

**Professor:** Zerrouk Imane Fatima Zohra

**Module:** Legal Terminology

**Academic Year:** 2025/2026

تاريخ الاضطلاع محدد ب: 1/2/2026

التوقيت: 14:00

المكان: قاعة الأستاذة المقابلة لقسم القانون الخاص

## MODEL ANSWER / الإجابة النموذجية

### Exercise 1 (10 points): True/False with Justification

#### 1) FALSE.

**Justification:** The theory of emergency conditions (hardship) applies when performance remains possible but has become excessively onerous; absolute impossibility belongs to force majeure. Under Article 107 of the Algerian Civil Code, the judge may reduce the burdensome obligation to a reasonable level, not declare it impossible.

المادة 107 من القانون المدني الجزائري تُمكن القاضي من ردّ الالتزام المُرهق إلى الحدّ (المعقول؛ أمّا الاستحالة فتندرج تحت القوة القاهرة

في التبريرات الإنجليزية، احرصوا على استخدام الكلمات

excessively onerous = مرهق بشكل مفرط (Hardship).

objective impossibility = استحالة موضوعية (Force majeure).

في المصطلحات، فضّلوا الصيغ الاصطلاحية المستقرة

(Burdensome Obligation) الالتزام المُرهق

(Invitation to Treat) الدعوة إلى التعاقد أو دعوة إلى التفاوض (غير مُلزمة)

#### 2) FALSE.

**Justification:** Under hardship, the judge may adapt or adjust the obligation (reduce or reschedule) to a reasonable level, not fully exempt the debtor. Full exemption is the effect of force majeure when performance becomes objectively impossible. The remedy for hardship is modification, not discharge.

### 3) TRUE.

**Justification:** The concept of "Contract Content" in French private law reflects Anglo-Saxon influence, particularly English law. The 2016 reform codified it in Articles 1162–1171 of the Civil Code, but as legal scholarship notes, "the idea of the content of contract is not one of the ideas of the French legislator... it is preceded by many legal systems, especially the English legal system."

### 4) FALSE.

**Justification:** Law No. 15-19 (2015) amended the Penal Code to criminalize not only physical but also verbal and psychological forms of marital/domestic violence. Specifically, Articles 266 bis and 266 bis 1 cover repeated physical, verbal, and psychological violence between spouses, expanding protection beyond merely physical harm.

## Exercise 2 (10 points): Legal Terminology Translation

English Term	الترجمة العربية (Arabic Translation)
Force Majeure	القوة القاهرة
Burdensome Obligation	الالتزام المُرهِق
Public Order	النظام العام
Marital Violence	العنف الزوجي
Electronic Blackmail	الابتزاز الإلكتروني
DNA Fingerprinting	البصمة الوراثية
Proof of Lineage	إثبات النسب
Apparent Will	الإرادة الظاهرة
Custody	الحضانة
Invitation to Treat	الدعوة إلى التعاقد

## Grading Rubric / سلم التقييم

### Exercise 1 (10 points)

- **0.5 points:** Correct True/False selection.
- **2.0 points:** Brief justification in English that includes:
  - Proper distinction between hardship and force majeure (statements 1 & 2).
  - Reference to 2016 reform and "contract content" (statement 3).

- Mention that Law 15-19 criminalizes physical, verbal, and psychological violence (statement 4).

**Partial Credit for Justification:**

- **1.5 / 2.0:** Correct idea but incomplete.
- **1.0 / 2.0:** General correct understanding without legal specificity.
- **0 – 0.5 / 2.0:** Incorrect or irrelevant justification.

**Exercise 2 (10 points)**

- **1.0 point:** Precise Arabic legal terminology.
  - **0.5 points:** Correct meaning but imprecise terminology.
  - **0.0 points:** Incorrect meaning.
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