# People's Democratic Republic of Algeria

# Ministry of Higher Education and Scientific Research

# Alignment

# **Master's Program Offer**

# **Academic**

Department	Faculty	Institution
Law	Faculty of Law and	Mohamed Seddik Ben
	Political Science	Yahia University, Jijel

Field: Law and Political Science

**Branch:** Law

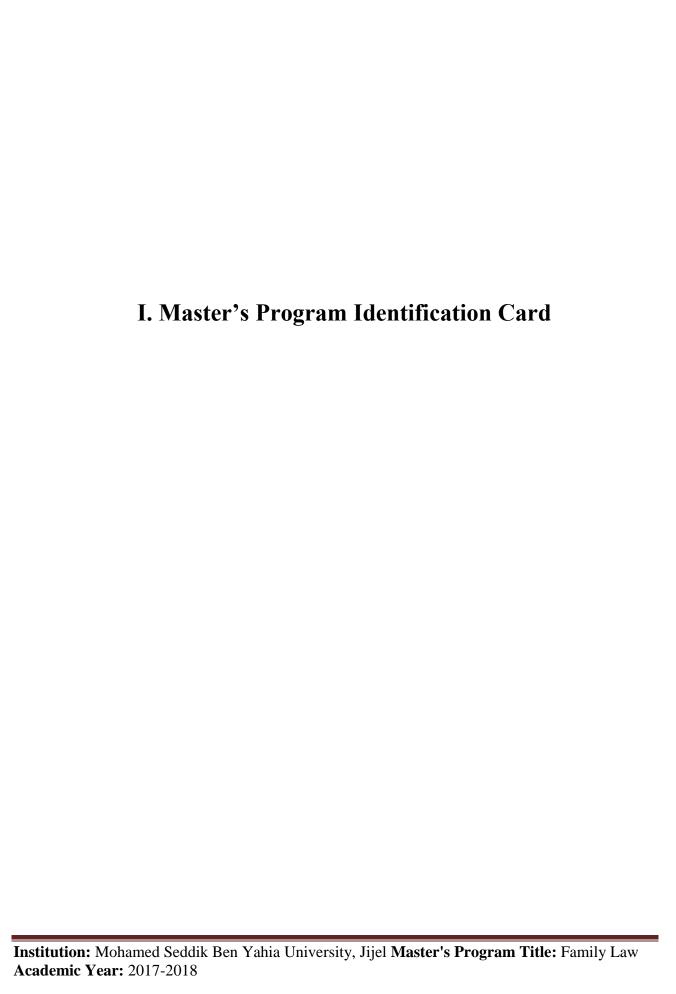
**Specialization:** Family Law

Academic Year: 2017-2018

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

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# 1. Defining the Location of the Program:

- Mohamed Seddik Ben Yahia University Jijel
  - Faculty of Law and Political Science
  - Department: Law

# 2. Participants in the Program:

- Other University Institutions: /
- Other Socio-Economic and Institutional Partners:
  - Judicial Institutions
  - o Public Institutions (Municipalities, Wilaya, Various Directorates)
  - o Child Care Institutions
  - Elderly Care Institutions
  - Maternity and Child Protection Institutions
  - Women's Promotion Associations
  - Civil Society Organizations

**Foreign International Partners:** /

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# 3. Framework and Objectives of the Program:

# A. Admission Requirements

- Students graduating under the new system (LMD):
  - o The student must have a good conduct and behavior.
  - o The student must hold a Bachelor's degree in Law or a Bachelor's degree in Sharia and Law.
- Students graduating under the old system (Classical):
  - o The student must have a good conduct and behavior.
  - o The student must hold a Bachelor's degree in Law or a Bachelor's degree in Sharia and Law.

# **B.** Program Objectives

The program has two main aspects:

## **Theoretical Aspect**

This aims to provide the necessary scientific competencies and psychological preparations, enabling the student to:

- Acquire the necessary experiences to understand the nature of disputes that arise within the family.
- Possess the ability to interpret legal texts and apply them properly to serve the benefit and interests of the family.
- Assess the real risks that threaten the family and society in general.

# **Practical Aspect**

This aims to develop the student's individual capacities in terms of:

- Understanding the mechanisms and regulations on which family legislation in both law and Sharia is based.
- The ability to address the issues of the Algerian family and find appropriate solutions.
- The ability to supervise and guide specialists in family affairs in the future.
- C. Targeted Qualifications and Skills

The specialization in Family Law includes various elements related to society and influences public life in its various aspects, including political and economic ones.

• A deep study of this specialization allows the student to understand the nature of family relationships through a vast amount of information and knowledge, from the establishment of the marital relationship to its termination. The student will then be able to offer solutions inspired by Algerian Family Law and Islamic jurisprudence, in accordance with Article 222 of the Algerian Family Code. The stability and progress of society depend on the well-being of the family, which is considered by the legislator as the fundamental unit in the construction of society. This makes us think about the legal and legislative frameworks that are appropriate, by searching to support, amend, or enrich them to serve the interests of individuals, guarantee their rights, and support their freedoms, whether related to the

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husband, wife, or children. All of this depends on training researchers specialized in family law, with a broad culture and expertise in family legislation.

- D. Regional and National Employment Opportunities for Graduates

  Upon obtaining this degree, the student can be employed in the courts by joining the High

  Judicial School. With excellent training, the graduate will be able to take on the
  responsibility of issuing judicial rulings in family law cases.
- The student can also become an excellent lawyer, defending rights and truth, especially in cases where divorce is the solution. The student will possess the skills to investigate the reasons and causes, searching for a way out and a solution to all family problems in court.
- Whether as a judge, lawyer, or proficient researcher and academic, through this specialization, the graduate will undoubtedly provide a valuable service to society, contributing to creating stability.

# E. Pathways to Other Specializations:

- This degree serves as a bridge towards enrolling in a PhD program, ensuring the continuity of specialized research work in this field.
- It can also establish specialized judicial sectors for family law cases.
- This specialization can be a key to training imams, inspectors, counselors, and legal advisors in family law matters.

# F. Indicators for Monitoring the Training Project:

The student can continue their studies and enroll in a PhD program in the same specialization in the following areas:

- Family Law
- Civil Status Law
- Family Disputes

# **G. Supervisory Capacities:**

• Up to 50 students can be enrolled.

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#### 1. Available Human Resources:

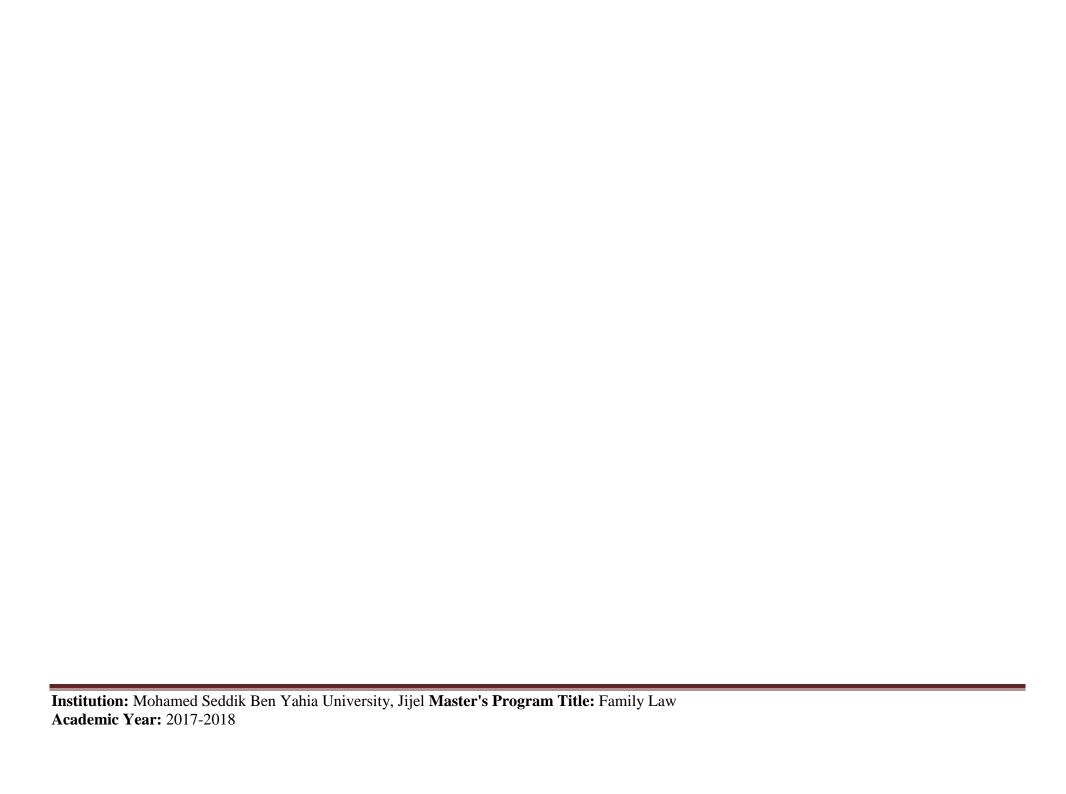
# A. Faculty Members Involved in the Specialization:

المتوقيع	طبيعة التدخل*	الرتبة	شهادة الدكتوراه + التخصص	شهادة الماجستير + التخصص	شهادة التدرج + التخصص	الاسم واللقب
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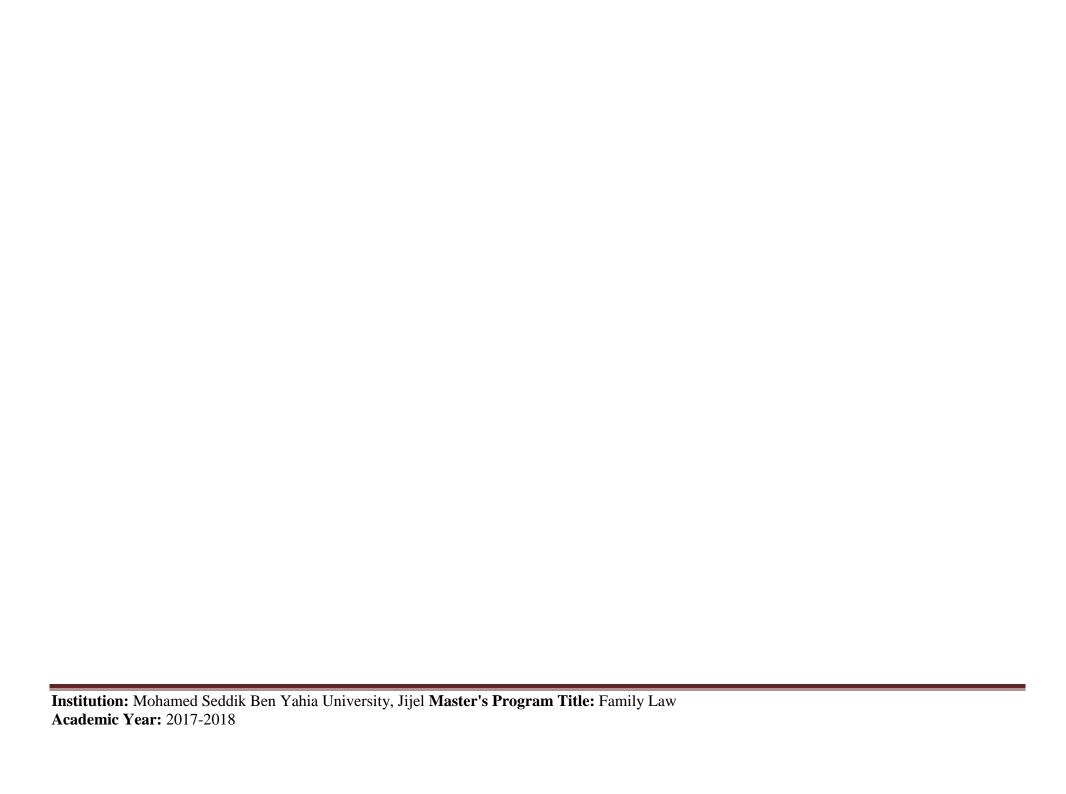
Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

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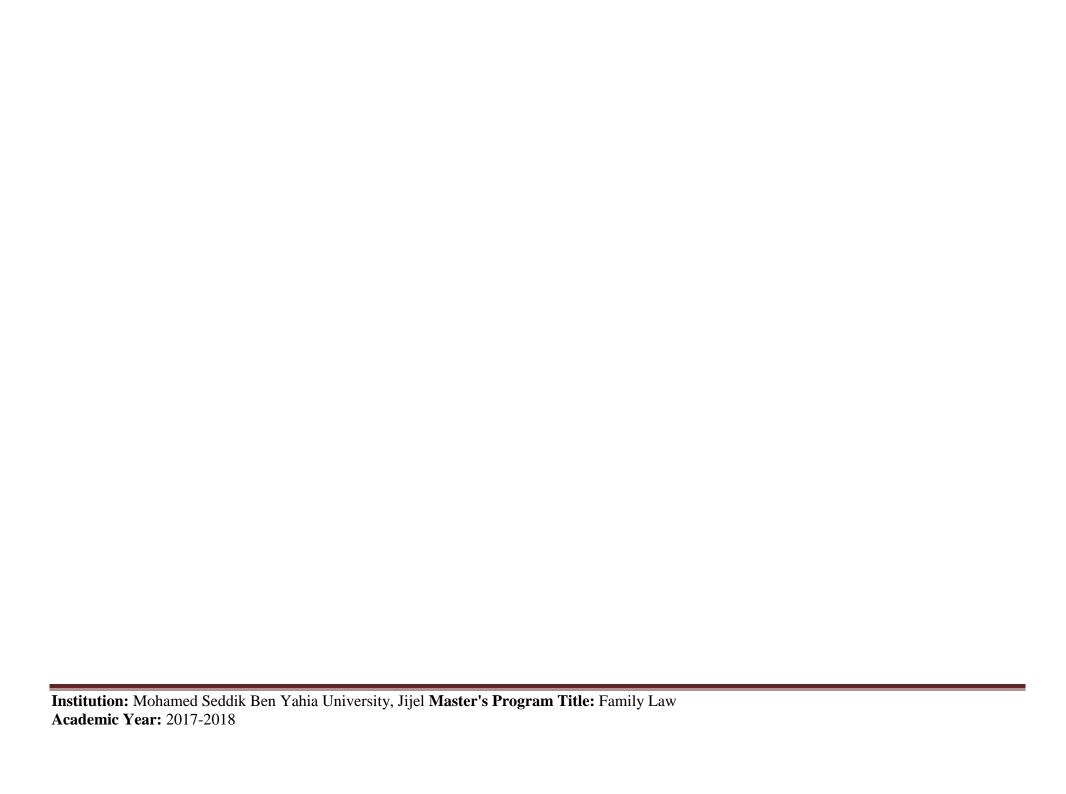
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التوقيع	طبيعة التدخل*	الرتبة	شهادة الدكتوراه + التخصص	شهادة الماجستير + التخصص	شهادة التدرج + التخصص	الاسم واللقب
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التوقيع	طبيعة التدخل*	الرتبة	شهادة الدكتوراه + التخصص	شهادة الماجستير + التخصص	شهادة التدرج + التخصص	الاسم واللقب
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التوقيع	طبيعة التدخل*	الرتبة	شهادة الدكتوراه	شهادة الماجستير	شهادة التدرج	الاسم واللقب	
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	محاضرة،أعمال تطبيقية، أعمال موجهة، تاطير التربصات، تأطير المذكرات، أخرى (توضح)						

# **B- External Supervision:**

# 1- Available Material Resources:

# A- Educational Laboratories and Equipment

Capacity of each piece of equipment.

Capacity	Number	Equipment Name	
			Number
1400	07	Auditorium	01
500	02	Large Halls	02
1750	50	Practical Room	03
120	04	Fully Equipped Special Room	04
50	02	Internet Room	05

## **Research Laboratories**

Notes	Number	Equipment Name	Number
	02	Pedagogical	01
	06	Research	02

# Library

Notes	Number	Equipment Name	Number
	2500	Basic	01
	400	Exploratory	02
	150	Methodological	03
	280	Shared	04

# **Information Technology Equipment**

Notes	Number	Equipment Title	
			Number
	02	Server	01
	60	Personal Computers	02
	02	Network Equipment	03
	10	Software Tools	04
	60	Internet Sockets	05

# Other Equipment

Capacity	Number	Equipment Title	Number
		Various Audio-Visual	
		Equipment (Audio-Visual	01
		Room)	

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# **C- Research Laboratories Supporting the Proposed Training:**

# مخبر القانون البنكي والمالي

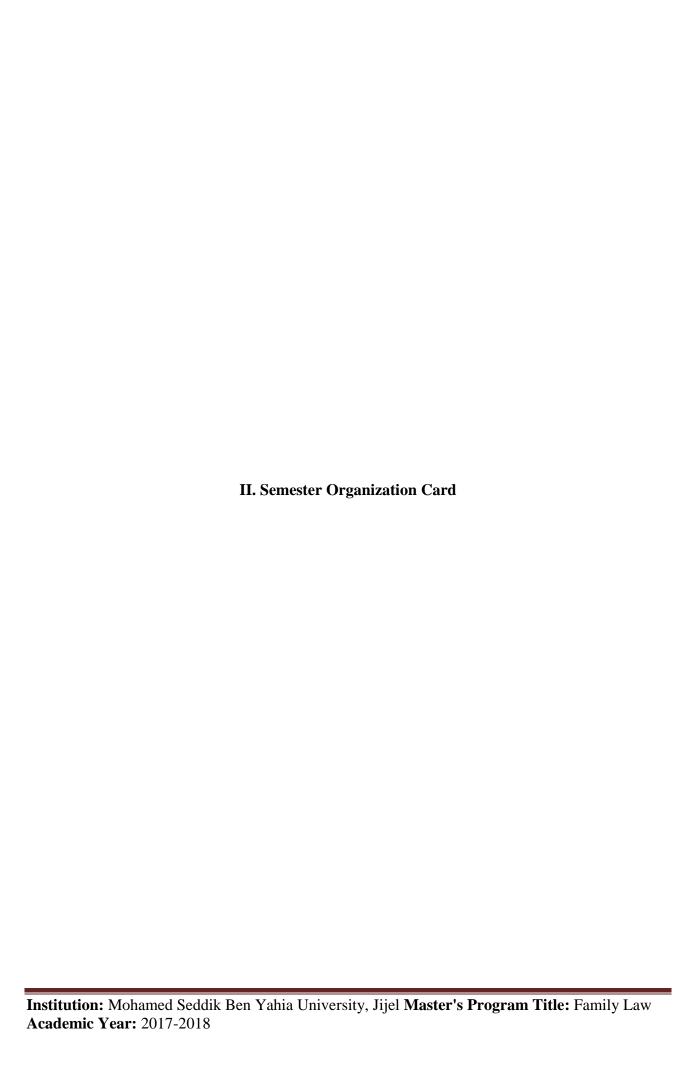


# **D- Research Projects Supporting the Proposed Training:**

تاريخ نهاية المشروع	تاريخ بداية المشروع	رمز المشروع	عنوان مشروع البحث
ديسمبر 2019	01 جانفي2015	P01720140036	الحماية القانونية للطفل في التشريعات المغاريبية والاتفاقية الدولية لحقوق الطفل لسنة 1989
ديسمبر 2019	01 جانفي2015	P01720140037	الحماية القانونية للأسرة في تشريعات دول المغرب العربي
ديسمبر 2019	01 جانفي 2015	P01720140034	دور النصوص القانونية القمعية في ضبط وتنظيم المجال الاقتصادي
ديسمبر 2019	01 جانفي 2015	P01720140038	الاستثمار والبيئة
دىسمبر 2019	01 جانفي 2015	P01720140035	الوقاية من المخاطر البنكية ومواجهتها
ديسمبر 2019	01 جانفي 2015	P01720140039	الحماية القانونية للأنشطة الاقتصادية في القانون الجزائري
ديسمبر 2019	01 جانفي 2015	P01720140040	الحماية القانونية لزبائن البنوك في مجال القروض البنكية
دىسمبر 2019	01 جانفي 2015	S01720140001	إشكالية ترقية الخدمة العمومية في الجزائر
دیسمبر 2020	01 جانفي 2016	G01L01UN18020150001	الجزائر التطورات التقنية الحديثة والبيوطبية وأثرها على حقوق الإنسان
ديسمبر 2020	01 جانفي 2016	G01L01UN180120150002	واقع الاستثمار في الجزائر
ديسمبر 2020	01 جانفي 2016	G01L01UN180120150003	الجماعات المحلية ودور ها بين التسوية والحد من البناء الفوضوي
ديسمبر 2020	01 جانفي 2016	G01L01UN180120140039	المنازعات ذات الطابع الاقتصادي

# **H- Personal Workspaces and Information and Communication Technologies:**

- The Faculty of Law and Political Science houses a library that includes a loan bank containing approximately 3,200 books, of which 500 are reference books, as well as numerous graduation theses and academic dissertations.
- The faculty library also features a reading room equipped with 300 study tables.
- The library has most of the references mentioned in the research project.
- The faculty contains two internet rooms: the first is designated for professors and contains 50 high-speed computers, while the second is for students and has 100 high-speed computers. Each internet room has an area of 50 m<sup>2</sup>.
- A server is available to provide internet service via ADSL with a speed of 02 Mbps.



# 1 - First Semester:

Evalua	tion Type	Credits	Coefficie		Weekly Ho	ours		Total Hours for the Semester	Tanahina Unit	
Exam	Continuo us	Credits	nt	Other Works	Practical Works	Directed Works	Lecture	15 Weeks	Teaching Unit	
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	Course 1: Marriage Contract and Its Effects	Code: UT A
×	×	6	3	5.30		1.30	3	150	Course 2: Inheritance Science 1	Coefficient: 09
×	×	6	3	5.30		1.30	3	150	Course 3: Methods of Proof in Family Law	Credits: 18
		9	3	10.30		3	1.30	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	Course 1: Research Methodology 1	Code: UT M
	×	3	1	3.30		1.30		75	Course 2: Administrative and Judicial Writing Methodology in Family Law	Coefficient: 3 Credits: 9
		2	2				3	45	<b>Exploratory Teaching Units</b>	
×		1	1				1.30	22.30	Course 1: Civil Status Law	Code: UT I Coefficient: 2
×		1	1				1.30	22.30	Course 2: Family Sociology	Credits: 2
		1	1			1.30		22.30	Horizontal Teaching Unit	
×		1	1			1.30		22.30	Course: Foreign Language (English) 1	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		9.00	13.30	742.30	Total for the Semester1	

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# 2 - Second Semester:

Evaluat	tion Type	Credits	Coefficie		Weekly Ho	ours		Total Hours for the Semester	Teaching Unit	
Exam	Continuo us	Credits	nt	Other Works	Practical Works	Directed Works	Lecture	15 Weeks		
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	<b>Course 1:</b> Dissolution of Marital Bond	Code: UT A
×	×	6	3	5.30		1.30	3	150	<b>Course 2:</b> Rules of Inheritance 2	Coefficient: 09
×	×	6	3	5.30		1.30	3	150	<b>Course 3:</b> Penal Protection of the Family	Credits: 18
		9	3	10.30		1.30	3	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	<b>Course 1:</b> Research Methodology 2	Code: UT M
×		3	1	3.30			1.30	75	Course 2: Information and Communication Technologies	Coefficient: 3 Credits: 9
		2	2				3	45	Exploratory Teaching Units	
×		1	1				1.30	22.30	<b>Course 1:</b> General Purposes of Family Rules	Code: UT I Coefficient: 2
×		1	1				1.30	22.30	Course 2: Family Law in International Law	Credits: 2
		1	1			1.30		22.30	Horizontal Teaching Unit	
×		1	1					22.30	Course: Foreign Language (English) 2	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		7.30	15.00	742.30	Total for the Semester1	

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# 3 - Third Semester:

Evaluat	tion Type	Co. Pro	Coefficie		Weekly Ho	ours		Total Hours for the Semester	Tooching Unit	
Exam	Continuo us	Credits	nt	Other Works	Practical Works	Directed Works	Lecture	15 Weeks	Teaching Unit	
		18	9	16.30		4.30	9	450	Core Teaching Units	
×	×	6	3	5.30		1.30	3	150	Course 1: Conflict of Laws in Family Matters	Code: UT A Coefficient:
×	×	6	3	5.30		1.30	3	150	Course 2: Family Law Claims	09
×	×	6	3	5.30		1.30	3	150	Course 3: Donations	Credits: 18
		9	3	10.30		3	3	225	Methodological Teaching Units	
×	×	6	2	7.00		1.30	1.30	150	<b>Course 1:</b> Methodology of Writing a Thesis	Code: UT M Coefficient:
	×	3	1	3.30		1.30		75	Course 2: Professional and Personal Project	3 Credits: 9
		2	2				3	45	<b>Exploratory Teaching Units</b>	
×		1	1				1.30	22.30	<b>Course 1:</b> Institutional Protection of Family and Childhood	Code: UT I Coefficient:
×		1	1				1.30	22.30	Course 2: Legal Guardianship	Credits: 2
		1	1			1.30	1.30	22.30	Horizontal Teaching Unit	
×		1	1				1.30	22.30	Course: Foreign Language (English)	Code: UT A Coefficient: 1 Credits: 1
		30	15	27		9.00	13.30	742.30	Total for the Semester1	

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# 4 - Fourth Semester:

Field: Law and Political Science

Branch: Law

**Specialization:** Family Law

Credits	Coefficient	Weekly Hours	
2	1	3.30	Seminar
28	1	46.30	End-of-Study
			Thesis
30	2	750	Total for Semester 4

# **5 - Comprehensive Summary of the Training:**

Total	Seminar + Thesis	Horizontal	Exploratory	Methodolog ical	Core	Directed & TD (Tutorials)
697.5	/	67.30	135	90	405	Lectures
292.5	/	/	/	90	202.30	Directed Work
/	/	/	/	/	/	Practical Work
1965	750	/	/	472.30	742.30	Personal Work
2955	750	67.30	135	652.5	1350	Total
120	30	3	06	27	54	Credits
%100	%25	%2.5	%05	%22.5	%45	% of Credits per Unit

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law



Master's Program Title: Family Law

**Semester**: First **Unit Name**: Core

Course Title: Marriage Contract and Its Effects

Credits: 6 Coefficient: 3

#### **Learning Objectives:**

This course aims to familiarize the student with a legal topic closely related to social life, namely marriage, in order to expand their knowledge of its concept, conditions, and essential elements. The course will then examine the various consequences arising from the marriage contract, so that students acquire a thorough and comprehensive understanding of all aspects of the marriage contract.

# **Prerequisite Knowledge:**

The student has previously studied the marriage contract during their Bachelor's degree, but in a simplified and superficial manner.

### **Course Content:**

#### • Engagement:

- Concept and legitimacy of engagement.
- o Nature of engagement.
- o Withdrawal from engagement and its effects.
- o Claims related to engagement.

# • Formation and Proof of the Marriage Contract:

- o The element of consent.
- The condition of eligibility.
- o Mahr (dowry).
- o Presence of the guardian (wali).
- o Witnesses.
- o Absence of legal prohibitions.
- o Proof and registration of the marriage contract.

# • Effects of the Marriage Contract:

- o Spousal maintenance (nafqa).
- o Waiting period (iddah).
- o Proof of lineage (nasab).

#### **Assessment Method:**

Written exam + Continuous assessment

#### **Personal Work:**

Reading relevant sections of the Family Law regarding engagement, marriage, the amendments made, and the reasons and justifications for the amendments.

#### References:

- Muhammad Abu Zahra: *Marriage Contract and Its Effects*.
- Muhammad Yusuf Musa: Personal Status Provisions in Islamic Jurisprudence.
- Ahmed Zahdoor: Will in Algerian Civil Law and Islamic Law.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- Muhammad Yusuf Musa: Personal Status Provisions in Islamic Jurisprudence.
- Kamal Hamdi: *Inheritance, Gifts, and Wills*, University Press, 1987.

Master's Program Title: Family Law

Semester: First Unit Name: Core

Course Title: Inheritance Rules 1

Credits: 6 Coefficient: 3

## **Learning Objectives:**

This course aims to equip students with the necessary scientific qualifications related to the basic principles of inheritance law. Students will learn about the estate, its components, types of inheritance, the rightful heirs, and the principles of inheritance issues and their corrections.

# **Prerequisite Knowledge:**

The student should have an understanding of family law issues. Basic knowledge of mathematics, such as unifying and summing fractions, is also required.

#### **Course Content:**

- The concept of the estate and its components, and the rights related to it.
- Inheritance: its pillars, conditions, causes, and prohibitions.
- Types of inheritance and the rightful heirs.
- The concept of the grandfather: its forms and the rules that govern it.
- The rules of "ta'sib" (inheritance through agnates) and "hijab" (exclusion).
- The principles of inheritance issues and their correction, including modifications.

#### **Assessment Method:**

Written exam + Continuous assessment

## **Personal Work:**

Reading judicial rulings related to inheritance in family law.

#### References:

- Badran Abu Al-Aynain Badran: *Inheritance, Wills, and Gifts*, Youth University Press, 1985.
- Muhammad Al-Sadiq Al-Shatti: *The Essence of Inheritance*, Administration Printing House, Tunisia, 1934.
- Hassan Khaled Adnan Najah: *Inheritance in Islamic Law*, Lebanon Printing and Publishing House, no date.
- Imam Muhammad Abu Zahra: *Explanation of the Inheritance Law*, Arab Thought House, 1978.
- Yassin Ahmad Ibrahim: *Inheritance in Islamic Law*, Al-Risala Foundation and Dar Al-Arqam, Amman, 2nd edition, 1983.

Master's Program Title: Family Law

Semester: First Unit Name: Core

Course Title: Methods of Evidence in Family Law

**Institution:** Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law

Credits: 6 Coefficient: 3

# **Learning Objectives:**

In this course, students will learn the practical and applied aspects of evidence in family law. They will understand how to prove parentage, custody, and evidence in family disputes.

## Prerequisite Knowledge:

The student should have prior knowledge regarding the methods and principles of evidence.

#### **Course Content:**

- General concepts about methods of evidence.
- Official documents in family law.
- Informal documents in family law.

#### **Assessment Method:**

Written exam + Continuous assessment

#### **Personal Work:**

Selecting practical examples of what is applied in courts and judicial rulings from the Supreme Court.

#### **References:**

- Muhammad Al-Zuhayli, Methods of Evidence in Islamic Law for Civil Transactions and Personal Status.
- Abdul Razzaq Ahmed Al-Sanhouri, *Principles of Evidence in Civil and Commercial Matters*.
- Maher Ahmed Al-Sousi, Jurisprudence of Judgments and Methods of Evidence.
- Najm Abdullah Abdul Wahid, Genetic Fingerprinting and its Impact on Parentage.
- Muhammad Al-Ashqar, Proving Parentage through Genetic Fingerprinting.
- Aisha Sultan Ibrahim Al-Marzouqi and Muhammad Beltaji Hassan, *Proving Parentage in Light of Contemporary Scientific Data: A Comparative Jurisprudential and Legislative Study*.

Master's Program Title: Family Law

**Semester**: First

**Unit Name**: Methodology

Course Title: Scientific Research Methodology 1

Credits: 6 Coefficient: 2

### **Learning Objectives:**

This course aims to familiarize students with the essential principles and rules to follow in preparing their research papers and graduation theses within the framework of sound methodology and proper citation practices, while avoiding academic plagiarism.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

### **Prerequisite Knowledge:**

Basic knowledge of legal methodology and scientific research methodology, as studied during the Bachelor's (License) level.

#### **Course Content:**

- 1. Principles of Research and Scientific Publishing
- 2. Rules and Conditions of Citation, Referencing, and Quotation
- 3. Methods of Writing Cited References
- 4. Academic Plagiarism: A Major Concern in Scientific Research

#### **Assessment Method:**

Continuous assessment + Written exam

#### **References**:

- 1. Ahmed Badr, *Principles of Scientific Research and its Methodologies*, 1st Edition, Kuwait, 1973.
- 2. Mohamed Abdel Aal Okasha, Legal Methodology.
- 3. Mohamed Abdel Fattah Hafez El-Sirfi, *Scientific Research: A Practical Guide for Researchers*.
- 4. Collective Work, Edited and Coordinated by Sharifi Abdel Wahid, *Translation of Legal Texts*, Dar Al-Gharb for Publishing and Distribution, Oran, Algeria, 2006.
- 5. Nagy Abdel Nour, *Methodology of Legal Research*, Publishing Directorate, Annaba, Algeria, 2003.
- 1-Jean-Louis BERGEL, Méthodologie juridique, Paris, PUF, 2001
- 2-Sarah BROS et François-Xavier GRIGNON-DEFRENNE, Méthodes d'exercices juridiques, Paris, Editions Francis Lefebvre, 2007
- 3-Isabelle DEFRESNOIS-SOULEAU, Je veux réussir mon Droit, Paris, Armand Colin, 2004
- 4- Frédéric-Jérôme PANSIER, Méthodologie du droit, Paris, Litec, 2005.
- 5- Gérard CORNU, linguistique juridique, 2ème édition, Montchrestien, Paris, 2001.

Master's Program Title: Family Law

**Semester**: First

**Unit Name**: Methodology

Course Title: Methodology of Administrative and Judicial Drafting in Family Law

Credits: 3 Coefficient: 1

## **Learning Objectives:**

Through this course, students will acquire techniques for drafting contracts in Family Law for both legal and administrative matters, including documents such as marriage contracts, gift contracts, and divorce contracts, as well as judicial documents.

#### **Prerequisite Knowledge:**

Students have previously studied administrative decisions, civil procedures, and various contracts

during their Bachelor's (License) program, covering general concepts of administrative and judicial decisions and documents.

#### **Course Content:**

## Chapter 1: Concept, Characteristics, and Features of Administrative Drafting

- Section 1: Concept of Administrative Drafting
  - o Subsection 1: Definition of Administrative Drafting
  - o Subsection 2: Importance of Administrative Drafting
- Section 2: Characteristics of Administrative Drafting
  - Subsection 1: Respect for Administrative Hierarchy
  - Subsection 2: Responsibility and Caution
  - o Subsection 3: Duty to Maintain Professional Confidentiality

# **Chapter 2: Models of Administrative Drafting in Family Law**

- Section 1: Marriage Contract
- Section 2: Divorce Contract
- Section 3: Gift Contract
- Section 4: Will Contract

# **Chapter 3: Judicial Rulings and Decisions**

#### **Assessment Method:**

Written exam + Continuous assessment

#### Personal Work:

- Selection of marriage and divorce contract models for practical application.
- Models of judicial rulings and decisions.

#### **References**:

- Abu Hamida Ata Allah, Lessons in Administrative Correspondence with Practical Models, University Publications Bureau.
- Dr. Ammar Bahouch, *Theories of Public Administration*, Algerian Journal, Issue 4, December 1980.
- Dr. Ammar Boudiaf, *Reference in Drafting Legal Texts and Administrative Documents*, Jisour Publishing and Distribution.
- Rashid Habani, *Guide to Administrative Drafting Techniques and Correspondence*, Dar Al-Najah, Algeria, 2007.
- Badr El-Din Ben Tridi, *General Correspondence and Administrative Drafting*, Dar Al-Ma'arifa, Algeria, 1998.
- Abdul Rahman Bin Abdullah Al-Wasil, Scientific Research, Saudi Arabia, 1999.
- Dr. Bashir Abbas Al-Alaq, *The Art of Writing Reports and Research Papers*, Al-Yazouri, Jordan, 2007.
- Hussein Mabrouk, *Drafting Legal Texts*, Dar Houma, Algeria, 2007.

Master's Program Title: Family Law

**Semester**: First

**Unit Name**: Exploratory

Course Title: Civil Status Law

Credits: 1 Coefficient: 1

#### **Learning Objectives:**

This course aims to clarify the concept of civil status by introducing students to civil status officers, their responsibilities, and the records they manage.

#### **Prerequisite Knowledge:**

The student should have an understanding of the importance of civil status.

## **Course Content:**

#### 1. Civil Status Officer

- Responsibilities of civil status officers
- Accountability of civil status officers

#### 2. Civil Status Records

- Birth certificate register
- Death certificate register
- Marriage certificate register
- Opening and closing of civil status records
- Filing and archiving the records
- Access to and transmission of the records
- Civil status documents tables
- Legal value of civil status records
- Creation and registration of civil status documents

#### 3. Civil Status Documents

# • A. Birth Certificate

- o Birth in normal conditions
- o Birth in abnormal conditions

#### B. Marriage Certificate

- o Elements and formal requirements of a marriage contract
- o The official authorized to draft the contract
- o Data included in the marriage certificate
- o Drafting and registering the marriage contract
- o Registering the marriage by judicial decision

## C. Death Certificate

- Death in normal circumstances
- Death in special or unusual circumstances
- o Data included in the death certificate
- o Registering death by judicial decision

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

## 4. Changes in Original Civil Status Documents

- Cancellation
- Correction
- Amendment
- Destruction of records
- Documents that substitute for the original civil status documents
- Copies extracted from the original
- Family record book

#### **Assessment Method:**

Written exam + Continuous assessment

#### **Personal Work:**

Study on the amendments to Family Law and modern electronic administration, with a focus on relevant case studies.

#### **References:**

- Ibn Rushd: Bidayat al-Mujtahid
- Mohammad Yusuf Mousa: Personal Status Rules in Islamic Jurisprudence
- Wahba Al-Zuhaili: Islamic Jurisprudence and Its Proofs
- Al-Kasani: Bada'i' al-Sana'i'
- Ibn Hazm: *Al-Muhalla*
- Ibn Qudamah: Al-Mughni
- Wahba Al-Zuhaili: Personal Status
- Ahmed Al-Ghandour: Personal Status
- Ibn Jizzi: *Al-Qawanin al-Fiqhiyyah*
- Al-Dardir: Fath al-Qadir
- Ramadan Ali Al-Sayed Al-Sharaj and Jaber Abd El-Hadi Salem Al-Shafi'i: *Family Law Rules*
- Abdul Rahman Al-Sabouni: Personal Status
- Belhaj Al-Arabi: Explanation of Algerian Family Law
- Denouni Hejira: Polygamy in Algerian Legislation
- Fadhel Saad: Explanation of Algerian Family Law

Master's Program Title: Family Law

**Semester**: First

**Unit Name**: Exploratory

Course Title: Family Sociology

Credits: 1
Coefficient: 1

#### **Learning Objectives:**

Through this course, students will gain knowledge about sociology and its relationship to family-related issues.

## Prerequisite Knowledge:

The student is expected to have prior knowledge on this topic, gained from studying related subjects during their undergraduate studies, such as Legal Sociology.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

#### **Course Content:**

# Chapter 1: Theoretical Approaches to Studying the Family Sociologically

- 1. History of Family Sociology Studies
- 2. Challenges in Studying Family Sociology
- 3. Sociological Approaches to Studying the Family

# **Chapter 2: The Social Structure of the Family (Family and its Relation to Value Systems)**

# Chapter 3: Urbanization and the Social Structure of the Family

# **Chapter 4: Kinship and the Social Structure of the Family**

# Chapter 5: The Family and Dynamics of Change – Empirical Studies

- Study 1: The Conflict of Values and Its Impact on Family Structure and Functions
- Study 2: The Impact of Social Change on the Social Structure of the Family
- **Study 3**: The Impact of Social and Technological Change on the Family Structurally and Functionally

## **Assessment Method:**

Written exam

#### **Personal Work:**

Study of some social necessities and statistics related to family law, and the effectiveness of legal texts in maintaining family cohesion.

#### **References:**

- Baha' al-Din Khalil Turkia: Family Sociology, Al-Ahali, Damascus, 2004
- Abu Bakr Ahmad Al-Qadir: *Marriage Issues and Problems*, Gulf Cooperation Council, 2003
- Ma'an Khalil Omar: Family Sociology, Dar al-Shuruq, Amman, 2000
- Abdul Raouf Al-Dabe', Family Sociology, Dar Al-Wafa'a for Printing and Publishing, Cairo
- Muhammad Nabil Abdel Hamid, Family Relations of the Elderly and Their Psychological Adjustment
- Muhammad Nabil Abdel Hamid, Ahmed Salem Al-Ahmar: Family Sociology between Theory and Changing Reality, Dar Al-Kitab Al-Jadeed, 2004
- Helmy Sari: Domestic Violence between Sociology and Law
- Hussein Abdel Hamid Rashwan: Family and Society A Study in Family Sociology, Alexandria University Youth Foundation, 2004
- Hamdy Abdel Hamid and Ahmed Mustafa: Family Sociology

Master's Program Title: Family Law

Semester: First

Unit Name: Horizontal

Course Title: Foreign Language (English) 1

Credits: 1 Coefficient: 1

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# **Learning Objectives:**

This course will enable the student to better master the English language, particularly for using references in research and preparing master's and doctoral theses. The course will also help the student benefit from the vast amount of literature written in foreign languages and familiarize them with specialized legal terminology.

# **Prerequisite Knowledge:**

The student should master the basics of the language, with the focus on terminology and concepts related to the field, in order to analyze texts and write essays in English.

#### **Course Content:**

The course is divided into two parts: one focusing on acquiring English language skills, and the other focusing on specialized legal terminology.

## **References**:

- Mohamed Shahat (Shahat), *English-Arabic: The Educational Encyclopedia of English Grammar*, Ibn Khaldun, 1996.
- Mohamed Abdullah (Adel), Simplified English Grammar for All Educational Levels, 2006.
- NAYLOR (Helen), Essential grammar in use supplementary exersise with answer, Cambridge, 2003.
- PAROTT (Martin), **Grammar for english language teachers with exercises and key,** Cambridge, 2007.
- HARMER(Jermy), Just learning and speaking, MC, 2004.
- ZOUBIR (Abdelhamid), **Basic English language rules and grammar exercises**, OPU ? 2009.
- DELPHINE (Chartier), **De la grammaire pour traduire**, PUM, 2006.

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Master's Program Title: Family Law

Semester: Second Unit Name: Core

Course Title: Dissolution of the Marital Bond

Credits: 6
Coefficient: 3

## **Learning Objectives:**

This course aims to make the student aware that the marital bond can be dissolved or ended in various ways and types, such as by mutual divorce, annulment, divorce, or khula, among others.

# Prerequisite Knowledge:

The student should have a clear understanding of the pillars and conditions of the marriage contract, as well as the effects resulting from the absence or failure of any of these conditions or pillars.

# **Course Content:**

## First – Methods of Dissolution of Marriage:

- Divorce
- Khula
- Annulment for reasons (e.g., illness or incapacity)

- Divorce due to absence
- Divorce due to lack of support
- Divorce due to conflict (dispute)
- Arbitrary divorce
- Divorce during terminal illness

## **Second – Effects of Dissolution of Marriage:**

- Effects of revocable divorce
- Effects of irrevocable divorce
- Idda (waiting period): its cause and types

#### **Evaluation Method:**

Written Exam + Ongoing Evaluation

#### **Personal Work:**

A study on the amendments to the Family Law and the recent changes introduced, with an emphasis on the need for further amendments, particularly in granting more freedom to the wife in dissolving the marital bond based on developments in the constitution.

#### References:

- Abdel Aziz: Marriage and Divorce in Algerian Family Law
- Mawahib Al-Jalil: *Personal Status*
- Mohamed Youssef Mousa: Personal Status Laws in Islamic Jurisprudence
- Mukhtasar Khalil (Translation by Bouski): Marriage and Divorce

Master's Program Title: Family Law

Semester: Second Unit Name: Core

Course Title: Inheritance Law 2

Credits: 6
Coefficient: 3

## **Learning Objectives:**

The student is expected to acquire the necessary scientific qualifications related to inheritance, gifts, and wills, through knowledge of the heirs' shares, the issues of inheritance, correcting inheritance matters, and understanding the principles of both inheritance law and the will.

#### **Prerequisite Knowledge:**

The student must have a sound understanding of family law and general principles of mathematics, including the unification and addition of fractions.

## **Course Content:**

## **Inheritance by Estimation and Precaution:**

- Inheritance of a fetus, missing persons, and hermaphrodites
- Succession, reduction, and inheritance of relatives

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

• Calculation of wills and acknowledgments

#### **Evaluation Method:**

Written Exam + Ongoing Evaluation

#### **Personal Work:**

Application of models and reviewing case law from the Supreme Court on the interpretation of legal texts related to inheritance (e.g., case law on reduction).

#### References:

- Badran Abu Al-Aynin Badran: Inheritance, Wills, and Gifts, Youth Foundation, 1985
- Mohamed Al-Sadiq Al-Sheti: Lebab Al-Fara'id, Administration Printing House, Tunisia, 1934
- Hassan Khaled Adnan Naja: *Inheritance in Islamic Law*, Dar Lebanon for Printing and Publishing
- Imam Mohamed Abu Zahra: Explanation of the Law of Wills, Dar Al-Fikr Al-Arabi, 1978
- Yassin Ahmed Ibrahim: *Inheritance in Islamic Law*, Al-Risalah Foundation & Dar Al-Arqam, Amman, 2nd Edition, 1983
- Zahdour Ahmed: *The Will in Algerian Civil Law and Islamic Law*, National Book Foundation, 1991
- Kamal Hamdi: *Inheritance, Gifts, and Wills*, University Printing House, 1987

Master's Program Title: Family Law

Semester: Second Unit Name: Core

Course Title: Criminal Protection of the Family

Credits: 6 Coefficient: 3

## **Learning Objectives:**

The study of crimes against the family enables the student to understand the real value that the law has attributed to the family. The student will also learn about the criminal protection granted to the family, particularly from a criminal law perspective. This will foster a spirit of preserving the family and ensuring its safety.

## **Prerequisite Knowledge:**

In the Bachelor's stage, the student has studied the explanation of criminal law and has become familiar with the general elements of a crime, as well as the types of penalties in criminal law. The study of crimes against the family is a continuation or specialization that delves deeper into specific types of crimes.

#### **Course Content:**

## **Criminal Protection of the Family in Algerian Legislation:**

- The concept of crimes against the family (conceptual framework)
- Types of crimes against the family:
  - o Crime of abandoning the family home
  - o Crime of neglecting a pregnant wife
  - o Crime of failing to pay alimony

**Institution:** Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law **Academic Year:** 2017-2018

- Crime of abortion
- o Crime of abandoning children and endangering them
- o Crime of child abduction
- o Moral crimes: (Adultery, Incestuous acts between relatives)

#### **Evaluation Method:**

Written Exam + Ongoing Evaluation

#### **Personal Work:**

Reading about recent laws related to the protection of women and children (Criminal Procedure Law, Law 15/12).

#### References:

• Abdullah Ohaibeya: Explanation of the Algerian Criminal Procedure Law

• Fathi Hussein Amer: Crimes of the Family

• Mohamed Abdelhamid Meki: The Crime of Abandoning the Family

• Belkhir Sadeed: Criminal Protection of the Family

Master's Program Title: Family Law

Semester: Second

**Unit Name**: Methodology

Course Title: Research Methodology 2 (Methodology for Commenting on Legal Texts and Judicial

Decisions)
Credits: 6
Coefficient: 3

#### **Learning Objectives:**

This course aims to enable students to develop their skills in commenting on various legal texts and judicial decisions related to their area of specialization. It trains them to transition from theoretical understanding to practical application, moving from memorization to practical application.

## **Prerequisite Knowledge:**

Basic principles of legal methodology.

## **Course Content:**

## Methodology for Commenting on Legal Texts and Judicial Decisions

• **First Topic**: Methodology for Commenting on Legal Texts

• **Second Topic**: Methodology for Commenting on Judicial Decisions

#### **Personal Work:**

- The purpose of commenting on legal texts.
- Types of legal texts.
- The consideration of judicial decisions as a source of law in Algerian legislation.
- Distinguishing between judicial decisions and legal texts.

**Institution:** Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law **Academic Year:** 2017-2018

#### **Evaluation Method:**

Ongoing Evaluation + Exam

#### **References:**

- 1. Collective Author, Supervision and Coordination by Sharifi Abdelwahid, Translation of Legal Texts, Dar Al-Gharb Publishing and Distribution, Oran, Algeria, 2006.
- 2. Naji Abdul Noor, Legal Research Methodology, Publication Directorate, Annaba, Algeria, 2003.

1-Jean-Louis BERGEL, Méthodologie juridique, Paris, PUF, 2001

2-Sarah BROS et François-Xavier GRIGNON-DEFRENNE, Méthodes d'exercices juridiques, Paris, Editions Francis Lefebvre, 2007

3-Isabelle DEFRESNOIS-SOULEAU, Je veux réussir mon Droit, Paris, Armand Colin, 2004

4-Gilles GOUBEAUX et Philippe BIHR, 100 commentaires d'arrêts en Droit civil, Paris, L.G.D.J., 2008

5-Roger MENDEGRIS et George VERMELLE, Le Commentaire d'arrêt en Droit privé, Paris, Dalloz, 1999

6- Frédéric-Jérôme PANSIER, Méthodologie du droit, Paris, Litec, 2005.

7- Gérard CORNU, linguistique juridique, 2ème edition, Montchrestien, Paris, 2001.

Master's Program Title: Family Law

Semester: Second

**Unit Name**: Methodology

Course Title: Information and Communication Technologies

Credits: 3 Coefficient: 1

## **Learning Objectives:**

This course aims to present the key components of wired and wireless information and communication technologies, along with their modern practical applications.

### **Prerequisite Knowledge:**

General basic knowledge about the importance of information and communication technologies in everyday communication.

## **Course Content:**

## First Topic: Concepts and Aspects

- 1. The concept of new information and communication technologies.
- 2. The phenomenon of information explosion.

## **Second Topic: Remote Communication Technologies**

- 1. Wireless communication technologies.
- 2. Wired communication technologies (cable and fiber optics).

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

## **Third Topic: Some Modern Applications**

- 1. Digital communication technologies and their networks.
- 2. Computer technology.
- 3. Satellite communication technologies.
- 4. Microphone technology.
- 5. Low-power and high-definition television broadcasting technology.
- 6. Video cassette technology, video disks, teletext, videotex, videophones, etc.
- 7. Internet, intranet, and extranet technologies.
- 8. Mobile phone and email technologies.
- 9. Tablet computer (electronic tablet) technology.

**Conclusion**: Some perspectives for future development.

## **References**:

- Iyad Shaker Al-Bakri: *Communication Techniques Between Two Eras*, Amman, Dar Al-Shorouk Publishing, 2003.
- Hassan Imad Makawi: *Modern Communication Technology in the Information Age*, Cairo, Al-Dar Al-Masriyya Al-Lubnaniyya, 1997.
- Daliou Fadil: New Information and Communication Technology (Some of Its Technical Applications), Algeria, Dar Houma, 2014.
- Farouk Said Hussein: *Cables, Transmission Media, and Optical Fibers*, Beirut, Dar Al-Ratib Al-Jami'iya, 1990.
- Mohamed Mohamed Elhadi: *Telecommunication Technologies and Information Networks*, Cairo, Al-Maktabah Al-Akademiyya, 2001.
- Hadi Talaba et al.: Visual Media Technology, Jordan, Dar Wael Publishing, 2010.
- Daly, Edward A. & Hansell, Kathleen J.: Visual Telephony, Artech House, Boston, 1999.
  - Goldsmith, Andrea: Wireless Communications. Cambridge University Press. 2005

Master's Program Title: Family Law

Semester: Second

**Unit Name**: Exploratory

**Course Title**: General Objectives of Family Provisions

Credits: 1 Coefficient: 1

## **Learning Objectives:**

This course covers the general objectives of Islamic law in family matters, and it is highly important, particularly in family issues that may not be directly addressed by specific legal provisions.

## **Prerequisite Knowledge:**

The student should have an understanding of family matters and the wisdom or intended goals behind family laws.

#### **Course Content:**

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- 1. The concept and criteria of the general objectives of family provisions.
- 2. Types of general objectives of family provisions.
- 3. Practical examples of the general objectives of family provisions (in marriage and divorce).

#### **Evaluation Method:**

Written exam + Continuous assessment

#### **Personal Work:**

Applications of general objectives to some provisions of marriage and divorce.

#### **References**:

- 1. Al-Aamidi, Sayed al-Din Abu al-Hasan Ali ibn Abi Ali ibn Muhammad (d. 631 AH). *Al-Ihkam fi Usul al-Ahkam*, edited by Sayed Al-Jamili, Dar Al-Kitab Al-Arabi, Beirut, Lebanon, 2nd edition, 1986.
- 2. Al-Raisouni, Ahmad. *The Theory of Maqasid in Al-Shatibi's Work*, Dar Al-Aman for Publishing and Distribution, Rabat, Morocco, 1991.
- 3. Al-Shatibi, Ibrahim ibn Musa ibn Muhammad Al-Lakhmi Al-Ghernati (d. 790 AH), *Al-Muwafaqat fi Usul al-Shari'a*, Dar Al-Kutub Al-Ilmiyah, Beirut, Lebanon, 3rd edition, 2003.
- 4. Ibn Ashur, Muhammad Al-Taher (1313 AH), *Maqasid Al-Shari'a Al-Islamiyah*, Tunisian Distribution Company, 1978.
- 5. Al-Izz ibn Abd al-Salam Abu Muhammad Al-Izz al-Din Abd al-Aziz ibn Abd al-Salam al-Salami (d. 660 AH), *Qawa'id Al-Ahkam fi Masalih al-Anam*, Dar Al-Jil, Beirut, Lebanon, 2nd edition, 1980.
- 6. Fahmi Muhammad Alwan. *The Necessary Values and the Objectives of Islamic Legislation*, Egyptian General Book Organization, 1989.
- 7. Nour al-Din Mukhtar Al-Khademi. Studies in the Maqasid of Shari'a Maqasidi Analysis of Some Jurisprudential and Contemporary Renewal and Thought, Civilization, Culture, Logic, Usul, and Branches, Al-Maarif Foundation, Beirut, Lebanon, 1st edition, 2008.

Master's Program Title: Family Law

Semester: Second

**Unit Name**: Exploratory

Course Title: Family Law in International Law

Credits: 1 Coefficient: 1

## **Learning Objectives:**

This course primarily aims to provide the student with a general understanding of human rights, with a specialized focus on the rights of women and children. The student will explore the content of these rights, study how they are protected, and examine the international mechanisms created to ensure they are not violated.

## Prerequisite Knowledge:

The student should have acquired general, introductory ideas about human rights and their protection mechanisms during the undergraduate stage. This course will move from a general and broad study of these concepts to a more specialized and in-depth analysis.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

#### **Course Content:**

#### 1. Introduction

## 2. Convention on the Elimination of All Forms of Discrimination Against Women:

- o Definition of discrimination against women.
- Measures that must be taken to combat discrimination (in political, educational, labor fields, and equality before the law).
- Mechanisms overseeing the effective application of these obligations and the degree of compliance by countries.
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women.

## 3. Convention on the Rights of the Child:

o Procedures and measures that member states must adopt (right to identity, right to express views, right to information, children deprived of a family environment, rights of refugee children, rights of disabled children, right to health, right to education, rights of children deprived of liberty, rights of children during wartime, and rights of children accused of crimes).

## 4. Mechanisms for Protecting Children's Rights:

o Establishment of a committee on children's rights (composition, tasks, etc.).

#### **Evaluation Method:**

Written exam

#### **Personal Work:**

Study of international legal texts and conventions related to the protection of women and children (CEDAW, the Convention on the Rights of the Child, 1989).

## **References**:

- International Convention on the Rights of Women and Children
- Abdullah Saad: International Human Rights Law
- Abdel Aziz Mohamed Sarhan: *International Organization*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 1973.
- Hamed Sultan, Dr. Aisha Rateb, Dr. Salah El-Din Amer: *International Public Law*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 1978.
- Abdel Khalek Abdel Monem: *The Contemporary World and International Conflicts, Alam Al-Ma'rifa*, National Council for Culture, Arts, and Letters, Kuwait, 1989.
- Aisha Rateb: *International Organization, Volume 1*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 1970.
- Mohamed El-Said Al-Daqqaq: *International Organization*, Dar Al-Jami'ah, Beirut, Lebanon, no date.

Master's Program Title: Family Law

Semester: Second Unit Name: Horizontal

Course Title: Foreign Language (English) 2

Credits: 1 Coefficient: 1

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

## **Learning Objectives:**

This course aims to help students improve their English proficiency for the purpose of utilizing references in conducting research and preparing master's and doctoral theses. It will also enable students to benefit from the many works written in foreign languages and help them acquire the specific terminology used in their field of specialization.

## Prerequisite Knowledge:

Students should have a basic proficiency in the English language to focus on the terminology and concepts related to the field, with the goal of analyzing texts and writing essays in English.

#### **Course Content:**

The course is divided into two sections:

- 1. Acquiring English Language Skills
- 2. Legal Terminology Specific to the Field

#### **References**:

- Mohamed Shihata (Shihata), *English-Arabic: The Educational Encyclopedia of English Grammar*, Ibn Khaldun, 1996.
- Mohamed Abdullah (Adel), Simplifying English Grammar for All Educational Stages, 2006.
- NAYLOR (Helen), Essential grammar in use supplementary exersise with answer, Cambridge, 2003.
- PAROTT (Martin), Grammar for english language teachers with exercises and key, Cambridge, 2007.
- HARMER(Jermy) , Just learning and speaking, MC, 2004.
- ZOUBIR (Abdelhamid), **Basic English language rules and grammar exercises**, OPU ? 2009.
- DELPHINE (Chartier), **De la grammaire pour traduire**, PUM, 2006.

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Master's Program Title: Family Law

Semester: Third Unit Name: Core

Course Title: Conflict of Laws in Family Matters

Credits: 6
Coefficient: 3

## **Learning Objectives:**

This course aims to enable students to resolve family law disputes involving foreign elements, which present several issues, especially regarding the determination of the applicable law in such cases.

## **Prerequisite Knowledge**:

Students should have an understanding of family law issues through the Family Law module and the general rules of conflict of laws as covered in the Family Law curriculum.

#### **Course Content:**

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- General rules of conflict of laws.
- Preference between the law of nationality and the law of domicile.
- Determination of issues falling within the scope of family law and the applicable law on:
  - Status and capacity
  - o Marriage (validity of marriage, formal requirements, material conditions of marriage, custody, effects of marriage, dissolution of marriage).

Written exam + continuous evaluation

#### **Personal Work:**

Study of case law examples related to marriage with a foreigner and nationality.

#### **References**:

- Salah El-Din Jamal El-Din: Conflict of Laws.
- Said Youssef Al-Bustani: Private International Law.
- Abdo Jamil Ghassoub: Lessons in Private International Law.
- Aliouche Kraboua Kamal: Private International Law.
- Ahmed Abdel Karim Salama: Principles in International Conflict of Laws.
- A'rab Belkacem: Algerian Private International Law.

Master's Program Title: Family Law

**Semester**: Third Unit Name: Core

**Course Title:** Family Affairs Litigation

Credits: 6 Coefficient: 3

### **Learning Objectives:**

Family law cases are continuously increasing in practical life, so it is essential for students to be familiar with both the theoretical and practical aspects of resolving family law matters in detail. By studying this course, students will be able to provide legal consultations in family law cases and apply this knowledge in their future professional career, whether in law practice or the judiciary.

## **Prerequisite Knowledge:**

Students should have completed a Bachelor's degree in private law, including courses on the introduction to legal sciences, legal theory, contracts, civil procedures, and Islamic law.

#### **Course Content:**

- Litigation procedures before the Family Affairs Division (Articles 423 to 498 of the Civil and Administrative Procedures Law):
  - 1. Jurisdiction
    - **Special jurisdiction**
    - Regional jurisdiction
  - 2. Divorce cases before the Family Affairs Division
    - **Divorce by mutual consent** 
      - Procedures (application, session scheduling)
      - Role of the judge

**Institution:** Mohamed Seddik Ben Yahia University, Jijel **Master's Program Title:** Family Law

- Appeal against the judgment
- Divorce at the request of one of the spouses
  - Stages of litigation
  - Divorce judgments
  - Appeal
- 3. Urgent matters before the Family Affairs Division
  - Powers of the judge in urgent matters
  - Urgency in specific cases
    - Guardianship of minor children
    - Management of minor children's property
    - Protection of adults with limited capacity

Written exam + continuous evaluation

#### **Personal Work:**

Study of the tasks and responsibilities of the head of the Family Affairs Division.

#### **References:**

- Ordinance No. 70-20 of February 1970 concerning civil status.
- Law No. 84-11 of June 9, 1984 concerning the Family Code, amended and supplemented.
- Law No. 08-09 of February 25, 2008 concerning Civil and Administrative Procedures.
- Said Abdel Aziz: Marriage and Divorce in Algerian Family Law, 2nd edition, Dar Al-Baath.
- Youssef Delanda: Concise Explanation of Common Provisions for All Judicial Authorities According to the New Civil and Administrative Procedure Law, 2009 edition, Dar Houma.
- Mohamed Ibrahimi: Concise Civil Procedures, Volume I, Daira Al-Matbou'at Al-Jami'iya.
- **Mohamed Ibrahimi**: *Concise Civil Procedures*, Volume II, Daira Al-Matbou'at Al-Jami'iya.
- **Denoni Hejira**: Explanation of the Algerian Family Law.
- Ali Ali Suleiman: Commentary on Algerian Family Law.
- **Belhaj Arabi**: Introduction to the Study of Algerian Legislation.
- Ben Mecha: élément du droit de la famille, Alger.

Master's Program Title: Family Law

Semester: Third Unit Name: Core

**Course Title**: Donations

Credits: 6
Coefficient: 3

### **Learning Objectives:**

This course aims to study the provisions governing guardianship and donation contracts, as well as how Algerian legislators have adopted and applied these provisions.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

### **Prerequisite Knowledge:**

Students have previously studied this topic in a very brief manner, particularly the principles governing guardianship and donation contracts.

#### **Course Content:**

- **General Provisions on Donation Contracts:** 
  - 1. Definition of donation contracts
  - 2. Characteristics of donation contracts
- **Types of Donation Contracts and Their Provisions:** 
  - 1. Wills and Their Provisions
  - 2. Gifts and Their Provisions
  - 3. Endowments (Waqf) and Their Provisions

#### **Assessment Method:**

Written exam + continuous evaluation

#### **Personal Work:**

Study of practical examples of donation contracts and how they are applied in reality.

#### References:

- Abdul Rahman Al-Sabouni: Personal Status.
- Ramadan Ali Al-Sayed Al-Shar: Family Provisions.
- Mohamed Youssef Moussa: Personal Status Provisions in Islamic Jurisprudence.
- **Abdul Rahman Al-Jaziri**: Jurisprudence According to the Four Sunni Schools of Law.

Master's Program Title: Family Law

**Semester**: Third

Unit Name: Methodology

**Course Title**: Methodology of Writing a Thesis

Credits: 3 Coefficient: 1

## **Learning Objectives:**

This course aims to introduce students to the methodology of preparing a graduation thesis. The focus is on equipping the student with the skills necessary to effectively prepare and write a thesis in the legal field.

## **Prerequisite Knowledge:**

It is assumed that students have already studied basic research methodology and the methodology applied to law during their undergraduate studies, though in a general context.

#### **Course Content:**

- The method and steps of preparing any scientific research.
- How to choose and define the topic of the thesis.
- How to register the scientific university topic for the thesis.
- How to create an outline for the research plan for the thesis.
- How to write the scientific research in terms of formatting.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- The method for documenting and citing sources in the thesis.
- How to include appendices in the thesis.
- Methodology for defending the thesis.

Written exam

#### Personal Work:

Review of sample theses and scientific research papers.

#### **References:**

- **Mohammed Zohair Hammam**: *The Brief Guide to Writing Theses and Scientific Research*, Dar Al-Gharb Publishing and Distribution, 2003, Algeria.
- Amar Awabdi: Research Methodology and Its Applications in Legal and Administrative Sciences, Dar Al-Matbu'at Al-Jami'iya, Algeria, 1995.
- **Dr. Mohammed Ubaidat et al.**: *Scientific Research Methodology Rules, Stages, and Applications*, 2nd Edition, Dar Wail, Amman, Jordan, 1999.
- Malham Hassan: Scientific Thinking and Methodology, Dahleb Printing, Algeria, 1993.
- **Dr. Hawari Said**: A Guide for Researchers in Writing Reports and Master's and PhD Theses, Cairo, Ain Shams Library, 1980.
- **Dr. Kamal Mohamed Al-Maghrabi**: *Scientific Research Methods*, 1st Edition, Amman, Dar Al-Ilmiyya Publishing and Distribution, 2002.
- **Dr. Yousef Mustafa Al-Qadi**: *Research Methods and Writing*, Riyadh, Dar Al-Mareekh, 1979.
- **Dr. Hassan Ali Ibrahim**: *Using Sources and Research Methods*, 2nd Edition, Cairo, Al-Nahda Al-Misriyya Library, 1963.
- **Dr. Ahmad Shalabi**: *How to Write a Thesis or Dissertation*, Cairo, 6th Edition, Al-Nahda Al-Misriyya Library, 1968.

Master's Program Title: Family Law

Semester: Third

Unit Name: Methodology

Course Title: Professional and Personal Project

Credits: 3 Coefficient: 1

## **Learning Objectives:**

This course aims to connect the student with the economic and social environment by studying the careers and professions that they can pursue after graduation, with a focus on examining them closely.

## **Prerequisite Knowledge:**

All prior knowledge acquired in previous academic stages enables the student to study and comprehend this course.

#### **Course Content:**

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- Analyzing the situation.
- Setting goals and performance indicators.
- Preparing the work breakdown structure.
- Optimal use of resources (Techniques for program evaluation and revision).
- Clarifying responsibilities for each task.
- Execution and adjustment to maximize results.
- Evaluation to improve the current project design and/or design of future projects.
- Models of projects.
- All professions that require a Bachelor's or Master's degree in Law, such as: judiciary, notary services, judicial officers, law practice, administrative positions at the local and national government levels, etc.
- Research related to professions, technical sheets about professions, field visits, and lectures organized by professionals.

Continuous assessment, written exam, etc.

Master's Program Title: Family Law

**Semester:** Third

**Unit Name:** Exploratory

Course Name 1: Institutional Protection of Family and Childhood

Credit Hours: 1 Coefficient: 1

## **Educational Objectives:**

This course aims to introduce the student to the institutions concerned with the protection of the family, especially regarding the protection of women and children, particularly in light of recent legislative amendments related to family protection, such as Law 15/12 concerning the protection of children's rights and the alimony fund.

#### **Prerequisite Knowledge:**

The student has previously studied related topics, such as the criminal protection of the family and divorce rulings, but in a very brief manner.

## **Course Content:**

- 1. Legal texts governing the institutional protection of the family
- 2. Institutions and bodies related to family protection (organization and tasks)
- 3. Evaluation of the role of the institutions and bodies concerned with family protection.

#### **Assessment Method:**

Written exam + Continuous evaluation

## **Personal Work:**

Study of certain institutional models related to family protection

- Open environment institutions
- Child protection institutions

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

Social activity institutions

#### **References:**

- Ibrahim Harb Mohsen, Procedures for Pursuing Delinquent Juveniles, Faculty of Law, Al-Zaytouna, Tunisia, 1999.
- Khaled Mustafa Fahmy, The Legal System for Child Protection between Islamic Law and International Law, Dar Al-Fikr Al-Jami'i, Alexandria, 2005.
- Abdel Aziz Jahmi, The Reality of Social Care for Delinquent Juveniles in Algerian Specialized Institutions, Legislation and Practice, Journal of Youth and Social Issues, Department of Social Sciences, University of Guelma, Issue 1, 2013.

Master's Program Title: Family Law

**Semester:** Third

**Unit Name:** Exploratory

Course Name: Legal Guardianship

Credit Hours: 1 Coefficient: 1

### **Educational Objectives:**

This course aims to equip the student with the knowledge of the characteristics that individuals must possess in order to be eligible to accept judgments, bear responsibilities, and comply with the consequences of their actions. These individuals require someone to oversee their affairs, which is why the legislator has established representatives for them, known as a *guardian* for personal matters, a *custodian* for financial affairs, and a *curator* for the insane and prodigal. Therefore, the legal research focuses on guardianship, custody, and curatorship.

#### **Prerequisite Knowledge:**

- Understanding family law issues through the Family Law course during the Bachelor's degree.
- Understanding the general rules of marriage contracts.

## **Course Content:**

- 1. Definition of legal capacity, its divisions, stages, and limitations.
- 2. Custody and its causes.
- 3. Guardianship, its divisions, conditions, and the powers of guardians.
- 4. Custodianship, its definition, types, conditions, the actions of the custodian, and their powers.

#### **Assessment Method:**

Written exam + Continuous evaluation

## **Personal Work:**

Comparison between Algerian family law and personal status laws in some Arab countries to gain a deeper understanding of the subject's rulings.

#### **References:**

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

- Saad Abdel Aziz: Marriage and Divorce in Algerian Family Law, 2nd edition, Dar Al-Baath.
- Mohamed Yusuf Moussa: Personal Status Rulings in Islamic Jurisprudence.
- Mukhtasar Khalil, Translation by Bouski: Marriage and Divorce.
- Ali Ali Suleiman: Commentary on Algerian Family Law.
- Dnoni Hajira: A Critique of Algerian Family Law.

Ben Mecha: élément du droit de la famille, Alger -

Master's Title: Family Law

Semester: Third

Unit Name: Horizontal

Subject Name 1: Foreign Language (English) 3

Credits: 1
Coefficient: 1

## **Educational Objectives:**

This course will enable the student to gain better control over the English language in order to utilize references when conducting research and preparing master's and doctoral theses, particularly by allowing the student to benefit from the many works written in foreign languages. It will also help the student acquire the specialized terminology related to the field.

## **Prerequisite Knowledge:**

The student should have a good command of the basics of the language, with a focus on terms and concepts related to the specialty to aid in text analysis and writing articles in English.

#### **Course Content:**

The course is divided into two sections: one focused on acquiring English language skills and the other dedicated to specialized legal terminology.

#### **References:**

- Mohamed Shahat, English-Arabic: Educational Encyclopedia of English Grammar, Ibn Khaldun, 1996.
- Mohamed Abdullah (Adel), Simplifying English Grammar Rules for All Educational Stages, 2006.
- NAYLOR (Helen), Essential grammar in use supplementary exersise with answer, Cambridge, 2003.
- PAROTT (Martin), Grammar for english language teachers with exercises and key, Cambridge, 2007.
- HARMER(Jermy), **Just learning and speaking**,MC, 2004.
- ZOUBIR (Abdelhamid), **Basic English language rules and grammar exercises**, OPU ? 2009.
- DELPHINE (Chartier), **De la grammaire pour traduire**, PUM, 2006.

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# V- Contracts/Agreements

No

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

. بـ ّ الجامعة للتكوين العالي في الطورين الأول و الثاني المتواصل و الشهادات و التكوين العالي في التدرج

الجمهورية الجزائرية الديمقراطية الشعبية وزارة التعليم العالى والبحث العلمي

# قرار رقم 1/6 مؤرخ في الم الم 13 مؤرخ في الم 120 مؤرخ في الم 1813 يتضمن تأهيل الماستر المفتوحة بعنوان السنة الجامعية 2013 - 2014 بجامعة جيجل

## إنّ وزير التعليم العالى والبحث العلمي،

- ـ بمقتضى القانون رقم 99-05 المؤرّخ في 18 ذي الحجة عام 1419 الموافق 4 أبريل سنة 1999 المتضمّن القانون التوجيهي للتعليم العالى، المعدّل والمتمّم،
- وبمقتضى المرسوم الرئاسي رقم 13-312 المؤرّخ في 5 ذي القعدة عام 1434 الموافق 11 سبتمبر منة 2013 المتضمن تعيين أعضاء الحكومة،
- وبمقتضى المرسوم التنفيذي رقم 03-258 المؤرخ في 22 جمادى الأولى علم 1424 الموافق 22 يوليو سنة 2003 المتضمن إنشاء جامعة جيجل، المعتل والمتمم،
- وبمقتضى المرسوم التنفيذي رقم 08-265 المؤرّخ في 17 شعبان عام 1429 الموافق 19 غشت سنة 2008 المتضمّن نظام الدراسات للحصول على شهادة الليسانس وشهادة الماستر وشهادة الدكتوراه،
- وبمقتضى المرسوم التنفيذي رقم 13-77 المؤرّخ في 18 ربيع الأوّل عام 1434 الموافق 30 يناير سنة 2013 الذي يحدد صلاحيات وزير التعليم العالى والبحث العلمي،
- وبمقتضى القرار رقم 129 المؤرخ في 4 يونيو سنة 2005 المتضمن إنشاء اللجنة الوطنية للتأهيل وتشكيلتها وصلاحياتها وسيرهاء
  - بناءا على محضر اجتماع اللجنة الوطنية للتأهيل بتاريخ 08 جويلية 2013.

## يقسرر

المادة الأولى: تؤهل الماستر المفتوحة بعنوان السنة الجامعية 2013 - 2014 بجامعة جيجل، وفقا لملحق هذا القرار.

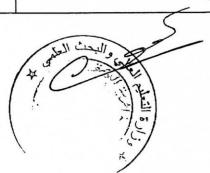
المادة 2: يكلف المدير العام للتعليم والتكوين العاليين ومدير جامعة جيجل، كلّ فيما يخصنه بتطبيق هذا القرار الذي ينشر في النشرة الرسمية التعليم العالى والبحث العلمي.

الم يالم المالي به وزير التعليم العالي والبحث العلمي التعلم العالمي والبحث العلمي العالمي والبحث العلمي الماذ عمد مباي

Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

# ملحق: تأهيل الماستر جامعة جيجل السنة الجامعية 2013 - 2014

طبيعة	التخصص	القرع	الميدان
1	هندسة معمارية ومحيط عمراني	هندسة معملية	
1	هندسة معمارية وتكنولوجيا	مسه معدریه و عمران	علوم وتكنولوجيا
1	هياكل	هندسة مدنية	عوم ونتتوبوجي
1	هندسة المحيط	هندسة الطرائق	
1	ذكاء اصطناعي	إعلام ألي	رياضيات وإعلام ألي
1.	كيمياء حيوية وبيولوجيا جزيئية	علوم بيولوجية	علوم الطبيعة والحياة
1	محاسبة وإدارة مالية	علوم التسبير	علوم اقتصادیة، تسبیر وعلوم تجاریة
1	قانون الأسرة		
~ 1	قانون عام داخلي		
1	قانون خاص للأعمال	حقوق	حقوق وعلوم سياسية
1	قانون دولي وعلاقات دولية		
1	در اسات مغاربية		
1	تعاون دولي	هندسة معمارية و عمران هندسة مدنية هندسة الطرائق اعلام آلي علوم بيولوجية علوم التسبير	
1	در اسات إستراتيجية		
1	علم الاجتماع: علم اجتماع العمل والتنظيم	51 * 1 1-	51 5.1 5.9 9 1-
1	علوم التربية: إدارة وإشراف بيداغوجي	علوم اجتماعيه	علوم إنسانية واجتماعية
1	مصطلحات	لغة عربية	لغة وادب عربي



Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law Academic Year: 2017-2018

# رأي وتأشيرة الهيئات الإدارية والعلمية



Institution: Mohamed Seddik Ben Yahia University, Jijel Master's Program Title: Family Law

بناء على محضر اجتماع فريق ميدان التكوين في الحقوق والعلوم السياسية يتم تعديل عناوين التخصصات المفتوحة على مستوى كلية الحقوق والعلوم السياسية بجامعة محمد الصديق بن يحيى – جيجل على النحو التالي:

قرار التأهيل	التخصصات		الفروع	
عرار العمين	الإسم المقترح بعد المواءمة	الإسم قبل المواءمة		
616 المؤرخ في 24 سبتمبر 2013	قانون الأعمال	قانون خاص لملأعمال		
616 المؤرخ في 24 سبتمبر 2013	قاتون الأسرة	قاتون الأسرة	- = 11	
616 المؤرخ في 24 سبتمبر 2013	قانون عام معمق	قانون عام داخلي	الحقوق	
616 المؤرخ في 24 سبتمبر 2013	القانون الدوني العام	قانون دوني وعالقات دونية		
616 المؤرخ في 24 سبتمبر 2013	التعاون الدولي	تعاون دولي		
616 المؤرخ في 24 سبتمبر 2013	دراسات إستراتيجية وأمنية	دراسات إستراتيجية	العلوم	
736 المؤرخ في 12 أوت 2014	إدارة الموارد البشرية	إدارة الموارد ألبشرية	السياسية	
736 المؤرخ في 12 أوت 2014	الإدارة المحلية	الإدارة المحلية		

