

BASIC PRINCIPLES OF THE ISLAMIC PUBLIC LAW

1	Course Title:	BASIC PRINCIPLES OF THE ISLAMIC PUBLIC LAW	
2	Course Code:	TIB6189	
3	Type of Course:	Optional	
4	Level of Course:	Third Cycle	
5	Year of Study:	1	
6	Semester:	1	
7	ECTS Credits Allocated:	7.00	
8	Theoretical (hour/week):	3.00	
9	Practice (hour/week):	0.00	
10	Laboratory (hour/week):	0	
11	Prerequisites:		
12	Language:	Turkish	
13	Mode of Delivery:	Face to face	
14	Course Coordinator:	Doç. Dr. M.SALİH KUMAŞ	
15	Course Lecturers:	Prof. Dr. Ali KAYA, Prof. Dr. H. İbrahim ACAR, Dr. Öğr. Üyesi Eren GÜNDÜZ	
16	Contact information of the Course Coordinator:	60289	
17	Website:		
18	Objective of the Course:	To determine the basic principles and rules of public law in Islamic legal thought and to analyze the approaches to today's religion-state relations from a fiqh point of view.	
19	Contribution of the Course to Professional Development:	To create a broad perspective that will lay the groundwork for academic studies in the field of public law.	
20	Learning Outcomes:		
		1	To have information about the distinction between public law and private law and its place in Islamic legal thought.
		2	To have information about the works and sections on the field of public law in the Islamic legal tradition
		3	Determining the basic concepts with political content in the Qur'an
		4	The value of the concepts of council, consultation and allegiance in terms of public law
		5	To have information about the relations between Islam and Democracy
		6	To know about human rights in Islam
		7	To be informed about the caliphate debates
		8	To have knowledge about the nature and principles of international law according to Islam
		9	To have knowledge about the concepts of darulharp and darulislam
		10	To have knowledge of embezzlement law and the multi-legal system
21	Course Content:		
		Course Content:	
Week	Theoretical	Practice	
1	The distinction between public law-private law and its place in Islamic legal thought		

2	Types of literature on Islamic public law: Kharaj, Amwal, Ahkam al- Sultaniyya, Al-Siyasa al-Shar'iyya	
3	Political concepts in the Qur'an: Shura, Bey'at, Consultation	
4	Islam-Democracy relations	
5	Islam-secular relations	
6	The idea of universal human rights and its Islamic evaluation	
7	The nature of apostasy crime and its evaluation in terms of public law	
8	Zimmah law and the legal pluralism	
9	Dar concept: dar al harp dar al islam	
10	al-Siyar al-kabir and basic principles of international law	
11	Sections on public law in classical fiqh sources	
12	Ottoman millet system	
13	The caliphate concept and discussions on the abolition of the caliphate	
14	Religion-state relations in today's Islamic world	

Activites	Number	Duration (hour)	Total Work Load (hour)
Theoretical	14	3.00	42.00
Practicals/Labs	0	0.00	0.00
Self study and preperation	10	10.00	100.00
Homeworks	0	0.00	0.00
Projects	0	0.00	0.00
Field Studies	0	0.00	0.00
Midterm exams	0	20.00	0.00
Others	0	0.00	0.00
Final Exams	1	48.00	48.00
Total Work Load			190.00
Total work load/ 30 hr			7.00
ECTS Credit of the Course			7.00

22	Textbooks, References and/or Other Materials:	1- Abadan, Yavuz, Hukuk Felsefesi Dersleri, A.Ü.H.F. Yay., Ankara 1954. 2- Akgündüz, Ahmet, Osmanlı Kanunnameleri ve Hukukî Tahlilleri, İSOV, İstanbul 1990-1994, (I-VIII). 3- Akyüz, Vecdi, Hilâfetin Saltanata Dönüşmesi, Dergah Yay., İstanbul 1991. 4- Armağan, Servet, İslam Hukukunda Temel Hak ve Hürriyetler, Diyanet İşleri Başkanlığı Yay., Ankara 1987. 5- Arslan, Ahmet, İslam, Demokrasi ve İnsan Hakları, Vadi, Ankara 1999. 6- Atar, Fahrettin, İslam Adliye Teşkilatı, Diyanet İşleri Başkanlığı Yay., Ankara 1979. 7- Aydın, Mehmet "Din, Siyaset ve Demokrasi", İslam ve Demokrasi içinde (Edit. Ali Bardakoğlu vd.) Ensar Neşriyat, İstanbul 2000. 8- Aydın, Mehmet Akif, "Anayasa", DİA., III, İstanbul 1991, ss. 153-164. 9- Aydın, Mehmet Akif, "Osmanlı'da Hukuk", Osmanlı Devleti ve Medeniyeti Tarihi içinde (Edit. Ekmelettin İhsanoğlu), İstanbul 1994, ss. I/375-438. 10- Aydın, Mehmet Akif, Türk Hukuk Tarihi, 3. Baskı, Beta Yay., İstanbul 1999. 11- Cangızbay, Kadir, Çok-hukukluluk, Laiklik ve Laikrasi, Liberte Yay., Ankara 2002 12- Ebu Ya'la, Muhammed b. El-Huseyn el-Ferrâ el-Hanbelî (458/1066), el-Ahkamu's-Sultâniyye, Kâhire 1356/1938. 13- Ebu Yusuf, Yakub b. İbrahim (ö. 182/798), Kitâbu'l-Harâc, 5. Baskı, Kâhire 1396. 14- Eryılmaz, Bilal, Osmanlı Devletinde Millet Sistemi, Ağaç Yay., İstanbul 1992. 15- Hamidullah, Muhammed, İslam'da Devlet İdaresi, (Çev: Hamdi Aktaş), Beyan Yay., İstanbul 1998. 16- Kenanoğlu, M. Mâcî, Osmanlı Millet Sistemi Mit Ve Gerçek, Klasik Yayınları, İstanbul 2004. 17- Köylü, Mustafa, "Dinsel Dışlayıcılık (Ekslusivizm)", İslam ve Öteki: Dinlerin Doğruluk Kurtarıcılık ve Birlikte Yaşama Sorunu içinde (Edit: Cafer Sadık Yaran), Kaknüs Yay., İstanbul 2001, ss. 29-65. 18- Otacı, Cengiz, Hukukun Laikleşme Serüveni, Birey Yay., İstanbul 2004. 19- Öztürk, Levent, İslam Toplumunda Bir Arada Yaşama Tecrübesi, İstanbul 1995. 20- Şentürk, Recep, "Evrensel ve cemaatçi yaklaşımlar arasında İslâm'da insan hakları: Sosyolojik bir yaklaşım" (Çev: Şule Akbulut), İnsan Hakları Araştırmaları Dergisi, Cilt 3, Sayı 5 (2006). ss. 43-99.
23	Assesment	
TERM LEARNING ACTIVITIES		NUMBER WEIGHT
Midterm Exam		0 0.00
Quiz		0 0.00
Home work-project		0 0.00
Final Exam		1 100.00
Total		1 100.00
Contribution of Term (Year) Learning Activities to Success Grade		0.00
Contribution of Final Exam to Success Grade		100.00
Total		100.00
Measurement and Evaluation Techniques Used in the Course		Classical exam
24	ECTS / WORK LOAD TABLE	

25	CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS															
	PQ1	PQ2	PQ3	PQ4	PQ5	PQ6	PQ7	PQ8	PQ9	PQ10	PQ11	PQ12	PQ13	PQ14	PQ15	PQ16
ÖK1	4	5	5	5	5	5	0	3	5	4	0	0	0	0	0	0
ÖK2	5	5	5	4	5	4	0	4	4	5	0	0	0	0	0	0
ÖK3	3	4	4	5	5	5	0	4	4	4	0	0	0	0	0	0
ÖK4	5	5	3	5	4	4	0	5	4	4	0	0	0	0	0	0
ÖK5	4	4	5	5	5	4	0	3	4	4	0	0	0	0	0	0
ÖK6	5	4	4	4	4	5	0	4	3	5	0	0	0	0	0	0
ÖK7	4	5	5	4	3	4	0	4	5	5	0	0	0	0	0	0
ÖK8	4	4	4	4	4	4	0	5	5	5	0	0	0	0	0	0
ÖK9	5	5	4	4	4	4	0	5	4	3	0	0	0	0	0	0
ÖK10	5	4	5	5	4	5	0	4	5	5	0	0	0	0	0	0
LO: Learning Objectives PQ: Program Qualifications																
Contribution Level:	1 very low			2 low			3 Medium			4 High			5 Very High			