

# **SOCIAL MEDIA AND FREEDOM OF EXPRESSION: A SURVEY ON UNIVERSITY STUDENTS IN TURKEY**

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## **Abstract**

Freedom of expression is one of the most important foundational elements of individual realization and democratic society. Social media is the current most preferred and primary form of communication for young people. Social media is thus a crucial component of young people's freedom of expression. On the other hand, social media offers a platform for disinformation, violations of privacy and hate speech. This survey aims to explore how young people exercise their freedom of expression and how they respond to abuses on social media. For this purpose, a questionnaire survey with Turkish university students is used in conjunction with an in-depth interview technique. The research will collect data on the familiarity of students about the definition and content of the freedom of expression, and use of social media by students, and the findings will be analyzed with the results of in-depth interviews.

**Keywords:** *freedom of expression, social media, hate speech, democratic society, Türkiye.*

## **1. Introduction**

Perhaps the first and most insightful definition of the freedom of expression has been made by Socrates, as narrated in Plato's famous book entitled *Apology*, where Socrates, who had been charged with not recognizing the gods of Athens, invented new deities and accused of corrupting the youth with his heterodoxy, defended himself before a public jury. In his defence, Socrates likened himself to a gadfly disturbing and stinging a gigantic, noble, but lazy horse, which symbolised the State of Athens. In his allegory, Socrates claimed that, without his disquieting and distressing speeches, the State and the community would drift into sleep and idleness (Plato, 1992). Aristoteles, on the other hand, believed that the human being is a "political animal," thanks to its capacity of

reasoned speech, and highlighted the distinctive characteristic of humans to have perceptions of good and evil, right and wrong, just and unjust. The reasoned speech serves to exchange ideas on the well-being and happiness of human kind. As a result, expressing opposing and divergent opinions helps to explore the conditions necessary for everyone to live in peace and harmony in the community. Furthermore, Hannah Arendt (1976; 1988) equally argued that speech makes humans political beings and is an essential characteristic of human life. Therefore, freedom of expression and speech is fundamental for the self-development of humans and the development of society. As an inherent condition for the freedom of expression, freedom of thought and opinion is imperative (*Lingens v. Austria*, 1986). The European Court of Human Rights (ECtHR) affirms that the freedom of expression “is applicable not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population” (*Handyside v. the U.K.*, 1976). The freedom of expression does not contain solely verbalization of opinions and ideas by speech. There are many different ways, including but not limited to, expression verbally or in writing, especially to media and journals (*Observer and Guardian v. U.K.*), in TV programs (*Hogston v. U.K.*), radio broadcast (*Autronic AG v. Switzerland*), cinema (*Wingrove v. U.K.*, 1996), paintings and other art works (*Müller and others v. Switzerland*, 1988), non-verbal protest manifestations (*Steel and Others v. U.K.*, 1988), even by clothing (*Stevens v. U.K.*, 1986) or symbols (*Chorherr v. Austria*, 1993), and all available means to make the ideas and opinions public. In this respect, the right to demand and receive correct and timely information is a necessary and crucial element in this task (*Leander v. Sweden*, 1987). Moreover, ECtHR considers the freedom of expression as a fundamental principle and cornerstone of a democratic society (*Handyside v. the U.K.*, 1976; *Gündüz v. Turkey*, 2013) and requires the governments to take all necessary measures to ensure that individuals can enjoy the freedom of expression without unjustified interventions (*Fuentes Bobo c. Espagne*, 2000). On the other hand, freedom of expression has been always under jeopardy, especially under autocratic regimes and in times of emergency. A recent report released by PEN International disclosed the COVID-19 pandemic and widespread conflicts have a devastating impact on the rights and freedoms, particularly the freedom of expression of the peoples globally, among them writers and artists (PEN International, 2022). On the other hand, the limits of the freedom of expression are set as promotion and encouragement of violence and aggression (*Leroy v. France*, 2008), “hate speech” (*Erbakan c. Turquie*, 2006), and protection of reputation (*Axel Springer AG v. Germany*, 2012). In this regards, freedom of expression may be legitimately restricted in respect to child pornography, hate speech, defamation, direct and public incitement to commit genocide and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (*La Rue*, 16 May 2011).

Nowadays, social media is a virtual and most common space to get people to express themselves and has become an inevitable part of modern life. In recent years, the rise of technology has increased the relevance of the internet and use of social media in political communication by receiving information and exchanging ideas, and this tremendous growth in social media is increasingly used in the political context - both by politicians and citizens (Graciyal & Viswam, 2018). As a result, social media is today an important, and unquestionably the leading, tool to receive information and impart ideas and opinions. However, each contemporary technological innovation creates threats as well as new opportunities. Accordingly, the anonymous and impetuous character of social media may result in encountering an everyday abundance of malicious social media coverage. On the other hand, it is a fact that some governments are becoming increasingly authoritative and are aiming at controlling and oppressing social media content and users in order to repress opposition and free thought. Freedom of House recently reported the level of internet freedom in 70 countries around the world, where 21 countries are listed "not free" and 32 countries as "partly free." In 2021, Türkiye is rated as "not free," particularly due to content restrictions and abuses of user rights (Freedom House, 2021).

## **2. Legal Framework of Freedom of Expression in International and National Level**

### **2.1. Freedom of Expression**

Freedom of expression is a fundamental human right protected at the international level by international human rights conventions and declarations as well as by Constitutions in the national level. Article 19 of the Universal Declaration on Human Rights proclaims freedom of expression as one of the common standards of achievement for all people. Article 19 of the United Nations (UN) International Covenant on Civil and Political Rights (CCPR) protects the freedom of expression. Moreover, all regional and international conventions on the protection and promotion of fundamental freedoms and human rights recognize and protect the freedom of expression without exception (European Convention on Human Rights art. 10, American Convention on Human Rights art. 13, African Charter on Human and Peoples' Rights art. 9, Arab Charter on Human Rights art. 32). Furthermore, freedom of expression is an indispensable precondition for the protection of freedom of opinion, which is an absolute right. However, freedom of expression is not an absolute right, which can be restricted in certain circumstances and conditions, but only in accordance with exceptions provided by law when the limitation is legitimate and proportional with its aim. Turkish Constitution first recognizes in article 25 the freedom of thought and opinion of everyone and secures

citizens' privacy by prohibition of compelling someone to reveal his/her thoughts and opinions as well as to blame or accuse someone because of his/her thoughts and opinions. The Turkish Constitution then protects the freedom of expression in article 26 as follows:

Everyone has the right to express and disseminate his/her thoughts and opinions by speech, in writing or in pictures or through other media, individually or collectively. This freedom includes the liberty of receiving or imparting information or ideas without interference by official authorities.

In this manner, the Turkish Constitution encourages the right to demand and receive information, promotes the right to have thoughts and opinions, and finally protects the dissemination of thoughts and ideas without interference. In a similar vein, Turkish Constitutional Court (TCC) recognized freedom of expression as a requirement and precondition of a democratic society (Mehmet Ali Aydın, 2013; Bekir Coşkun, 2015; Tansel Çölaşan, 2014; Türkan Albayrak, 2021; Beyza Kural Yılandı, 2021; Ömer Faruk Gergerlioğlu, 2021).

## **2.2. Hate Speech**

Even though there is no concrete definition of hate speech today, several international instruments prohibit offences intended to incite hostility or create violence towards a handicapped group. Among many others, article 20 of the CCPR states that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law." Furthermore, article 4 of the 1965 UN Convention on the Elimination of Racial Discrimination provides that States Parties "shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof."

The Committee of Ministers of the Council of Europe defined hate speech as "all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, antisemitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin" (Council of Europe, Committee of Ministers, 1997). Mari Matsuda highlighted that such offensive expression has an outcome, charge, a price, and in the past, the humiliated have paid a disproportionate price for this outcome (Matsuda, 1993). ECtHR provides the Contracting States with positive obligations to prevent hate speech and protect the victims in favour of the freedom of expression of victims (Dink c. Turquie, 2010). While most democratic countries have anti-hate speech laws, Türkiye has not adopted a specific legislation against hate speech; however, Turkish Penal Code (TPC)

article 122 describes hate and discrimination crime and recognizes it as a matter of aggravation.

### 2.3. Regulations on Social Media in Türkiye

In Türkiye, there was no specific law governing online publishing up until 2007. Under Turkish Press Law, the Prosecutor brought a complaint against Ersöz due to his writings on his own website. Ersöz was sentenced to a 10-month term for "officially insulting the police forces of the state."

Coşkun Ak was the subject of a different lawsuit brought against an internet content producer. The Public Prosecutor acknowledged that there was no law in place at the time regarding crimes committed on the internet, but he asserted that Coşkun Ak's position was comparable to that of an editor-in-chief of the published newspaper, and he brought a lawsuit under the TPC. The court denied Coşkun Ak's plea for release, notwithstanding the defence attorney's argument that Coşkun Ak should be released in accordance with the principle '*nullum crimen nulla poena sine lege*' (no crime and punishment unlawful). The urgent need for separate legislation on internet publishing was proven by both cases (Akdeniz & Altıparmak, 2012; Koç, 2013).

The first legislation on the internet is the Law on Regulation of Broadcasts via Internet and Combating Crimes Committed by Means of Such Publications. Article 6 of the law regulates the responsibilities of access providers. This article provides that access providers be obliged to block any user who communicates a content that is contrary to the law, in line with the provisions of Law No. 5651, and establish an Information Technology and Communication Authority. Article 8 states that "it shall be decided to remove the content and/or to block access to publications that are made on the internet medium and that has adequate reason for suspicion that the content constitutes the following crimes:

a) The crimes under the Turkish Criminal Code dated 26/9/2004 and numbered 5237;

- 1) Encouragement of suicide (Article 84),
- 2) Sexual abuse of children (Article 103, first paragraph),
- 3) Facilitate the use of drugs or stimulants (Article 190),
- 4) Hazardous substance for health (Article 194),
- 5) Obscenity (Article 226),
- 6) Prostitution (Article 227),
- 7) Providing space and facilities for gambling (Article 228).

b) Crimes in the Law Concerning Crimes Committed against Atatürk dated 25/7/1951 and numbered 5816.

c) The crimes regulated under the Law on Regulation of Betting and Games of Chance in Football and Other Sports Competitions dated 29/4/1959 and numbered 7258.

A decision to block access to or remove online content shall be decided by a competent court, but in urgent cases, at the Authority's request, the prosecutor may make the decision on condition that the decision shall be put under the consideration of a judge in 48 hours.

As every user of social media platforms, most of whom appears anonymous, is also a content producer, the government quickly noticed the challenges of applying Law No. 5651 to crimes committed in social media and started work on an amendment to the Law No. 5651 in 2020 under Law No. 7253 on "the Law on Making Amendments to the Law on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publication." Pursuant to the Law, social media companies are required to appoint representatives. According to the law, each social media user has a legal right to complain if he feels that his privacy has been violated. Social media access companies are under the obligation to respond either favourably or unfavourably (with justification) to these complaint applications within 48 hours. If the social media network provider is located overseas, complaints should be directed to their local representative in Turkey. When necessary, the social media service provider may be obliged to remove the illegal content and reveal the user's name to law enforcement. If the social media company insists on not nominating a local representative or does not respond to complaints and requests, they may be issued a fine (Article 6/6).

On the other hand, the pursuit and prosecution of social media users who criticize religious customs, the government, the Head of the Republic or those who support the opposition stress Turkey's freedom of expression on social media. A few examples of that include the imprisonment of Candan Kaftancıoğlu (Diken, 12.05.2022), an influential member of the opposition party, for her nine-year-old tweets, immediate detention of Gülsen (Sabah, 26.8.2022), a well-known singer, for her statements allegedly insulting religious institutions and values, and the prosecution of numerous individuals, including young individuals, for criticizing the head of the republic on the grounds of insulting and defaming him (T24.com, 15.9.2022).

### **3. Social Media and Freedom of Expression**

There is no single recognized definition of social media. Basically, social media is the set of web-based broadcast technologies (Scott & Jacka, 2011). Social media refers to the forms of electronic communication (such as websites for

social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos) (Merriam-Webster's Collegiate Dictionary, 2009). In this context, social media serves to build social networking as a virtual communication that provides the users with a platform to build and develop social relations and interactions among people with similar interests, whether it be for romantic or social purposes, despite time differences and geographical distance (Sadiku, Omotoso, & Musa, 2019). According to Castell (1996), social networks, which are based on connectivity, are shaping society by constantly connecting with each other to ask for support and solidarity, and to share their emotions and common goals. About 4.62 billion people, that is the 58.4% of the total population of the world use social media, and the proportion of users that is rapidly expanding (We Are Social & Hootsuite, January 2022). Social media has become part of our everyday experience, and its use has a growing impact on our politics, society, and interpersonal relationships (Rosen, 2022). The most popular social media sites nowadays are YouTube, Facebook, Instagram, Twitter, Snapchat, Tik Tok, and messaging apps like WhatsApp, Telegram, and others (Statistica, 2022), and the number of available platforms expands with each new generation of users. Digital 2022 Global Overview Report, published in partnership with Hootsuite and We Are Social (January 2022), reports that the average amount of time spent each day in the internet is 6 hours and 58 minutes. Most of that time is spent by watching and listening broadcasts, using social media and reading press media. It is reported as well that of the internet users use the internet for finding information (61%), for communication (55.2%), and for keeping up to date with news and events (53%).

According to Turkish Statistics Institutions (TÜİK, 2021), 92% of the total population in the age between 16-74 in Türkiye have access to internet and 82.6% of them are regularly and actively using the internet. Another impressive data shows the rapid rise as this rate was 79.0% the previous year. Another survey shows that 70.8% of the whole population in Türkiye are active social media users and they spent an average of 3 hours in social media. YouTube, Instagram, WhatsApp, Facebook and Twitter are remarkably the most preferred social media tools in Türkiye (We Are Social & Hootsuite, 2021).

It is obvious that nowadays internet and social media play a crucial role for acquiring information, as well as expressing and exchanging thoughts and ideas. On the other hand, hate speech is frequently utilized on the internet and it is almost an unregulated phenomenon. Although many countries fail in the struggle to fight against online hate speech, ECtHR condemns online hate speech aimed at inciting handicapped groups in the society (Balsytė-Lideikienė v. Lithuania, 2008; Delfi AS v. Estonia, 2013; Sanchez c. France, 2021).

### 3.1. Social media, Freedom of Expression and Students

Doubtlessly, for a large population, internet and social media is currently the primary source to receive information and ideas, form an opinion and thought, communicate, exchange opinions, disseminate information and express opinions. It is certainly much more relevant for students and the young population. Today's youth, those under 30 years old, was born in a world where internet was invented, and they use social media regularly. In this respect, today, internet and social media has a crucial role in the freedom of expression as ECtHR points out as follows: "[T]he Internet has now become one of the principal means by which individuals exercise their right to freedom to receive and impart information and ideas, providing as it does essential tools for participation in activities and discussions concerning political issues and issues of general interest. . . . Moreover, as to the importance of Internet sites in the exercise of freedom of expression, "in the light of its accessibility and its capacity to store and communicate vast amounts of information, the Internet plays an important role in enhancing the public's access to news and facilitating the dissemination of information in general." User-generated expressive activity on the Internet provides an unprecedented platform for the exercise of freedom of expression." (Cengiz and Others v. Turkey, 2015) On the other hand, malicious social media activities, such as mis/disinformation and hate speech would result with devastating consequences for individuals and society (Alegre, 2017).

One of the most effective and unignorable measures to avoid such undesirable consequences is to keep individuals and the society as a completely aware of their rights and the freedom of expression including its abuse. Students are a specific group who are actively using social media and spontaneously social media is affecting their opinions, character and personal development. University students constitute only a part of young people, however, they are supposed to be aware of their rights much more their uneducated peers and their position is indisputably crucial for the future of the society. University is an environment where youths met new peers from different social, geographic and cultural contexts. Furthermore, in these years, characters of these young people are progressively shaped by various opinions and experiences. Thanks to the internet and social media, in our days, university students are liberated from their physical surroundings. In this context, university students' awareness of their freedom of expression in social media is a key fact for their personal development and for the destiny of the society. Awareness of their freedom of expression is supposed to consist of (1) awareness of the concept, (2) awareness of their legal rights, and (3) awareness of the threats to their rights and freedom.



### 3.2. Literature Review

It is obvious that there is today a huge literature on social media and the impact and effects of it (van Dijck, 2013; Fuchs, 2021; Rosen, 2022). Other scholars have addressed the effect of the internet and social media on the exercise of the freedom of expression (Naab, 2012; Balkin, 2018; Alegre, 2017). However, there are limited and insufficient studies on how social media influences students' freedom of expression (Pandow, 2019). In Türkiye, a country with high internet usage and issues with freedom of expression, most of the studies on social media have focused on social media addiction of university students (Özdemir, 2019), and identity construction (Pierre, 2019). The studies on social media and freedom of expression, on the other hand, concentrate mostly on the misuse of social media and on the legislation (Demirtaş, 2019) and the government's pressure on the users. İnce Ozer determined that social media users are producing and sharing limited political content, which reveals people's fear of being prosecuted and/or sanctioned because of their opinions (İnce Özer, 2016). According to Demirtaş, the abuse of personal rights via social media constitutes a threat to both democracy and freedom of expression. Demirtaş reports that the main reasons of the persistence and increase of such issues with violations of personal rights in social media in Türkiye are (1) insensitivity of social media users to the right and honest use of freedom of expression, freedom of press, and freedom of publication, (2) the absence or refusal of governments to take the required action against violations of social media law's restrictions, and (3) service providers' reluctance to assume a role that could prevent these breaches. As a unique survey on the students and their understanding on the freedom of expression in social media, a report by ELSA International dated 2019-20 may be cited, which is a survey carried out in different countries, including Türkiye, with different age groups where the largest group is between 18-23 years old. This study concluded, surprisingly, that the majority of the students and the young professionals are aware of human rights, the scope and content of the European Convention of Human Rights as well as the function of the European Court of Human Rights (ELSA International, 2020).

### 4. Methods

This quantitative research aims to determine how university students in Türkiye utilize social media as a medium for communication, as well as for creating, sharing, and acquiring knowledge. Accordingly, the study attempts to explore and evaluate university students' awareness of freedom of expression and hate speech, as well as their online reactions regarding misuse of social media. Thus, the core inquiry of the survey is whether university students may exercise their right to free speech on social media and whether they encounter hate speech while using social media. The specific hypotheses of the study are:

- H<sup>1</sup><sub>0</sub> University students are effectively using social media (SM)
- H<sup>2</sup><sub>0</sub> University students are aware of the freedom of expression (FE)
- H<sup>3</sup><sub>0</sub> University students are aware of hate speech (HS)
- H<sup>4</sup><sub>0</sub> University students value the freedom of expression and react to hate speech on social media (RE)

A quantitative research is designated to determine, discover, interpret and formulate research facts, and to find out the university students understanding of the freedom of expression in social media and its misuse, especially hate speech in Türkiye.

The universe of the study is the university students in Türkiye. According to data of the Council of Higher Education of Türkiye (YÖK, 29 April 2022), there are currently 8.296.959 university students in Türkiye. 3.114.623 of them are 2 years associate degree students, 4.676.657 are undergraduate students and the rest are graduate students. The Questionnaire method was followed for data collection from users for this study. From a total of 815 respondents from different universities, 800 responses were used for data collection after incorrect responses were eliminated. The sample is consistent with the higher education trends in Türkiye (Table 1). In-depth interviews with randomly selected participants also are utilized to further analyse the responses in order to determine how the study's objectives were achieved.

**Table 1: Sampling Features**

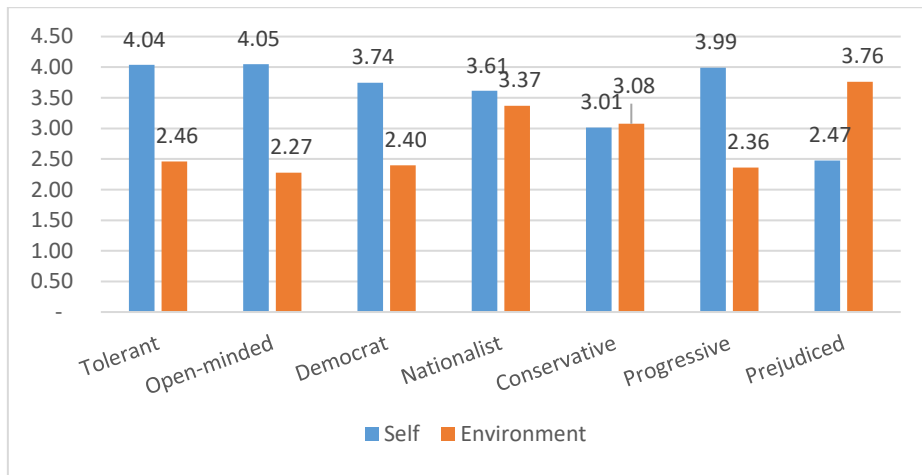
Variable	Category	N	%
Degree	Associate Degree	160	20.00%
	Undergraduate	614	76.75%
	Graduate	26	3.25%
University type	State	473	59.13%
	Foundation	327	40.88%

Program

Language	25	3.13%
Social Sciences	369	46.13%
Medicine & Engineering	277	34.63%
Arts & Humanities	129	16.13%

The respondents are asked how they define themselves and their environments using a 5-point Likert-scale, which was coded as 1 (“Very Weakly”), 2 (“Weakly”), 3 (“Neutral”), 4 (“Strongly”), and 5 (“Very Strongly”). It is observed that the students widely identify themselves as tolerant, open-minded and progressive; however, they describe their environment as prejudiced, nationalist and conservative (Figure 1).

**Figure 1: Identity characteristics of respondents and their environment**



## 5. Analysis and Interpretation

The questionnaire is designated to measure and explore the use of social media by university students, their awareness on freedom of expression and hate speech, both in general and in social media, and their considerations and reactions against the violations of their and others' freedom of expression and personal rights in social media. In this regard, the analysis consists of four sections to test the above-mentioned four hypotheses of the study (Table 2).

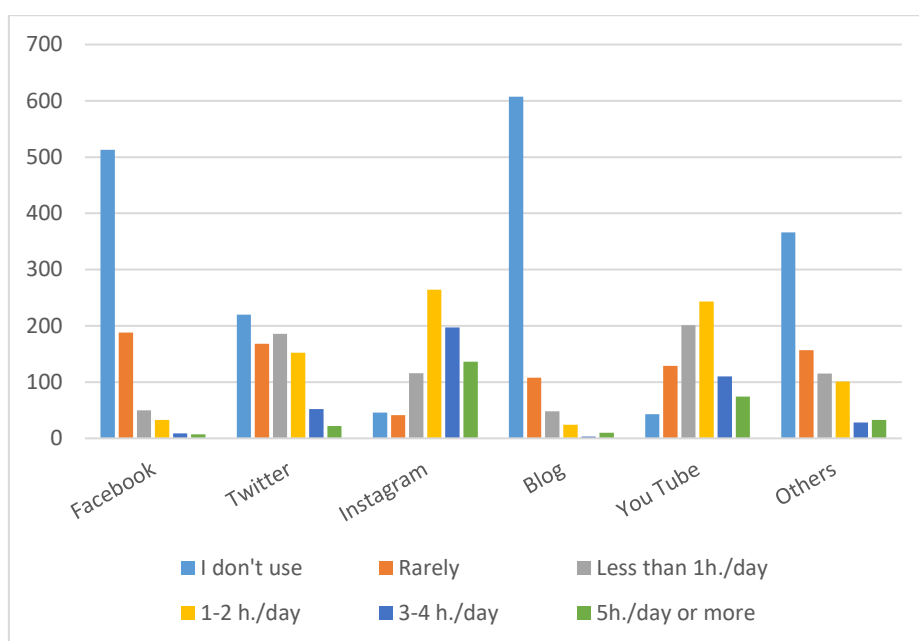
**Table 2: Parameters of the Study**

No	Section	Variables	Hypothesis
1.	Social Media Use	Frequency	SM
		Platforms	
		Profile	
		Access	
		Sharing	
2.	Awareness Freedom Expression on of	Constituents of freedom of expression	FE
		Importance of freedom of expression	
		Constitutional protection on freedom of expression in Türkiye	
		Legal regulations on freedom of expression in Türkiye	
		Blocking practices on freedom of expression	
3.	Hate Speech in Social Media	Protected groups	HS
		Considerations on hate speech	
		Frequency to encounter hate speech	
4.	Freedom Expression Social Media of in	Importance of freedom of expression in social media	RE
		Blocking practices on freedom of expression in social media	
		Reactions against violations of freedom of expression in social media	

### 5.1. Social Media Use

The majority of students advise that they have no trouble accessing the internet (76%), while only 10% of students say they do. Only 4% of the students express that they face restrictions to access social media platforms and 3% report difficulties getting the means and equipment they need to connect internet. The study reports that Instagram and YouTube are the respondents' most favourite social media preferences, followed by Twitter. 754 of the respondents use Instagram, 597 of them spending at least 1 hour per day and 757 of the respondents use YouTube, 427 of them spending at least 1 hour per day (Figure 2).

**Figure 2: Frequency to use social media platforms**

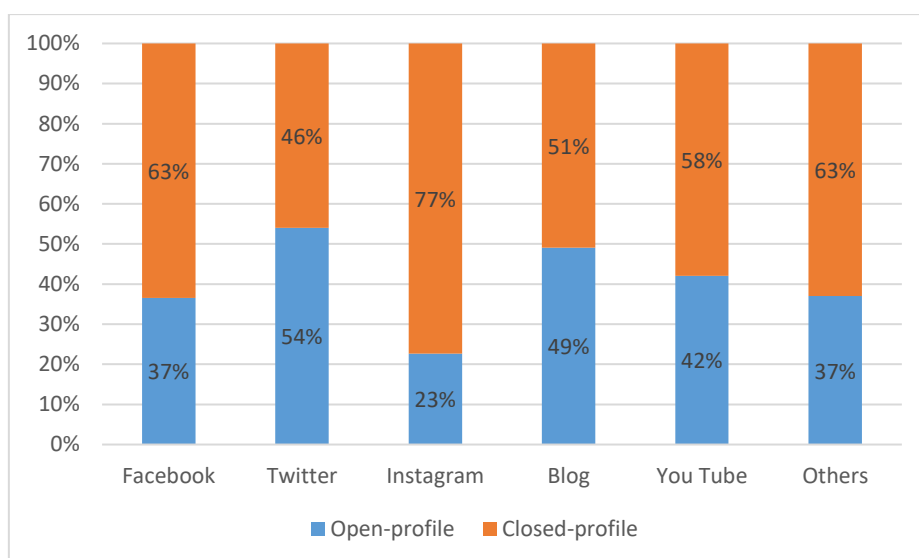


	I don't use	Rarely	Less than 1h./day	1-2 h./day	3-4 h./day	5h./day or more	n
Facebook	513	188	50	33	9	7	800
Twitter	220	168	186	152	52	22	800
Instagram	46	41	116	264	197	136	800
Blog	607	108	48	24	3	10	800
YouTube	43	129	201	243	110	74	800
Others	366	157	115	101	28	33	800

The students state that they use social media platforms mostly for interactions with friends (n=566), entertainment (n=465), to have news (n=429), and to know what their friends are doing (n=308).

The majority of the students prefer to keep their profile closed in social media except Twitter (Figure 3). In-depth investigation reveals that the respondents keep their Instagram and Facebook profile closed primarily to safeguard their private pictures and data.

**Figure 3: Open or closed profile in your social media pages**



The majority of the respondents use social media to share information about their lives and their pictures (n=507) or share the contents they find amusing (n=269). The posts of the students contain also inspirational quotes and images (n=218), their own ideas (n=214), and the links of the news they find significant (n=186).

Only 106 respondents do not have closed-profile on any social media platform, whereas 328 respondents have noted that they have an open-profile. The respondents with open social media profiles claim they do not mind it (n=303), believe social media should be open and free (n=147) or they wish their thoughts and ideas would be commonly accepted (n=127). On the other hand, other respondents explain that they prefer to have a close-profile because they do not want others in their immediate circle, including their families, to be aware of their opinions (n=157) and they themselves do not feel secure (n=129).

However, most of the students with closed-profile replied that question that they did not consider (n=170) or "others" (n=307). In-depth interviews with the students show that the most important reason to have a closed-profile, mainly in Instagram and Facebook, is to keep the personal data and pictures safe.

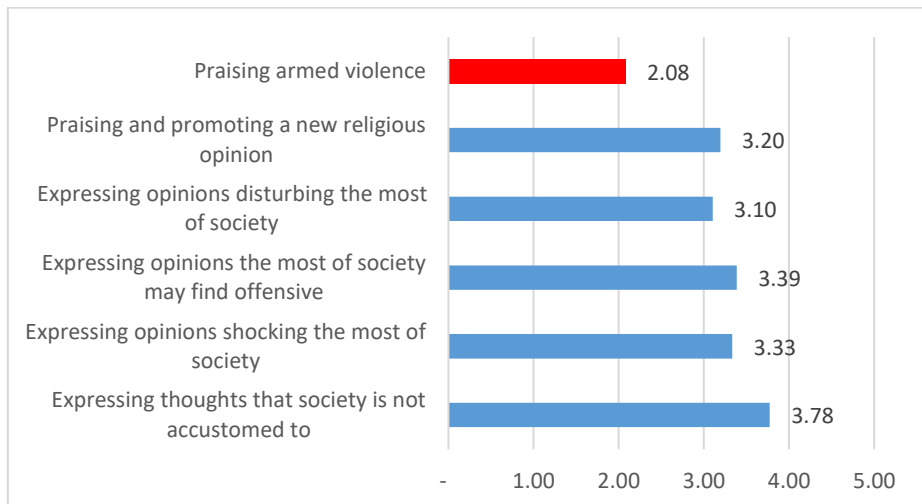
## 5.2. Awareness on Freedom of Expression

### 5.2.1. Constituents and Importance of Freedom of Expression

When the participants of the study were asked about the value and importance of freedom of expression using a Likert-scale with a range from 1 to 5, the majority acknowledged the significance of the freedom of expression for combating intolerance (4,16) and fostering tolerance in society (4,11), for the advancement and protection of a democratic society (4,16) and pluralistic society (3,88), as well as personal development (4,15), and social progress (4,12).

The respondents are advised of the well-known elements of freedom of expression and prompted to assess the importance of each on a Likert-scale with a range from 1 to 5. The respondents grade each element above 3 but 'praising armed violence' as low as 2. The students give the highest marks to "expressing thoughts that society is not accustomed to" (3.78), while the lowest marks go to "expressing opinions disturbing the most of society" (3,10) and "praising and promoting a new religious opinion" (3,20) (Figure 4).

**Figure 4: Recognition of Freedom of Expression**



On the other hand, the questionnaire featured three judgements of the ECtHR where the Court ruled that Türkiye violated the freedom of expression of the applicants, and the respondents were asked if these practices constitute a violation of the freedom of expression or not without informing them about the cases and judgements. In the first case, the government blocked access to the YouTube platform because of the refusal of the social media company to suspend content insulting Atatürk, the founder of the Republic of Türkiye, which constitutes a crime in Turkey. The applicants claimed that the blockage of the platform, as a whole, violated their right to receive and impart information and ideas. In its judgment, the Court agreed that YouTube is an important means in the exercise of the right to receive and impart information and ideas, and as a result, held that it is not acceptable to blockade access to an entire internet site on account of just some of its contents (Cengiz and Others v. Turkey, 2015; Ahmet Yildirim v. Turkey, 2012). In the second case, Müslüm Gündüz, formerly a religious figure in Türkiye and allegedly leader of an Islamic sect described contemporary secular institutions in Türkiye as ‘impious’ and openly called for Sharia law, stating that Türkiye shall be governed by religious rules on a TV debate. The Court found that the imprisonment of the applicant because of his TV speech violates the freedom of expression on the ground that the speech cannot be considered an open call for violence based on religious intolerance (Gündüz v. Turkey, 2013). Finally, Faruk Temel, the president of a political party, was arrested because of his remarks and statements about the Kurdish problem and the need for a democratic solution, and criticized isolation and conditions of imprisonment of the leader of PKK, which is recognized by the tribunals as an illegal and terrorist organization in Türkiye. The Court held that the applicant’s statements did not incite violence and did not constitute hate speech (Faruk Temel c. Turquie, 2011). In addition, the respondents are asked for some recent discussions on government's attempts on some new regulatory norms, on which scholars generally agree that their inclusion in new social media legislation will violate that right (Dülger, 3 August 2020; Senem, 12 October 2020; Tırtır, 29 July 2020). It has been noted that the respondents, who appreciated the importance of freedom of expression above, largely agree with the factual violations of the government (Table 3).



**Table 3: Norms that limit the exercise of freedom of expression**

Practice	Just		Unjust		Total	
	n	%	n	%	n	%
Blocking completely access to a social media platform because of the refusal of the social media company to suspend a content insulting Atatürk or religion	638	79,75%	162	20,25%	800	100,00%
Imprisonment of a person who stated that Türkiye shall be governed by Sheria laws on TV	535	66,88%	265	33,13%	800	100,00%
Arrest of a politician who criticized the conditions of the isolation and conditions of imprisonment of the leader of a terrorist organization	478	59,75%	322	40,25%	800	100,00%
Establishment of a Supreme Body to audit and regulate social media platforms' activities	637	79,63%	163	20,38%	800	100,00%

It has been observed that there is no significant correlation between respondents' education and departments and their feedback to government practices that violate freedom of expression ( $p=0.58$ ), but students who are aware of the meaning and significance of the freedom of expression as well as its legal and constitutional protection are significantly more likely to oppose such practices ( $p=0.25$ ).

### ***5.2.2. Legislative Protection of Freedom of Expression in Türkiye***

Furthermore, the questionnaire asked the students to identify which of the listed protective measures of the freedom of expression are under the umbrella of the Constitution in Türkiye. Despite the fact that the Turkish Constitution protects each one of them, very few students acknowledged them as a constitutional provision (Table 4).

**Table 4: Protection of freedom of expression in Turkish Constitution**

	n	%
Privacy of private life (Art. 20)	732	91,50%
No one shall be compelled to reveal religious beliefs and convictions (Art. 24)	502	62,75%
No one shall be compelled to reveal his/her thoughts and opinions (Art. 25)	475	59,38%
Right of rectification and reply shall be accorded only in cases where personal reputation and honour is injured (Art. 32)	396	49,50%
Right to express and disseminate his/her thoughts and opinions by speech, in writing or in pictures or through other media (Art. 26)	344	43,00%
Right to express and disseminate his/her thoughts and opinions individually or collectively (Art. 26)	281	35,13%
Liberty of receiving or imparting timely and accurate information (Art. 26)	242	30,25%
Protection of the reputation (Art. 26)	201	25,13%
Right to hold meetings without prior permission (Art. 34)	150	18,75%
Right to hold demonstration marches without prior permission (Art. 34)	130	16,25%
Publication of brochures and bulletins without prior authorization (Art. 29)	117	14,63%
Publication of newspapers and journals without prior authorization (Art. 29)	104	13,00%
The establishment of a printing house without prior permission (Art. 28)	93	11,63%
Right to form associations without prior permission (Art. 33)	89	11,13%
<i>N</i> =	800	100%

The most interesting result of this question was that the response with more than 50% were all negative rights as “privacy” and ”prohibition of coercion.” On the other hand, the freedoms to assembly, demonstration, publication without prior permission of public authorities are recognized at a very low rate.

This finding suggests that the authoritarian government's pressure and ongoing breaches of human rights have an influence on student's comprehension and are absorbed by the masses.

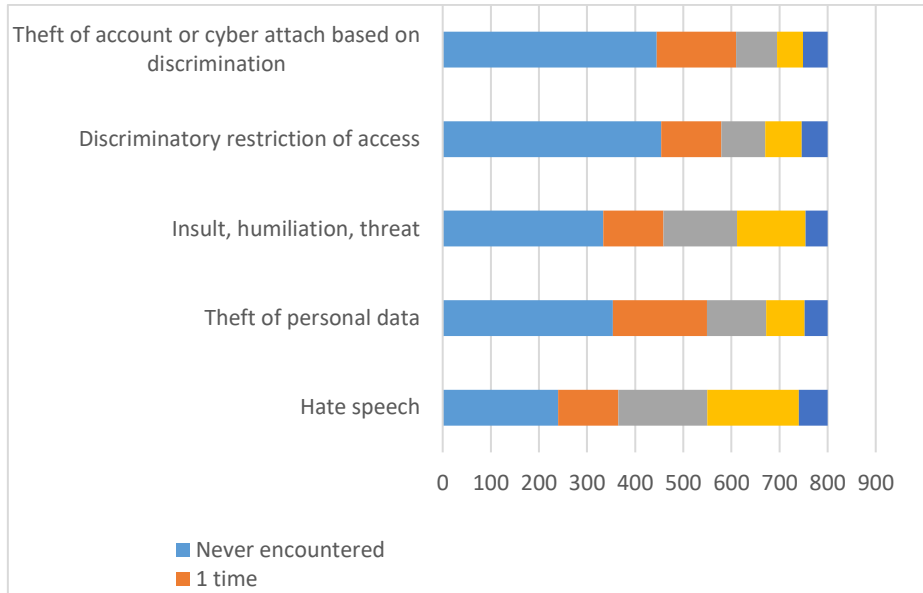
### ***5.2.3. Freedom of Expression in Social Media***

University students assessed the significance of the given threats to the freedom of expression on social media using a Likert-scale with a range from 1 to 5. They considered that censorship is a threat relatively less serious (2.88) than discriminatory restriction (3.99), theft of personal data (4.11), hate speech (3.98), spreading misinformation, and fake news (4.03). Only 14.63% of the students believe that there is freedom of expression on social media compared to the majority who disagree (69.5%), and 15.88% who have no idea. Among the threats that worry students when they share content on social media, theft of the account (n=243) and being insulted (n=234) come first in the ranks. The fear of prosecution (n=201), being threatened (n=163), and having the account suspended (n=201) are the other sources of concern.

It is observed that the students agree and support a governmental regulation on social media. In a Likert-scale with a range from 1 to 5, the students disagree that a governmental regulation on social media will annoy them (2.21) and restrict their freedom of expression (2.55). In opposite, they agree that such a regulation will protect their rights and freedoms (3.43).

In respect to behaviours that violate the freedom of expression, the respondents report that they encounter at most, hate speech and theft of personal data, and at least, discrimination (Figure 5).

**Figure 5: Frequency to encounter behaviours violating freedom of expression on social media**



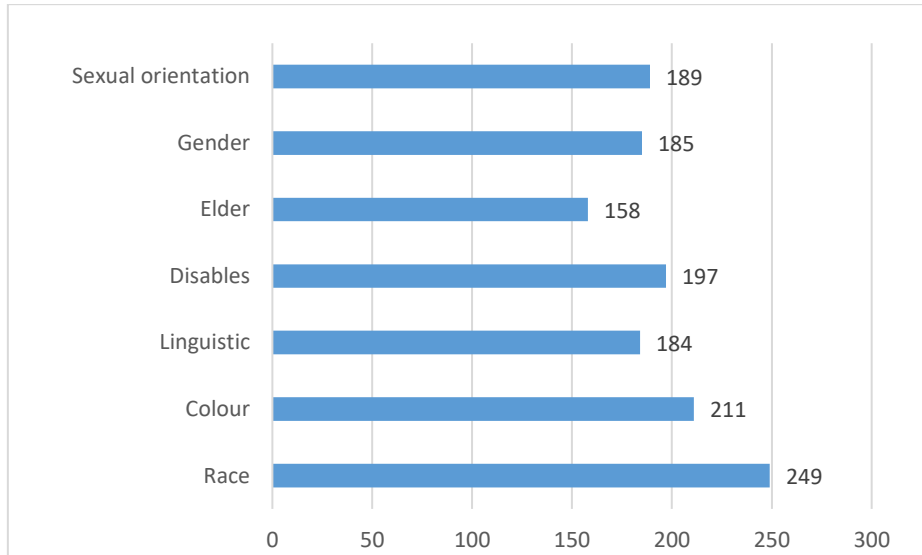
	Never encountered	1 time	2-3 times	more than 4	I am not aware/I don't know/No answer	n
Hate speech	240	125	185	190	60	800
Theft of personal data	354	195	123	80	48	800
Insult, humiliation, threat	334	125	153	142	46	800
Discriminatory restriction of access	454	125	91	76	54	800
Theft of account or cyber attack based on discrimination	445	165	85	54	51	800
N	1827	735	637	542	259	

#### **5.2.4. Hate Speech**

University students are first asked for their views about hate speech using a Likert-scale with a range from 1 to 5. Fortunately, students rejected the idea that hate speech could be regarded as a form of free speech (2.32). On the other hand, students agreed that the owner of such discourses should be punished (3.56), that such discourses should be blocked (3.66), that hate speech is against the public order (3.46), that such discourses may have long-term negative effects on the society (3.57), and that such discourses instil fear (3.62), and unsafety (3.63) among various identities.

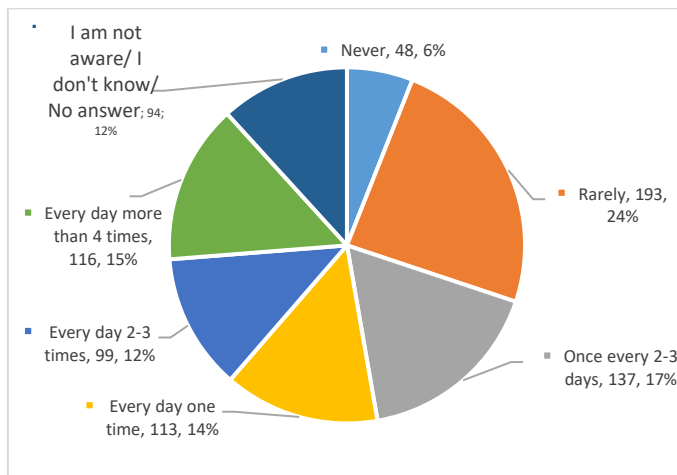
In Türkiye, hate speech is widely understood as prejudices and offenses against Islam, namely Islamophobia. The survey's respondents are also asked about any additional groups that might be designated protected groups, in which case any discrimination or other offenses due to prejudice directed at those groups should be considered hate speech. The respondents are questioned about discrimination based on race, colour, language, age, gender, disability and sexual orientation. Unfortunately, respondents did not identify any of the aforementioned categories as being protected from hate speech (Figure 6).

**Figure 6: Protected groups against hate speech**



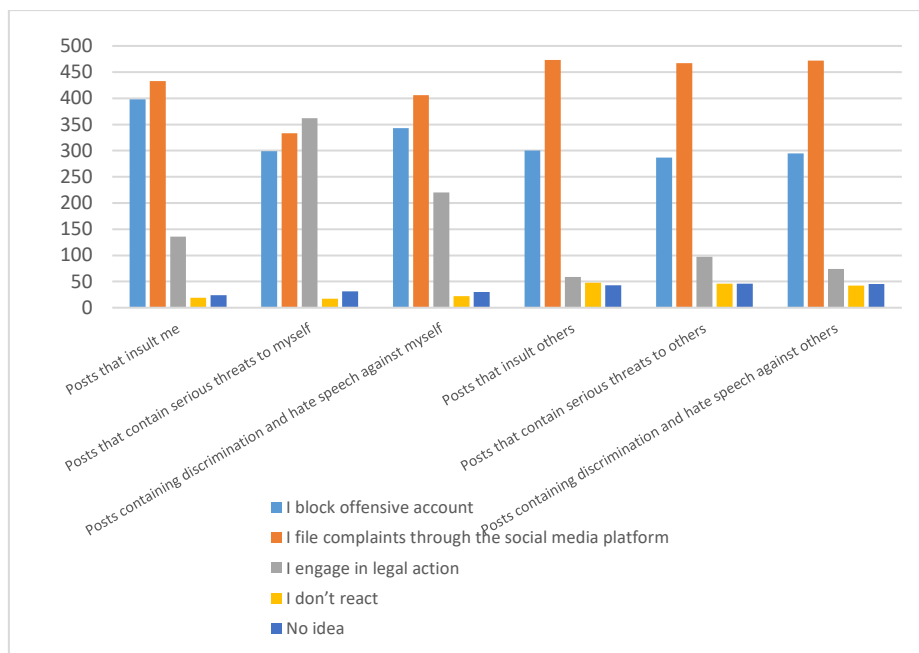
On the other hand, in-depth interviews revealed that most of the students are aware of the rights of the aforementioned groups, concur that it is necessary to establish an effective legal protection system for those groups, and especially are sensitive to discrimination based on sexual orientation in spite of anti-propaganda of government and religious groups. Additionally, 41% of students indicated that they encounter hate speech occasionally and 41% of students reported that they encounter hate speech every day at least once or more on social media (Figure 7). Students also provided numerous examples of hate speech on social media during in-depth interviews, demonstrating their awareness of this type of speech.

**Figure 7: Encounter hate speech on social media**



Respondent students are also asked how they react when they encounter a violation of freedom of expression on social media. A majority of the students are questioned about their reactions to offenses against both them and other people separately. The students said that when they come across an offense, they typically block the offending accounts, file complaints through the social media platform, and, if the violation is directed at them personally, engage in legal action. Students who said “I don’t react” or “no idea” are very few (Figure 8).

**Figure 8: Reaction against violation of freedom of expression on social media**



	I block offensive account	I file complaints through the social media platform	I engage in legal action	I don't react	No idea	n
Posts that insult me	398	433	136	19	24	1010
Posts that contain serious threats to myself	299	333	362	17	31	1042

Posts containing discrimination and hate speech against myself	343	406	220	22	30	1021
Posts that insult others	300	473	59	48	43	923
Posts that contain serious threats to others	287	467	97	46	46	943
Posts containing discrimination and hate speech against others	295	472	74	42	45	928
N	1922	2584	948	194	219	

## 6. Conclusion

This study clearly demonstrates how regularly Turkish university students use social media. They have little problem accessing the internet and using social media sites. Their favourite social media platforms are Instagram and YouTube, and they spend 1-2 hours per day on these platforms. The primary goals in using social media are interactions with friends and entertainment. In that regard,  $H^1_0$  is confirmed.

It is also determined that the students recognize the definition and components of freedom of expression and appreciate its importance for the personal social improvement. The responses, on the other hand, lead to the rejection of  $H^2_0$  that university students in Turkey are aware of the freedom of expression when practical questions about their understanding and enjoyment of it are posed.

Furthermore, the university students in Türkiye report constantly encountering hate speech on social media and detest it as a danger to their right to free speech. However, it is observed that their understanding about hate speech is limited to Islamophobia and the other protected groups are not commonly recognized. In this respect,  $H^3_0$  cannot be confirmed.

The students commonly support social media regulation by the government, and the  $H^4_0$  that university students value the freedom of expression and react to hate speech on social media is justified. In that respect, it may be deduced that the students are aware and sensitive about violations of freedom of expression and give reactions. However, it is necessary to improve their understanding on the scope and extent of freedom of expression and hate speech. They are affected by government and their environment, particularly the authoritarian practise and the pressures of society. In that context, it is



essential not to neglect the students' lack of knowledge of constitutional and international protections for them and to expand educational programs in universities, on social media, and in civil society groups.

## References

- African Charter on Human and Peoples' Rights, Organization of African Union, Banjul, adopted on 27 June 1981, entry into force 21 October 1986.
- Akdeniz, Y., & Altıparmak, K. (2012). *AIHM Kararı: 5651 Sayılı Kanun AIHS'e Aykırı [ECtHR Decision: Law No. 5651 is in Contradiction to ECHR]*. Bianet. Retrieved from <https://bianet.org/bianet/ifade-ozgurlugu/142923-aihmin-ahmet-yildirim-turkiye-karari-5651-sayili-yasa-aihsne-aykiri> (accessed 24.10.2024).
- Alegre, S. (2017). *Rethinking Freedom of Thought for the 21st Century*. European Human Rights Law Review, 3(1), 221-233.
- American Convention on Human Rights, Organization of American States, San José, adopted on 22 November 1969, entry into force 18 June 1978.
- Arab Charter on Human Rights, Arab League, Cairo, adopted on 22 May 2004, entry into force 15 March 2008.
- Arendt, H. (1976). *The Origins of Totalitarianism*. San Diego, A Harvest Book.
- Arendt, H. (1988). *The Human Condition*. Chicago, The University of Chicago Press.
- Balkin, J. (2018). *Free Speech is a Triangle*. Columbia Law Review, 118(7), 2011-2055.
- Castells, M. (1996). *The Rise of the Network Society: The information Age: Economy, society and culture*. Oxford, Blackwell Publishers.
- Constitution of the Republic of Türkiye, Law no. 2709, adopted on 18 October 1982. OG 17836 (bis) (9/11/1982).
- Convention on the Elimination of Racial Discrimination, United Nations, New York, adopted on 7 March 1966, entry into force 4 January 1969.
- Council of Europe, Committee of Ministers. (1997). *Recommendation No. R (97) 20 of the Committee of Ministers to Member States on "hate speech"*, . adopted by the Committee of Ministers on 30 October 1997 at the 607th meeting of the Ministers' Deputies, Scope, Section 2. Retrieved from <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDC-TMContent?documentId=0900001680645b44> (accessed 24.10.2024).

- Crimes in the Law Concerning Crimes Committed against Atatürk, Law no. 5816, adopted on 25 June 1951, OG 7872 (31/7/1951).
- Demirtaş, Ş. (2019). *İfade Hürriyetinin Yeni Kullanım Alanları: Yeni Medya ve Sosyal Medya [New Areas of Use of Freedom of Expression: New Media and Social Media]*., Ankara: Gazi University Institute of Social Sciences (MA Thesis).
- Diken. (12.05.2022). *Tweet'leri nedeniyle hapis cezası alan Kaftancıoğlu'na Twitter'da destek yağdı [Support in Twitter to Kaftancıoğlu, who was sentenced to prison for her tweets]*. Diken. Retrieved from <https://www.diken.com.tr/tweetleri-nedeniyle-hapis-cezasi-alan-kaftancioglu-twitterda-destek-yagdi/> (accessed 28.10.2024).
- Dülger, M. (3 August 2020). *Sosyal Medya Yasası Meclis'ten Geçti: Peki, Şimdi? [The Social Media Law Passes Parliament: What Now? Adopted Social Media Law: What Now?]*. Hukuki Haber. Retrieved from <https://www.hukukihaber.net/sosyal-medya-yasasi-meclis-ten-gectipeki-simdi-makale,8135.html> (accessed 22.10.2024).
- ELSA International. (2020). *Freedom of Expression Online Report 2019/2020*. Brussels, ELSA International.
- European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms), Council of Europe, Paris, Adopted on 4 November 1950, Entry into force 3 September 1953.
- Freedom House. (2021). *Freedom on the Net 2021: The Global Drive to Control Big Tech*. Retrieved from <https://freedomhouse.org/countries/freedom-net/scores?sort=asc&order=Total%20Score%20and%20Status> (accessed 22.10.2024).
- Fuchs, C. (2021). *Social Media: A Critical Introduction* (3 ed.). London, Sage.
- Graciyal, D., & Viswam, D. (2018). *Freedom of Expression in Social Media: A Political Perspective*. International Journal of Multidisciplinary, 3(1), 110-113.
- İnce Özer, E. (2016). *İfade Özgürlüğü ve Demokrasi Bağlamında Türkiye'de Sosyal Medya [Social media in the context of freedom of expression and democracy in Turkey]*. Ankara: Ankara University Institute of Social Sciences (MA Thesis).
- International Covenant on Civil and Political Rights, United Nations, New York, adopted on 16 December 1966, entry into force 23 March 1976.
- Koç, S. (2013). *Legal Analysis of Social Media and Comparative Legislative Solution Proposals*. Istanbul: Bilgi University (MA Thesis).

- La Rue, F. (16 May 2011). *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*. HRC. Retrieved from <https://digitallibrary.un.org/record/1304394?v=pdf> (accessed 24.10.2024).
- Law on Making Amendments to the Law on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publication., Law No. 7253, adopted on 29 June 2020, OG 31202 (31/7/2020).
- Law on Regulation of Betting and Games of Chance in Football and Other Sports Competitions, Law no. 7258, adopted on 29 April 1959, OG 1020 (19/5/1959).
- Law on Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publication, Law No. 5651, adopted on 4 May 2007, OG 26530 (23/5/2007).
- Matsuda, M. (1993). *Assaultive Speech and Academic Freedom*. In: M. Matsuda, C. Lawrence, R. Delgado, & K. Crenshaw, *Words That Wound: Critical Race Theory, Assaultive Speech, And The First Amendment: New Perspectives on Law, Culture, & Society*. New York: Westview Press, 17-51.
- Merriam-Webster's Collegiate Dictionary (2009) (11 ed.) Springfield, Merriam-Webster.
- Naab, T. (2012). *The Relevance of People's Attitudes Towards Freedom of Expression in a Changing Media Environment*. ESSACHESS. *Journal for Communication Studies*, 5(1), 45-67.
- Özdemir, Z. (2019). *Üniversite Öğrencilerinde Sosyal Medya Bağımlılığı [Social Media Addiction Among University Students]*. *Beykoz Akademi Dergisi*, 7(2), 91-105.
- Pandow, I. (2019). *Social Media and Freedom of Expression: A Survey of College Students in Kashmir*. *International Journal of Scientific & Engineering Research*, 10(1), 2007-2075.
- PEN International. (2022, July 13). *Chaos, Conflict, Impunity: PEN International, Case List 2021*. Retrieved from <https://pen-international.org/>: <https://pen-international.org/news/chaos-conflict-impunity-pen-international-case-list-2021> (accessed 22.10.2024).
- Pierre, M.-H. (2019). *Social Media and Identity Construction: A Reconstructive Analysis of the Use of Social Media Among Haitian Students in Turkey*. Eskişehir: Anadolu University Graduate School of Social Sciences (MA Thesis).

- Plato. (1992). *Apology*. In: *The Trial and Death of Socrates: Four Dialogues*. (B. Jowett, Trans.). New York, Dover Drift Editions, 19-41.
- Rosen, D. (2022). *The Rise of a New Media Paradigm*. In: D. Rosen, *The Social Media Debate: Unpacking the Social, Psychological, and Cultural Effects of Social Media*, New York, Routledge, 1-4.
- Sabah. (26.8.2022). *Gülşen ne dedi, neden tutuklandı? Şarkıcı Gülşen İmam Hatip olayı nedir, imam hatipliler için ne söyledi? [What did Gülşen say, why was she arrested? What is the Imam Hatip incident, what did singer Gülşen say about the Imam Hatip students?]* Retrieved from <https://www.sabah.com.tr/yasam/gulsen-tutuklandi-sarkici-gulsen-imam-hatipliler-icin-ne-dedi-olayi-ne-neden-tutuklandi-6131665> (accessed 22.10.2024).
- Sadiku, M., Omotoso, A., & Musa, S. (2019). *Social Networking*. *International Journal of Trend in Scientific Research and Development*, 3(3), 126-128.
- Scott, P., & Jacka, J. (2011). *Auditing Social Media: A Governance and Risk Guide*. New Jersey: John Wiley & Sons, Inc.
- Senem, P. (12 October 2020). *Kanun Düzenlemesi Neler Getiriyor [What Does the Law Regulation Bring?]*. Doğrulukpayı. Retrieved from <https://www.dogrulukpayi.com/bulten/sosyal-medya-duzenlemesi-kanunlasti> (accessed 22.10.2024).
- Statistica. (2022, February 22). *Most popular social networks worldwide as of January 2022*. Retrieved from <https://www.statista.com/statistics/272014/global-social-networks-ranked-by-number-of-users/> (accessed 24.10.2024).
- T24.com. (15.9.2022). *Erdoğan'ın fotoğrafını kullanarak 'para saklama' videosu çeken kişiler hakkında 'cumhurbaşkanına hakaret'ten soruşturma başlatıldı! [An investigation for 'insulting the president' has been launched into the people who made a video of 'hiding money' using Erdoğan's photo!]* T24. Retrieved from <https://t24.com.tr/haber/erdogan-in-fotografini-kullanarak-para-sTCCa-videosu-ceken-ve-yayinlayan-kisiler-hakkinda-sorusturma-baslatildi,1059420> (accessed 24.10.2024).
- Tırtır, M. (29 July 2020). *Sosyal Medya Yasası Üzerine Değerlendirmeler [Considerations on Social Media Law]*. Hukuki Haber. Retrieved from <https://www.hukukihaber.net/sosyal-medya-yasasi-uzerine-degerlendirmelermakale,8129.html> (accessed 24.10.2024).
- TÜİK. (2021). *Hanehalkı Bilişim Teknolojileri (BT) Kullanım Araştırması [Household Information Technologies (IT) Usage Survey]*, 2021. Retrieved from <https://data.tuik.gov.tr/Bulten/Index?p=Hanehalki->

Bilisim-Teknolojileri-(BT)-Kullanım-Arastırması-2021-37437#:~:text=%C4%B0internet%20kullan%C4%B1m%20oran%C4%B1%202021%20y%C4%B1%C4%B1nda,%77%2C5%20oldu%C4%9Fu%20g%C3%B6r%C3%BCld%C3%BC.&text=92%2C0%20oldu- (accessed 24.10.2024).

Turkish Criminal Code, Law no. 5237, adopted on 26 September 2004, OG 25611 (12/10/2004).

Turkish Press Law, Law no. 5187, adopted on 9 July 2004, OG 25504 (26/6/2004).

Van Dijck, J. (2013). *The Culture of Connectivity: A Critical History of Social Media*. Oxford: OUP.

We Are Social & Hootsuite. (2021). *Digital 2021 Turkey January Report*. Retrieved from <https://datareportal.com/reports/digital-2021-turkey#:~:text=There%20were%2065.80%20million%20internet,at%2077.7%25%20in%20January%202021> (accessed 24.10.2024).

We Are Social & Hootsuite. (January 2022). *Digital 2022 April Global Statshot Report*. Retrieved from <https://www.hootsuite.com/resources/digital-trends> (accessed 24.10.2024).

YÖK. (29 April 2022). *Yükseköğretim İstatistikleri [Higher Education Statistics]*. Retrieved from <https://istatistik.yok.gov.tr/> (accessed 24.10.2024).

## Cases

Ahmet Yildirim v. Turkey (2012). Application no 3111/10 (ECtHR (Second Section) judgment of 18 December 2012).

Autronic AG v. Switzerland (1990). Application no. 12726/87 (ECtHR (Plenary) judgement of 22 May 1990).

Axel Springer AG v. Germany (2012). Application no. 39954/08 (ECtHR (Grand Chamber) judgment of 7 February 2012).

Balsytė-Lideikienė v. Lithuania (2008). Application no. 72596/01 (ECtHR (Third Section) judgement of 4 November 2008).

Bekir Coşkun (2015). Application no. 2014/12151 (TCC judgment of 4 June 2015).

Beyza Kural Yılandı (2021). Application no. 2016/78497 (TCC, judgment of 12 January 2021).

- Cengiz and Others v. Turkey (2015). Application nos. 48226/10 and 14027/11 (ECtHR (Grand Chamber) judgement of 1 December 2015).
- Chorherr v. Austria (1993). Application no. 13308/87 (ECtHR (Chamber) judgement of 25 August 1993).
- Delfi AS v. Estonia (2013). Application no. 64569/09 (ECtHR (First Section) judgement of 10 October 2013).
- Dink c. Turquie (2010). Requête no 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09 (ECtHR (Grand Chamber) Arrêt du 14 Decembre 2010).
- Erbakan c. Turquie (2006). Requête no. 59405/00 (ECtHR (First Section) jugement du 6 juillet 2006).
- Faruk Temel c. Turquie (2011). Requête no. 16853/05 (ECtHR (Deuxième Section) jugement du 1er février 2011).
- Fuentes Bobo c. Espagne (2000). Requête no. 39293/98 (ECtHR (Fourth Section) arrêt du 29 février 2000).
- Gündüz v. Turkey (2013). Application no. 59745/00 (ECtHR (First Chamber) judgement of 13 November 2013 [extracts]).
- Handyside v. the U.K. (1976). Application no. 5493/72 (ECtHR (Plenary) judgement of 7 December 1976).
- Hogston v. U.K.(1987). Application no. 11392/85 ( European Commission of Human Rights decision of 4 March 1987).
- Leander v. Sweden (1987). Application no. 9248/81 (ECtHR (Chamber) judgement of 26 March 1987).
- Leroy v. France (2008). Application no. 36109/03 (ECtHR (Fifth Section) judgment of 2 October 2008).
- Lingens v. Austria (1986). Application no. 9815/82 (ECtHR (Plenary) judgement of 8 July 1986).
- Mehmet Ali Aydın (2013). Application no. 2013/9343 (TCC, judgment of 4 June 2013).
- Müller and others v. Switzerland (1988). Application no. 10737/84 (ECtHR (Chamber) judgement of 24 May 1988).
- Observer and Guardian v. U.K. (1991). Application no. 13585/88 (ECtHR (Plenary) judgement of 26 Novembre 1991).
- Ömer Faruk Gergerlioğlu (2021). Application no. 2019/10634 (TCC (GK) 1 Temmuz 2021).

- Sanchez c. France (2021). Requête no 45581/15 (ECtHR (Cinquième Chambre) Arrêt du 2 Septembre 2021).
- Steel and Others v. U.K. (1988). Application no. 67/1997/851/1058 (ECtHR (Chamber) judgement of 23 September 1998).
- Stevens v. U.K. (1986). Application no. 11674/85 (European Court of Human Rights (Plenary) decision of 3 March 1986).
- Tansel Çölaşan (2014). Application no. 2014/6128 (TCC, judgment of 7 July 2014).
- Türkan Albayrak (2021). Application no. 2019/1628 (TCC, Karar Tarihi: 28 Aralık 2021).
- Wingrove v. U.K. (1996). Application no. 17419/90 (ECtHR (Chamber) judgement of 25 November 1996).

