determine their main functions.
- ✓ Moreover, constitutional law defines the rights of the citizens.

## C. Administrative Law

It governs the exercise of powers and duties by public authorities, or it governs the administration and regulation of government agencies.

## D. Criminal law

- ✓ Sets out the types of behaviour, which are forbidden and are subject to **punishment**.
- ✓ A person who **commits a crime** is said to have **offended** against the state, and so the state has the right to **prosecute** them.
- ✓ At the end of the case, if the **defendant** is **found guilty**, the court will **punish** them for the **offence**, because they have **broken the criminal law**.

## 2. Private Law

Private law has many different branches. The main ones are:

- \* **Law of contract**
- \* **Law of tort**
- \* **Family law**
- \* **Law of succession**
- \* **labour law**

### A. Law of contract

**Law of contract** is the branch of the law, which determines whether a promise is **legally enforceable** and what are its legal consequences

## **B. Law of torts**

**Law of torts** deals with **torts**, which can be defined as **civil wrongs**.

Examples of torts are:

- **nuisance**,
- **negligence**,
- **Defamation and trespass**.

## **C. Family Law**

**Family law** covers such matters as **validity of marriage**, rules for **divorce** and the **custody of the children**.

## **D. Law of Succession**

**Law of succession** regulates who **inherits property** when a person dies without a will, and establishes the rules for making a **valid will**.

## **E. Labour Law**

- Laws that define the **rights of employees** and protect them from **employer retaliation** for exercising those legal rights or reporting violations to the proper authorities.
- In other words, it is a law relating to **the rights and responsibilities of workers**.

## **F. Other areas of Private Law**

In addition to these areas of private law, there are also laws relating to **copyright and patents**, and many other topics, so it can be seen that private law covers a wide variety of situations.

## 2. Lecture 2 : Tenses

In English grammar, there are mainly three types of tenses : **Present**, **Past** and **Future**

### 1. Present Simple tense :

#### ❖ The form

Affirmative form	<ul style="list-style-type: none"><li>• I / you / we / they / work</li><li>• He / she / it <b>works</b></li></ul>
Negative form	<ul style="list-style-type: none"><li>• I / you / we / they <b>"don't"</b> work.</li><li>• He / she / it <b>"doesn't"</b> work .</li></ul>
interrogative form	<ul style="list-style-type: none"><li>• <b>"do"</b> I / you / we / they + work</li><li>• <b>"does"</b> he / she / it + work</li></ul>
positive sentence	<ul style="list-style-type: none"><li>• In positive sentences we add <b>"-s"</b>, <b>"-es"</b> or <b>"-ies"</b> to the 3rd person singular - he, she, it <b>goes-</b> plays <b>-tries</b></li></ul>

#### ❖ The use. We use the present simple to :

✓ **To express general truth, natural and scientific laws, or real facts:**

E.g. Water **boils** at 100° degrees.

Gaz **expands** on heating.

✓ **We use it for permanent situations :**

E.g. Julie **lives** in London.



✓ **It is also used for habits or things we do regularly . We often use adverbs of frequency such as: often, always , sometimes, usually, everyday, or expressions like twice a week , every sunday...**

E.g. I **play** football **every Friday**.

I **drink** coffee **every morning**.

✓ **To talk about the future when we are discussing a fixed plan :**

E.g. we **leave** Tlemcen at 10 pm,**next Tuesday**.

✓ **To talk about the future after words like: until, before, as soon as ,when..**

E.g. I will call you **when** I **have** time.

I won't get out **until** it **stops** raining.

✓ **We use the present simple in the first and zero conditionals:**

E.g. **If** it **rains**, we won't come.

**If** you heat water to 100°, it **boils**.

✓ **We use it with verbs expressing feelings, emotions, perception and permanant state (state verbs) suchas : dislike, enjoy, love, see , hear, to suppose, to know, to smell, to taste, to look like ...**

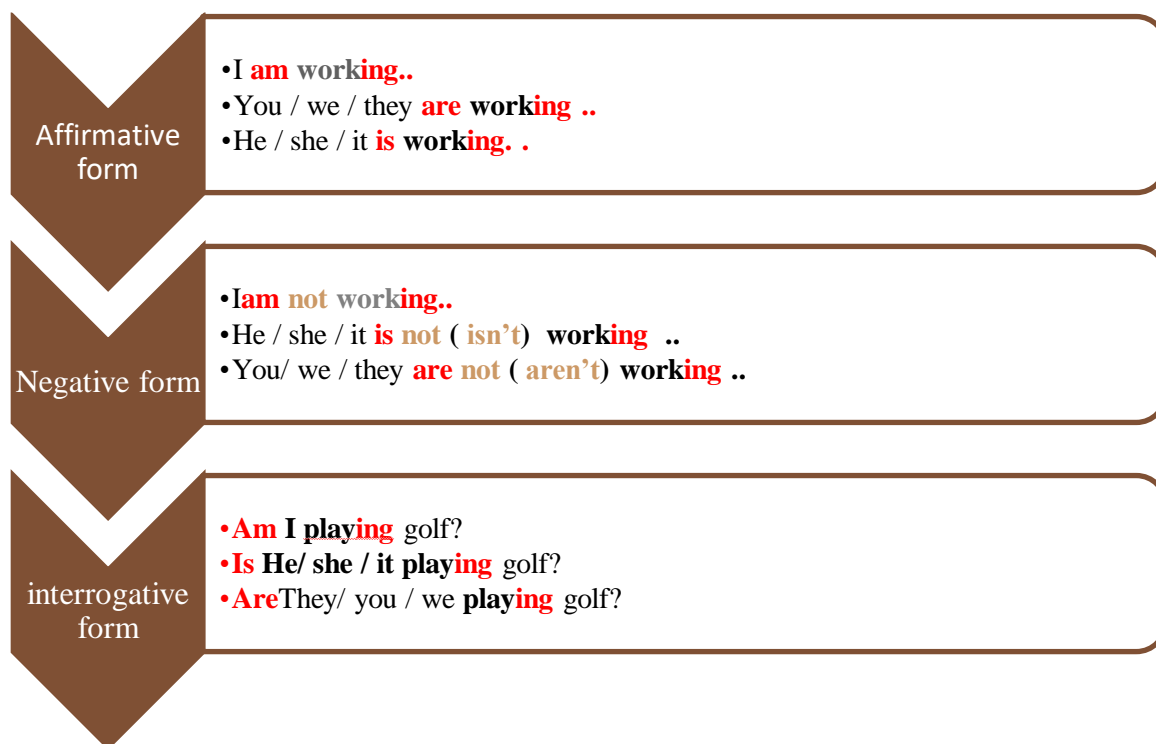
E.g. He **enjoys** reading lawbooks.

She **looks** nice.

I **suppose** you have finished.

## 2. Present continuous tense

### ❖ The form :



### ❖ The use: We use the Present Continuous:

✓ for things that are happening at the moment of speaking

E.g. I **am working** at the moment.

✓ It is used to talk about temporary situations

E.g. she **is staying** with her friend **for a week** .

✓ Temporary or new habits , we often use this with expressions like: these days , at the moment , now , today ...

E.g. I'm **drinking** too much coffee **these days** because I'm so busy at work.

✓ **To describe actions**

E.g. **While** the teacher **is explaining** the lesson, the students **are listening**.

✓ **For a definite future arrangement. In this case, we have already made a plan and we are sure that the event will happen in the future.**

E.g. he **is getting** married **tomorrow morning**.

✓ **We use it to talk about developing or changing situations**

E.g. your English **is improving** .

**I'm getting** better and better at speaking English.

The weather **is getting** warmer .

# 3. Lecture 3 : Powers of the State

## *1. The Legislative Branch*

The legislative branch of the Algerian government is called **Parliament** .  
Parliament has two chambers : **Council of the Nation** and **National People's Assembly**

Bicameral Parliament consists of:

- Council of the Nation (upper house with 144 seats; one-third of members appointed by the president, two-thirds indirectly elected by simple majority vote by an electoral college composed of local council members; members serve 6-year terms with one-half of the membership renewed every 3 years)
- National People's Assembly (lower house with 407 seats; members directly elected in multi-seat constituencies by open-list proportional representation vote to serve 5-year terms)

### **The role: parliament makes laws**

Members of parliament can propose an idea for a new law.

This is called **a bill**. After both the Senate and the House of Representatives pass the bill, it goes to the President. If the President agrees, he can sign the bill. Then it becomes law.

## *2. The Executive Branch*

**The president** is directly elected by absolute majority popular vote for a 5-year term (eligible for a second term).

**The Head of the government** includes the name, title of the top executive designated to manage the executive branch of the government.

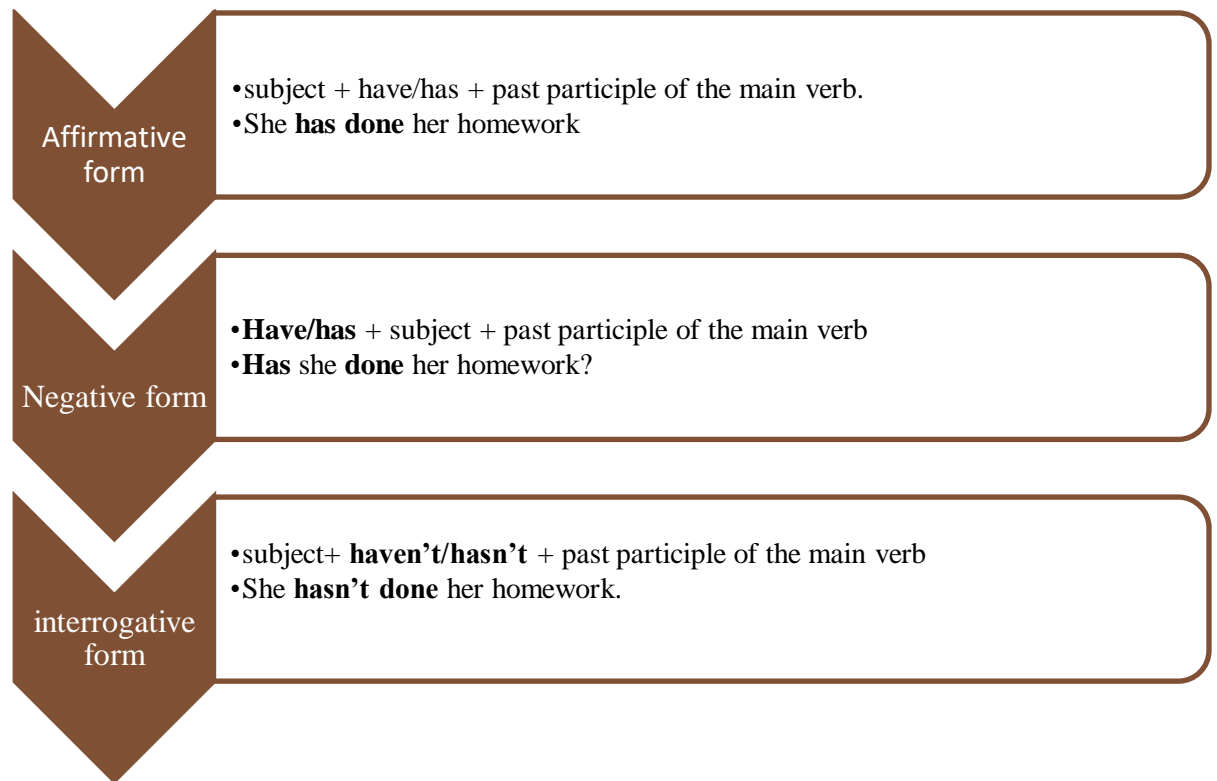


***Terminology*** : Law  
bill, Prime minister,  
Cabinet, Senate , House  
of representative , one-  
third, two-thirds ,simple  
majority , Absolute  
majority ,Council of  
ministers

# 4.Lecture 4 : Tenses

## 3. Present Perfect tense

### ❖ *The form*



### ❖ *The use*

✓ For recent actions when the time is not mentioned .i.e. it is used to show a link between the present and the past .

\*I **have cleaned** my room.

✓ **Recent actions in the present perfect often have result in the present tense.**

\* He **has had** a bad car crash ( he is still in the hospital )

✓ **It is used with « just » to express a recently completed action.**

\* He **has just finished** his homework.

✓ **With « for » and « since » to denote a period of time extending into the present.**

❖ **For** is used with a period of time (2 years / 2 hours...)

❖ **Since** is used with a fixed period of time.

E.g. she **has been** a teacher **since** 1985

we **have lived** their **for** 10 years.

✓ **It can be used with ‘ lately ‘ ‘ recently ‘ ‘ ever ‘ ‘ often ‘ ‘ already’ and ‘ yet ‘**

E.g. I **have never been** abroad before.

**Have you ever met** George ?

✓ **For an action which started in the past and still continue in the present**

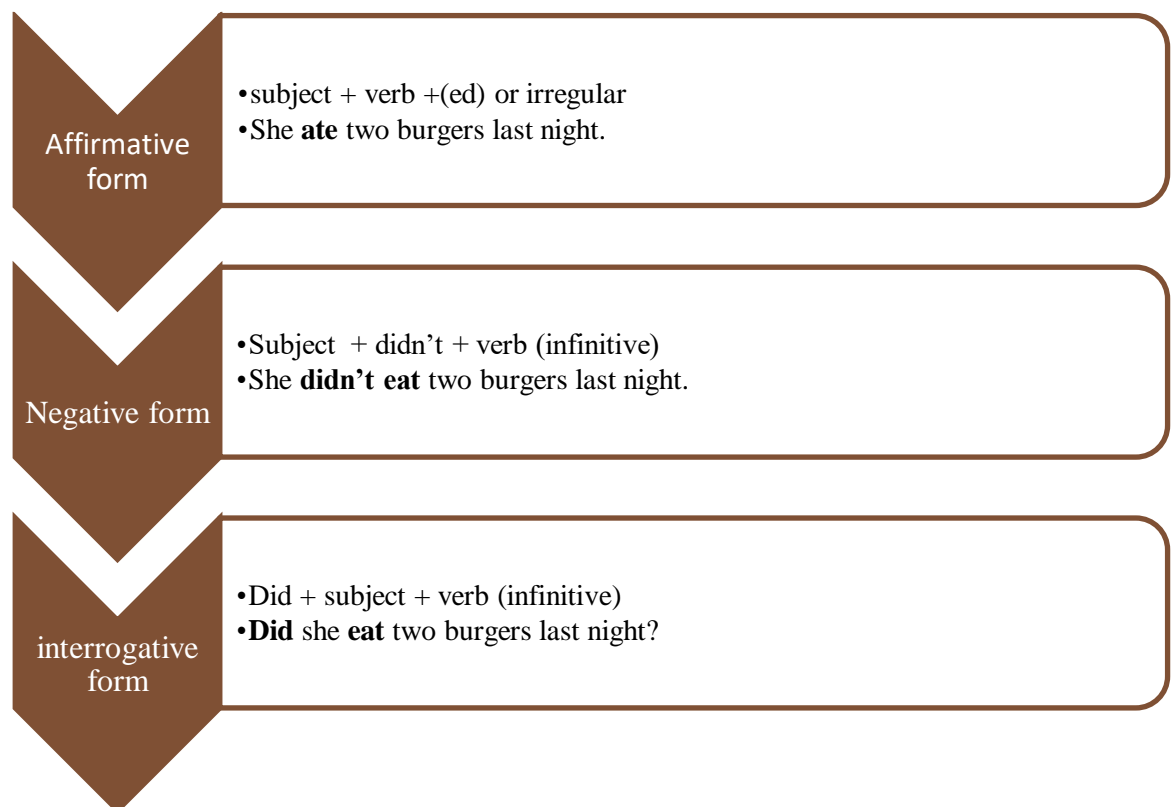
E.g. He **has lived** in tlemcen **all his life**.

✓ **A finished action with a result in the present:**

E.g., I **have lost** my keys! (The result is that I cannot get into my house now).

## 4. *The Past Simple Tense*

### ❖ *The form*



### ❖ *The use*

**For an action completed in the past at a definit ( precise) period of time in the past .**



- She **lost** her ring **yesterday**.
- He **had** an accident **last year** .

**For something that was true for sometime in the past**

- I **lived** abroad for **ten years**

**General knowledge**

- Leonardo **Painted** the Mona Lisa.
- The Vikings **invaded** Britain.

**With if clause type 2 (Unreal or imaginary things)**

- If I **won** the lottery, I would buy a house.
- I wish I **had** more time!

**R!** We use ‘ **did** ‘ to ask questions with the past simple , but questions with **who** often don’t use ‘ did’

E.g. **Who** discovered America ?

❖ Most verbs have a **past tense** and **past participle** ending with ‘ **ed** ‘ like : **walked** , **listened**, **cried** ...

But many of the most frequent verbs are **irregular** here is the table of the most common **irregular verbs**:

## L<sup>IV</sup> TOP 50 Irregular verbs

INFINITIVE	PAST SIMPLE	PAST PARTICIPLE	INFINITIVE	PAST SIMPLE	PAST PARTICIPLE
be	was/were	been	leave	left	left
break	broke	broken	lend	lent	lent
bring	brought	brought	lose	lost	lost
build	built	built	meet	met	met
buy	bought	bought	pay	paid	paid
come	came	come	put	put	put
cost	cost	cost	read	read	read
cut	cut	cut	ring	rang	rung
do	did	done	run	ran	run
dream	dreamt	dreamt	say	said	said
drink	drank	drunk	see	saw	seen
drive	drove	driven	sell	sold	sold
eat	ate	eaten	send	sent	sent
find	found	found	sing	sang	sung
get	got	gotten	sit	sat	sat
give	gave	given	sleep	slept	slept
go	went	gone	speak	spoke	spoken
grow	grew	grew	spend	spent	spent
have	had	had	swim	swam	swum
hear	heard	heard	take	took	taken
hit	hit	hit	tell	told	told
choose	chose	chosen	think	thought	thought
know	knew	known	win	won	won
laugh	laught	laught	work	wrought	wrought
learn	learnt	learnt	write	wrote	written

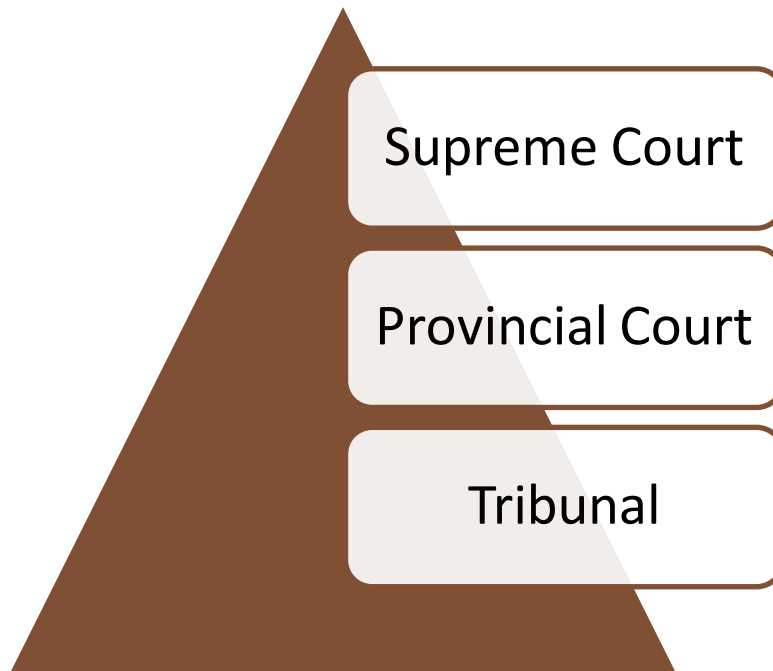
## 3. The judicial Branch

### 3.1 The Definition of Judicial Branch

The judiciary is also known as the judicial branch or the judicial system .. it is the system of courts that adjudicates legal disputes, disagreements, also interprets and applies the law in legal cases.

- **Art 179 of the constitution 2020:** which establishes the judicial branch, and determine its shape and structure.
- The main role of the judicial branch is to check if the law is applicable in the right way, and apply punishment on those who disobey the law.
- There are two types of the Judicial system : **Ordinary Judicial System** and **Administrative Judicial System**

#### 1. Ordinary Judicial System :



**The judiciary (ordinary) now consists of three levels. At the first level is the tribunal, to which civil and commercial litigation is submitted and which takes action in penal cases of the first instance.**

**At the second level is the Provincial Court, which consists of a three-judge panel that hears all cases and that functions as a court of appeal for the tribunals. At the third and the highest level is the Supreme Court, which is the final court of appeal and of appeals against the decisions of the lower courts.**

**The Constitution of 1996 introduced two new high courts to complement the Supreme Court. The Council of State acts as an administrative equivalent to the Supreme Court, hearing cases not ordinarily reviewed by that body, and the Tribunal of Conflicts was instituted to regulate any jurisdictional disputes that might arise between the other two high courts.**

## 2. Administrative Judicial System

It consists of two types :

### **Administrative tribunals, first-instance courts**

In the event of a **dispute**, the **Administrative Tribunal** which in principle has **jurisdiction** is the one located in the geographical area where the authority which has taken the decision at issue has its headquarters.

The **Administrative judge** is Responsible for **giving rulings** and **settling disputes** between **the administration** and **citizens**, an **administrative judge** must **balance** the defense of **individual rights** with the **protection of the public interest**. In order to do this, he has **powers** that in recent years have expanded significantly. For example, he may now **accompany** his decisions **with measures to ensure** that they will be **properly enforced**, and may **give emergency rulings** within the framework of **interim injunction proceedings**.

### ***Council of State: supreme administrative court***

It is mainly a **Court of Appeal** and **Cassation** against **the Administrative Court of Appeal's decisions** and **certain administrative tribunal's decisions**.

The **Council of state** is also a **court of appeal**. The Council of state is also a **court of the first instance** for **disputes**.



### ***Terminology***

Accusation, Amnesty, Civil  
Action , Eyewitness , Conflict,  
(disputes), claimant ( plaintiff) ,  
Punishment , To sue , Death  
penalty ( execution), redress  
Refund , proof

**Best Wishes !**