

**PUBLIC LAW MASTER PROGRAM
COURSE SYLLABUS**

Course Details				
Code		Academic Year		Semester
Freedom of Religion, Expression and Assembly as Indispensable Elements of a Dem		1		2
Title		T	A	L
Freedom of Religion, Expression and Assembly as Indispensable Elements of Democratic Society		3		8
Language	Turkish			
Level	Graduate	X	Postgraduate	
Department / Program	Public Law Master			
Forms of Teaching and Learning	Formal Education			
Course Type	Compulsory	X	Elective	
Objectives	The aim of this course is to examine and discuss the jurisprudence of the Constitutional Court and the ECHR on the freedoms of belief, expression, assembly and association which are among the fundamental values of the democratic society.			
Content	The course examines and discusses the case law of the Constitutional Court and the ECHR on freedom of belief, expression, assembly and association. In this context the restriction regime of Constitution and the Convention shall be evaluated in general terms. After that the material dimension of freedoms will be examined. In this context, first of all a theoretical framework will be built between the freedoms in question and the concept of democratic society. Then the case law of the Constitutional Court and the ECHR on each of the freedoms will be discussed.			
Prerequisites				
Coordinator				
Lecturer(s)	Dr. Berke Özenç, ozenc@tau.edu.tr			
Assistant(s)	Res. Assist. Nurdan Özçelik, nurdan.ozcelik@tau.edu.tr; Res. Assist. Lütfullah Yasin Akbulut, akbulut@tau.edu.tr; Res. Assist. Kemal Başol, basol@tau.edu.tr; Res. Assist. Eyüp Kaan Demirkıran, demirkiran@tau.edu.tr ;			
Work Placement	None			
Recommended or Required Reading				
Books / Lecture Notes				
Other Sources	İnceoğlu, Sibel (Editör), İnsan Hakları Avrupa Sözleşmesi ve Anayasa, Beta, 2013. Doğru, Osman/ Nalbant, Atilla, İnsan Hakları Avrupa Sözleşmesi: Açıklama ve Önemli Kararlar, Cilt:2, Legal, 2013. Durmuş Tezcan, Mustafa Ruhan Erdem, Oğuz Sancaktar, Rifat Murat Önok, İnsan Hakları El Kitabı, 7. Baskı, Ankara, Seçkin Yayıncılık, 2018,			

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	Galtung, Johan, Bir Başka Açıdan İnsan Hakları, Metis, 1999.		
Additional Course Material			
Documents			
Assignments			
Exams			
Course Composition			
Social Sciences	100		%
Educational Sciences			%
Natural Sciences			%
Health Sciences			%
Expert Knowledge			%
Assessment			
Activity	Count		Percentage (%)
Midterm Exam	1		40
Quiz			
Assignments			
Attendance			
Recitations			
Projects			
Final Exam	1		60
		Total	100
ECTS Points and Work Load			
Activity	Count	Duration	Work Load (Hours)
Lectures	14	3	42
Self-Study	67	2	134
Assignments	2	30	60
Presentation / Seminar Preparation	0	0	0
Midterm Exam	1	2	2
Recitations	0	0	0
Laboratory	0	0	0
Projects	0	0	0
Final Exam	1	2	2
		Total Work Load	240
	ECTS Points (Total Work Load / 30)		8

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Learning Outcomes	
1	Students understand that the concept of democratic society points to a pluralistic and libertarian society.
2	Students understand that on the basis of a pluralistic and libertarian society, every kind of belief and thought which does not contain hate speech and racism is under protection.
3	Students understand that restrictions on the freedom of belief, expression and assembly are subject to strict scrutiny measures.
4	Students understands the importance of the principle of proportionality in the terms of restriction regime for freedoms.
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Weekly Content	
1	International control mechanisms for the protection of human rights
2	Individual application procedure for the protection of human rights
3	General Systematic of ECHR
4	Individual Application to Constitutional Court- General Features
5	Restriction of fundamental rights and freedom- a comparative analysis
6	Principle of Legality
7	The concept of democratic society
8	The principle of proportionality
9	Midterm exam
10	Freedom of thought, conscience and religion I
11	Freedom of thought, conscience and religion II
12	Freedom of expression I
13	Freedom of expression II
14	Freedom of assembly and association I
15	Freedom of assembly and association II
16	Final exam

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Contribution of Learning Outcomes to Program Objectives (1-5)							
	P1	P2	P3	P4	P5	P6	P7
1	5	5	4	4	3	4	1
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3							
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12							
Contribution Level	1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High						
https://obs.tau.edu.tr/oibs/bologna/progLearnOutcomes.aspx?lang=en&curSunit=225							
Compiled by:	Res. Assist. Lütfullah Yasin Akbulut						
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