

UČNI NAČRT PREDMETA / COURSE SYLLABUS	
Predmet:	
Course title:	<b>Freedom of Speech and of the Press</b>

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester

Vrsta predmeta / Course type

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje Work	Druge oblike Other forms	Samost. delo Individ. work	ECTS
8						

Nosilec predmeta / Lecturer: **Joseph D. Steinfield**

Jeziki / Languages:	Predavanja / Lectures: Vaje / Tutorial:	<b>English</b>
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Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Prerequisites:

**None, although familiarity with constitutional law will be useful.**

Vsebina:

Content (Syllabus outline):

**These four lectures will focus on the First Amendment to the United States Constitution, which guarantees freedom of speech and of the press. Each class will include assigned reading(s) and a discussion of the cases, with the goal of developing a basic understanding of free speech and free press in the United States.**

**Class 1:** Assigned case: *Near v. State of Minnesota* <http://caselaw.findlaw.com/us-supreme-court/283/697.html> (1931) . This has been called the »first great press case« in the U.S. It deals with whether a state can prevent an anti-Semitic newspaper from being published (known as a »prior restraint«)

**Class 2:** Assigned case: *New York Times v. Sullivan* (1964)

	<p><a href="http://caselaw.findlaw.com/us-supreme-court/376/254.html">http://caselaw.findlaw.com/us-supreme-court/376/254.html</a> This case completely changed the law of defamation in the United States, imposing a heavy burden on public officials who sue the press. The Supreme Court's ruling was later extended to public figures.</p> <p><b>Class 3:</b> Assigned case: <i>Snyder v Phelps</i> (2011) . <a href="http://caselaw.findlaw.com/us-supreme-court/09-751.html">http://caselaw.findlaw.com/us-supreme-court/09-751.html</a> This case deals with homophobic speech and is a recent Supreme Court decision regarding so-called »hate speech.« This class will also discuss the ECHR decision in <i>Mladina D.D. Ljubljana v. Slovenia</i> (2014), <a href="http://hudoc.echr.coe.int/eng?i=001-142424#{" itemid":["001-142424"]}"="">http://hudoc.echr.coe.int/eng?i=001-142424#{"itemid":["001-142424"]}</a></p> <p><b>Class 4:</b> The final class dealing with this subject will discuss the various issues involving free speech and rights of privacy and dignity. If time allows, we will also discuss »defamation of religion« (blasphemy).</p>
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Temeljni literatura in viri / Readings:

These lectures are »not for credit,« so required reading will not be burdensome. In addition to the cases cited in the syllabus, students should be familiar with the applicable provisions of constitutions of the United States (First Amendment) and Slovenia (Articles 15, 24, 35 and 39), as well as Article 10 of the European Convention on Human Rights. Optional readings a United States privacy case, *Time Inc. V. Hill* (1967). <http://caselaw.findlaw.com/us-supreme-court/385/374.html>; and *Hustler Magazine v. Falwell* (1988) <http://caselaw.findlaw.com/us-supreme-court/485/46.html> , a case that deals with issues of privacy and emotional distress arising out of a parody, and *Joseph Burstyn, Inc. V. Wilson* (1952), <http://caselaw.findlaw.com/us-supreme-court/343/495.html> , a case dealing with »insults to religion.«

Cilji in kompetence:

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Objectives and competences:

The objective of these lectures will be to provide a basic understanding of freedom of speech and of the press in the United States. The U.S. is, in many ways, unique in how the Supreme Court has addressed this subject.

Predvideni študijski rezultati:

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Intended learning outcomes:

In addition to developing an understanding of the First Amendment, students will also have the opportunity to read opinions of the United States Supreme Court. Classroom participation will be encouraged so that the students will feel comfortable expressing their own opinions and raising questions.

Metode poučevanja in učenja:

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Learning and teaching methods:

Each class will include a presentation by the instructor, beginning with the case or subject assigned for that day. Students learn from each other, so exchanges of views will be encouraged. Students will not simply read assigned materials but will be encouraged to express their own opinions, including whether they agree or disagree with the court rulings. Power point slides will also be used to make the cases more interesting.

Načini ocenjevanja:

Delež (v %) /

Weight (in %)

Assessment:

		Type (examination, oral, coursework, project): <b>A short ungraded examination will be given on the last day, with each student then correcting his or her own paper.</b>
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Reference nosilca / Lecturer's references: Joseph D. Steinfield

<p><b>Bachelor's degree, Brown University 1961 (Concentration in English Literature) 1961</b>  <b>Law degree, Harvard Law School – 1964</b>  <b>Member of the Bar – Massachusetts, New York, New Hampshire</b>  <b>Adjunct Professor of Law, Boston College Law School, Boston, Massachusetts</b>  <b>Adjunct Professor of Law, University of New Hampshire Law School, Concord, New Hampshire</b>  <b>Previous teaching abroad:</b>              <b>Adyghe State University, Maykop, Adygheya (Russia), 2008</b>              <b>Herzen State Pedagogical University, St. Petersburg, Russia, 2011.</b>  <b>Fellow, American College of Trial Lawyers</b>  <b>Former Member and Chairman, Massachusetts Commission on Judicial Conduct</b>  <b>Former Member and Chairman, Massachusetts Clients Security Board</b></p> <p>Joseph D. Steinfield is a trial lawyer specializing in complex business litigation. During his career he has tried many cases in the United States (Massachusetts, New Hampshire, Florida, Puerto Rico) in both state and federal courts, and he has argued many appeals. In addition, he has extensive experience with alternative dispute resolution ("ADR"), including both arbitration and mediation. He is a partner in a Boston law firm. See his online biography at <a href="http://www.princelobel.com/people-40.html">http://www.princelobel.com/people-40.html</a></p>
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