

Lecture 2/3

Master 1 Private Law

❑ Legal Rights and Duties: الحقوق والواجبات

- Every human being has a variety of rights in order to enjoy personal security within the limit of the law.

Duty : Something that you have to do because it is part of your job, or something that you feel is the right thing to do.

Cambridge Dictionary

Rights: Those things that one is morally or legally entitled to do or have.

Collins Dictionary

❑ Classification of Rights:

Political rights: الحقوق السياسية

Right to be voted. حق في أن ينتخب.

Right to vote. حق أن ينتخب.

Right to citizenship. حق المواطنة.

Civil Rights الحقوق المدنية

Property rights. حقوق الملكية

Family rights. حقوق عائلية

□ Things / Objects

Things are considered as objects of rights.

Things are subdivided into :

- Movables and immovables
- Corporeals and incorporeals
- Property and personal property
- Tangible and intangible property.

) (ii) The basic function of property law is to determine the nature of the right of a particular person to a particular thing.

(iii) An immovable thing is land and the construction firmly attached to it.

(iv) A property right may exist even if no relevant tangible object exists.

(v) The ownership of movable things includes all rights to corporeal things, claims and debts as well as incorporeal rights.

(vi) Property rights may be limited by the law if, for example, it is necessary to get a planning permission in order to build on one's own land.

- (i) The concept of **intellectual property** encompasses rights to all results/outcomes of intellectual/ mental activities.
- (ii) **Patents** are granted for inventions that are new, result from inventive activities and are applicable in industry.
- (iii) A design qualified for protection is the appearance of a product or its part, subsisting particularly in lines, contours, colours, shapes, structure or material of the product itself or its ornamentation.
- (iv) **Copyright** is attached to any original work of authorship recorded on any tangible medium.
- (v) **A trade mark** can be a word, name, symbol, phrase or logo which designates goods produced by a particular company and distinguishes its products from goods produced or marketed by someone else.

- **To bend the law/rules:** to break the law/rules in a way that is considered not to be very harmful.
- **To contravene a law:** to break a law (noun = contravention)
- **To infringe a law/rule:** to break a law/rule (noun = infringement)
- **To impeach a president/governor:** to make a formal statement saying that a person in public office has committed a serious offence (noun = impeachment)
- **To uphold/overturn a verdict:** to say that a previous decision in court was correct/incorrect
- **To pervert the course of justice:** to make it difficult for justice to be.

- **To set a precedent:** to establish a decision which must usually be taken into account in future decisions.
- **To award/grant custody to:** to give one parent or adult the main responsibility for a child, especially after separation or divorce.
- **To annul a(n) agreement/marriage/law:** to declare that it no longer exists and never existed (noun = annulment)
- **To sue someone:** to take legal action against someone.
- **To allege:** /ə'ledʒ/ to say that someone has done something illegal.

□ Words and expressions with law

- **A law-abiding person**: is someone who always obeys the law.
- **A law-breaker** is someone who – often and deliberately – does not obey the law.
- If you **take the law into your own hands**, you do something illegal to punish someone because you feel the legal system will not punish that person.
- If you **lay down** the law, you say with great force what you think should happen.
- If someone is **a law unto himself/herself**, he or she behaves in a way which is independent and not the way in which most other people behave.