

Academic Year 2025/2026

First Year Bachelor's

Introduction to Legal Sciences – Examination

Section A: Multiple Choice Questions (4 Marks)

Choose the one correct answer for each question.

1. **Which of the following best defines "positive law" (droit positif)?**
 - a) The ideal law as envisioned by philosophers
 - b) The law that is currently applied in a specific country at a specific time
 - c) International treaties and conventions
 - d) Religious and moral principles
2. **A legal rule is described as "general and abstract." What does "abstract" mean in this context?**
 - a) It applies only to named individuals
 - b) It is based on moral principles
 - c) It is impersonal and applies to all who meet its conditions
 - d) It is written in vague language
3. **According to the text, which characteristic distinguishes a legal rule from an administrative order?**
 - a) It is issued by a higher authority
 - b) It is general, abstract, and not exhausted by a single application
 - c) It is always written
 - d) It carries a financial penalty
4. **What is the primary purpose of an "imperative" legal rule?**
 - a) To interpret private agreements
 - b) To protect public order, morals, or vulnerable persons
 - c) To provide guidelines that parties may modify
 - d) To record customary practices
5. **Which branch of law is most likely to contain "complementary" rules?**
 - a) Criminal law
 - b) Constitutional law
 - c) Contract law (financial transactions)
 - d) Family law (personal status)

Section B: Answer concisely and accurately. (2 Marks)

6. **Explain the difference between "generality" and "abstraction" as characteristics of a legal rule. Provide an example of each.**

7. Describe the "moral or objective criterion" used to distinguish between imperative and complementary rules. Why is this criterion considered flexible? (10 marks)
8. Why does the law generally concern itself with external behavior rather than internal thoughts or intentions? (10 marks)

Section C: Write structured, well-reasoned essays. (2 Marks)

9. Analyze the role of judges in interpreting and applying legal rules, with reference to concepts such as judicial discretion, equity, and the principle of equality before the law. (15 marks)
10. Compare and contrast "imperative rules" and "complementary rules." Discuss their binding nature, their relationship to public order, and provide examples from different branches of law. (15 marks)

Section D: Read the following scenario and answer the questions.

(4 Marks)

text:

A new law is passed stating: "No person may operate a commercial vehicle for more than 10 hours in a 24-hour period, unless otherwise agreed in a collective bargaining agreement between the employer and a legally recognized trade union."

A delivery company requires its drivers to sign individual contracts agreeing to work up to 12 hours per day. Driver Ali refuses and is dismissed.

Questions:

11. Based on the wording, is this legal rule imperative or complementary? Justify your answer using both the verbal and moral criteria discussed in the text. (10 marks)
12. If Ali challenges his dismissal in court, how might a judge apply principles of equity or justice (such as in Article 231 of the Civil Code) in interpreting this rule?

Pr.Chekirine Dilmi

Note: The answer must be typed, not handwritten, and the surname and first name must be written in Arabic.