

Topic one: Introduction to Legal Science

First section: text reading

the law:

" There is no agreement what law is! Even if theoretical definitions of law give us a better understanding of fundamental aspects of law, they do not comprise the complexity of law as a social and cultural phenomenon.

To define what is law IS fundamentally a philosophical enquiry. It is the main task of Jurisprudence.

FIRST MEANING: Jurisprudence may refer to a body of substantive legal rules, doctrines, interpretations and explanations that make up the law of a country.
JURISPRUDENCE = POSITIVE LAW / Derecho positive

SECOND MEANING: Jurisprudence may refer to the interpretation of the law given by courts.

THIRD MEANING: Jurisprudence consists of scientific and philosophical investigation of the phenomenon of law and justice."

Source: «Dr. M. TERESA GARCIA-BERRIO H., WHAT LAW is, p8»

Second section: definitions

natural law: The permanent underlying basis of all law. The philosophers of ancient Greece, where the idea of natural law originated, considered that there was a kind of perfect justice given to man by nature and that man's laws should conform to this as closely as possible. Theories of natural law have been an important part of jurisprudence throughout legal history. Natural law is distinguished from positive law, which is the body of law imposed by the state. Natural law is both anterior and superior to positive law.

Claim: A demand for a remedy or assertion of a right, especially the right to take a particular case to court (right of action). The term is used in civil litigation.

Source: « Oxford, dictionary of law, 2001»

Last section: translation of legal terms

Law: قانون Civil law: القانون المدني criminal law: قانون عقوبات

natural law: قانون طبيعي legal rules: قواعد قانونية