



# Communication Law & Ethics

## RU COMS 400 UNIT I Introduction

Class web site: <https://revolutionsincommunication.com/law>

Follow along with Section I

<https://revolutionsincommunication.com/law/intro/>



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# On track: overall

- Read the textbook [revolutionsincommunication.com/law](http://revolutionsincommunication.com/law)
  - 12 sections / one per week
  - Practice quiz at the end of each section
- Take the section quiz on D2L
  - 12 quizzes / one per week
- Extra reading and video responses
  - Usually 2x / month first half of semester
- Turn in Intros today, A1 by next week
  - Put your last name on the file and in the text when you turn it in on D2L
    - Ex: *Yourname.Assn 1.docx*



# Today:

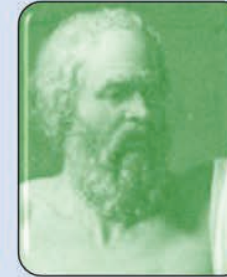
1. Structure of the course, syllabus, readings, quizzes, process, groups
2. Introductions
3. Intro to comm law
4. Structure of the law
5. Legal terms & concepts
6. Jurisprudence in comm law
7. Distinguishing comm law from other types of law



# Introductions

1. Take 10 minutes to introduce yourselves to each other. Ask for name, hometown, concentration, career goal. Very brief intros for all in class. Write 2-3 sentences in Introductions in D2L Assignments
2. When introduced, tell us what issues in media law you're aware of or want to know more about. It could be examples of ethics, censorship, copyright, libel, hate speech, etc.

# Six main content areas



**1 Civics**  
**Legal Principles**  
**2 History**

**3 Ethics**  
**4 Prior restraint censorship**

**5 Libel**  
**6 Privacy**

**Pro Regs**  
**7 Ads & Public Relations**  
**8 RTVF**

**Pro Regs**  
**9 News**  
**10 Digital Media**

**Media Structure**  
**11 Copyright**  
**12 Anti-Trust**

# Recent issues



## The spectrum of rights



**Copyright**  
All Rights Reserved  
Re-use requires the permission from the copyright owner.

**Creative Commons**  
Some Rights Reserved  
Re-use is permitted without permission under the specifications shared in the licence.

**Public Domain**  
No Rights Reserved  
May be used without permission.



PHOTOGRAPHY IS NOT A CRIME

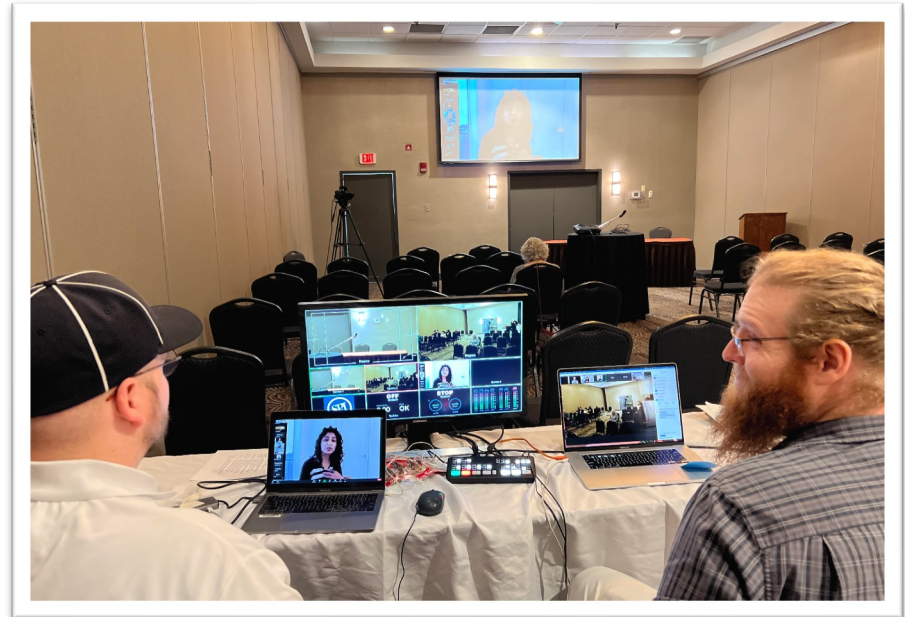


# Censorship, libel, privacy laws



Can Radford University censor student media? Why or why not?

If a reporter makes a mistake, how easy should it be for a public official to sue for libel?



If Radford police wrongly publish a name in connection with a major crime, can the media be sued for republishing that charge?

# Media Ethics ...



Guess which is “**looting**” and which is “**collecting**” emergency food...



These two photos are from the Katrina disaster of 2005, and they were labeled differently by the news agencies.

How do we approach issues of balance and fairness to all?  
What are the rules?





# Intro / Civics

## I. Introduction to media law

US First Amendment

International standards for  
freedom of speech



## Virginia Constitution, 1776

That all men are **by nature** equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety ... **That all power is vested in, and consequently derived from, the people**, that magistrates are their trustees and servants, and at all times amenable to them...



## US Constitution, First Amendment

**Congress shall make no law** respecting an *establishment of religion*, or prohibiting the *free exercise thereof*; or abridging the *freedom of speech*, or of the *press*; or the right of the people peaceably to *assemble*, and to *petition* the government for a redress of grievances.



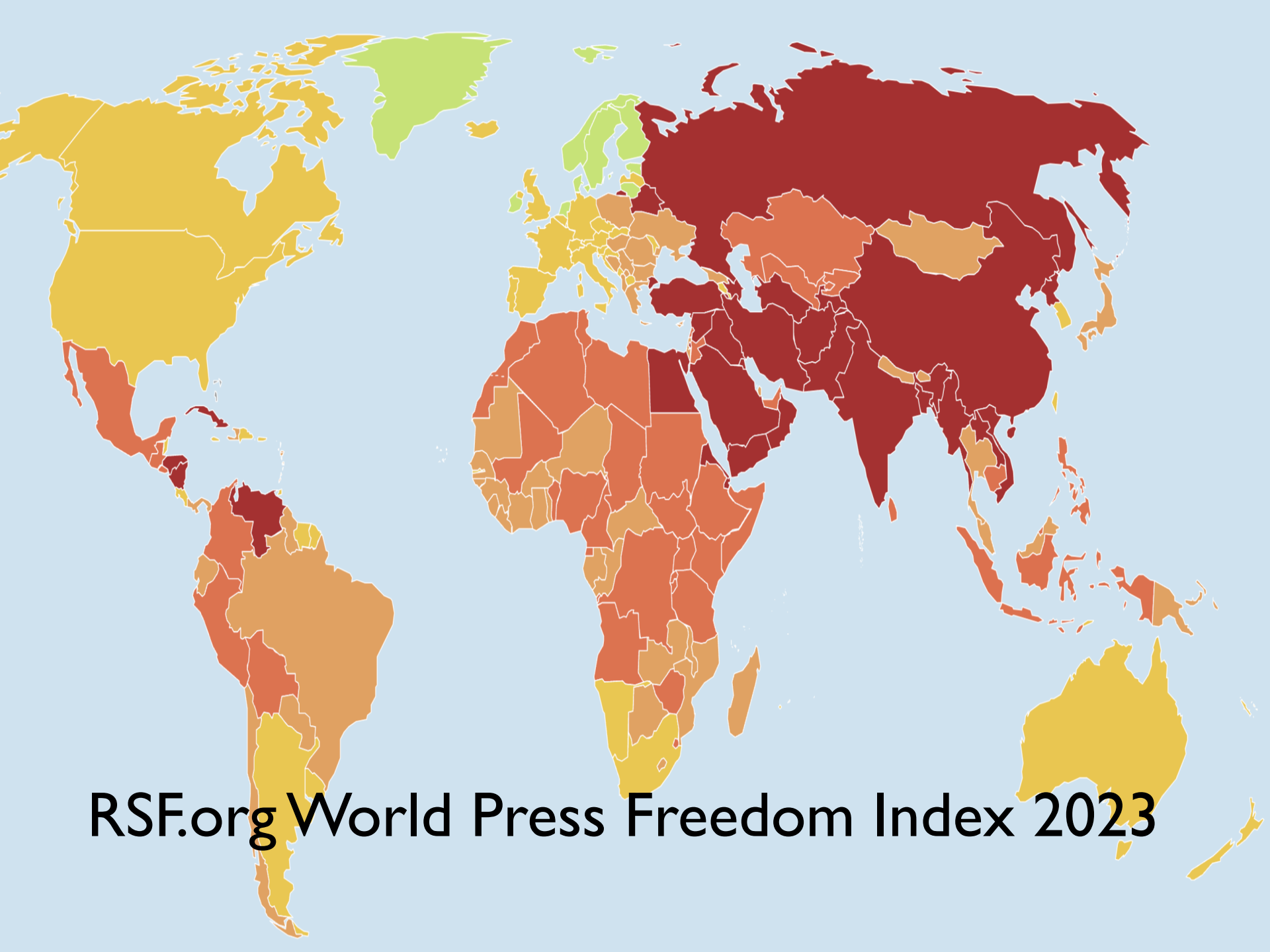
*The European Convention for the Protection of  
Human Rights and Fundamental Freedoms,  
Article 10*

*Everyone has the right to freedom of  
expression. This right shall include freedom  
to hold opinions and to receive and impart  
information and ideas without interference  
by public authority and regardless of  
frontiers...*



## *United Nations Declaration of Human Rights, Article 19*

*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*



**RSF.org World Press Freedom Index 2023**

# US is # 45

- President Biden -- healthy improvements to government accountability and transparency.
- Trumps attacks on press as “enemies of the people” pushed US rating down
- Also arrests of journalists covering demonstrations
- Still there is a lack of shield laws to protect confidentiality of sources, and searches and confiscations of journalists equipment
- Structural barriers to press freedom persist

# Saudi Arabia is # 170

- No free media, political parties, unions, etc
- Journalists and citizens routinely jailed, sometimes executed, for any criticism
- Jamal Khashoggi assassination one of many
- Blasphemy, insulting religion, "inciting chaos", "jeopardizing national unity" and "undermining the image and reputation of the king and the state" are typical charges in secret courts.
- Hundreds of people are executed every year for crimes ranging from murder to attending pro-democracy protests. Trials and executions are kept secret, even from relatives.



# China is 179 / 180

- “The world’s largest prison for journalists”
- Kunchok Jinpa, a leading media source of information about Tibet, died in February 2021 as a result of mistreatment in prison
- Liu Xiaobo, a Nobel peace laureate, and Yang Tongyan, dissident blogger, died in prison 2017
- Secret trials and forced confessions
- Arrests of editors and journalists in Hong Kong 2022 – 23
- Forces trading partners like Google, Apple, & satellite companies, to submit to state censorship
- RSF calls China a “predator of press freedom.”

# China celebrates May 35<sup>th</sup>



# Tienanmen Square June 4, 1989



# 草泥馬之歌

## Song of the "Grass Mud Horse" (AlpaCa)

This song is reflecting a protest of Chinese government's censorship of free speech and profanity on the internet.

The major characters in the song have names of the animal "Cao Ni Ma", which sound similar to Chinese curse words.



I am a Grass Mud Horse.  
Please listen to this song.  
我是一隻草泥馬，  
請聽『草泥馬』之歌



## So: Why study media law ?

- Understand how free countries balance rights
- Professionals need to know how to avoid doing harm and ...
- To know that the legal system protects ethical public communication, free press and free markets
- That freedom of speech protects unpopular points of view as well as popular ones
- That free speech issues can be far away, but they can also be close to home

# How to study media law

- Respectful scholarship
- Critical thinking
- Deductive reasoning / by analogy
  - from a general rule (court decision) to a specific conclusion (how the rule should be applied in a particular case).
- Inductive reasoning / from specific cases to general rules (jurisprudence)
- Awareness of logical fallacies
- Epistemology / use authoritative sources

# Ben Franklin

Endorsing the  
Constitutional  
convention in  
1787



*I wish ... every Member of the Convention,  
who may still have Objections to it, would  
with me on this Occasion doubt a little of  
his own Infallibility ...*

# Deductive reasoning

Sherlock Holmes uses deductions to solve his cases. Take the case of Silver Blaze, in which a dog did not bark when a crime took place.

Holmes deduced that the dog probably knew the person who was committing the crime.







## Ia. Distinguishing Media law

What distinguishes media law?

- Civil law cases
- Content issues – Constitutional law, some statutory law
- Structural issues – Regulatory law through FCC regulations, anti-trust

# What distinguishes media law?

- Media law emerges from a large and complex historical tradition of the struggle first for religious and next for political freedoms.
- Tests applied in media law content cases give a strong "preferred position" to individual liberty of speech as protected by the First Amendment to the US Constitution. However, tests applied in structure cases use a standard "preponderance of evidence" test. "Guilt beyond a reasonable doubt" is only used in criminal cases as part of the Sixth Amendment guarantee of a fair trial.

# What distinguishes media law?

- Content issues
  - are usually between a plaintiff and a respondent.
  - -- In the US, content issues usually involve Constitutional law and common law.
- Prior restraint, libel, invasion of privacy, and obscenity are content issues tried in civil courts
- Structural issues - Copyright and some broadcasting content issues are governed by statutory and regulatory law.

**1<sup>st</sup> Amendment**  
**Constitutional law,**  
Libel, privacy, censorship  
(content issues)

**Media**  
**regulation**  
Advertising  
content,  
anti-trust &  
broadcasting  
structure

**Entertainment**  
**law,** copyright,  
contracts etc.  
(structural issues)

# US media content regulation

Type	Content	Resolved by ...
All media	Sedition, criticism govt, leaking documents	Mostly legal - High burden of proof
All media but broadcasting	Obscenity	No longer illegal (but not protected by 1 <sup>st</sup> Amendment)
All media	Libel, slander	Private civil lawsuits
All media	Privacy, intrusion,	Private civil lawsuits
All media	Copyright	Private lawsuits, Bern Convention, US LofC
Advertising	Products & services	FTC, FDA, FCC
Broadcasting	Obscenity, indecency	FCC
Broadcasting	Ads aimed at children	FCC

# US media structural regulation

Type	Structure	Resolved by ...
Print ownership	Antitrust laws	Legislation (Congress)
Radio, TV ownership	Bcast ownership rules, Antitrust laws	FCC, Legislation (Congress)
Broadcast cable satellite TV	Technical standards	FCC, ITU (international)
Satellites	Technical standards	ITU (MPEG, JPEG, others)
Internet and web	Domain names, technical issues	ICANN, ITU



## 2. What is law?

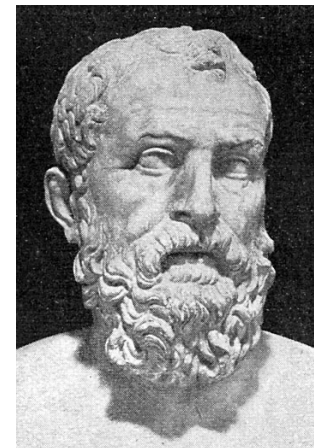
What are the types and sources of law, in both the US and the world?

# What is law? (formal definitions)

- "A body of rules of action or conduct prescribed by a controlling authority." -- Black's law dictionary
- Constitutional law defines the role, powers, and structure of the executive, the legislature (or parliament), and the judiciary; as well as the basic rights of citizens
- Law balances individual rights against other priorities such as public safety and social stability



# What is law?



- Anacharsis ... laughed at Solon for imagining that the dishonesty and covetousness of his countrymen could be restrained by written laws, which were like spiders' webs, and would catch, it is true, the weak and poor, but easily be broken by the mighty and rich.
- To this Solon rejoined that men keep their promises when neither side can get anything by the breaking of them; and he would so **fit his laws to the citizens**, that all should understand it was [better] to be just than to break the laws.
  - -- Plutarch, Parallel Lives, c. 100 A.D.

# What is law?

- Judge: "You are the more guilty of the two, in the eye of the law; for the law supposes that your wife acts under your direction."

- Mr. Bumble: "If the law supposes that ... **the law is an ass** — an idiot. If that's the law, the law is a bachelor; and the worst I wish the law is that his eye may be opened by experience."

-- Charles Dickens, Oliver Twist





## 3. Legal systems

Common Law vs Civil Law

Why “case law” or Common Law  
is important in the US

Sources of law



# World legal systems

- Common law: United States, UK, Ireland, Canada, Australia
- Civil: France, Germany, most European and Latin American nations
- Traditional: India
- Religious: Arab nations, Israel



# Common Law vs Civil Law

- Common: Judge is umpire in a plaintiff vs defendant courtroom system
- Civil: Judge(s) lead court inquiry like prosecutors
- Common: Judges may reviews laws based on Constitution or legal precedent
- Civil: Judges apply laws directly



# Five modern US types (sources) of law

- **Statutory** (Congress, state legislatures)
- **Regulatory** (Executive agencies)
- **Common** (Judiciary)
  - Reviews statutory and regulatory law
- **Equity** (injunctions, divorce, probate)
  - Chancery Court, redress of Common Law complaints
- **Constitutional**
  - General term for legal questions about balancing individual rights and the structure of the government



# Criminal vs civil procedure

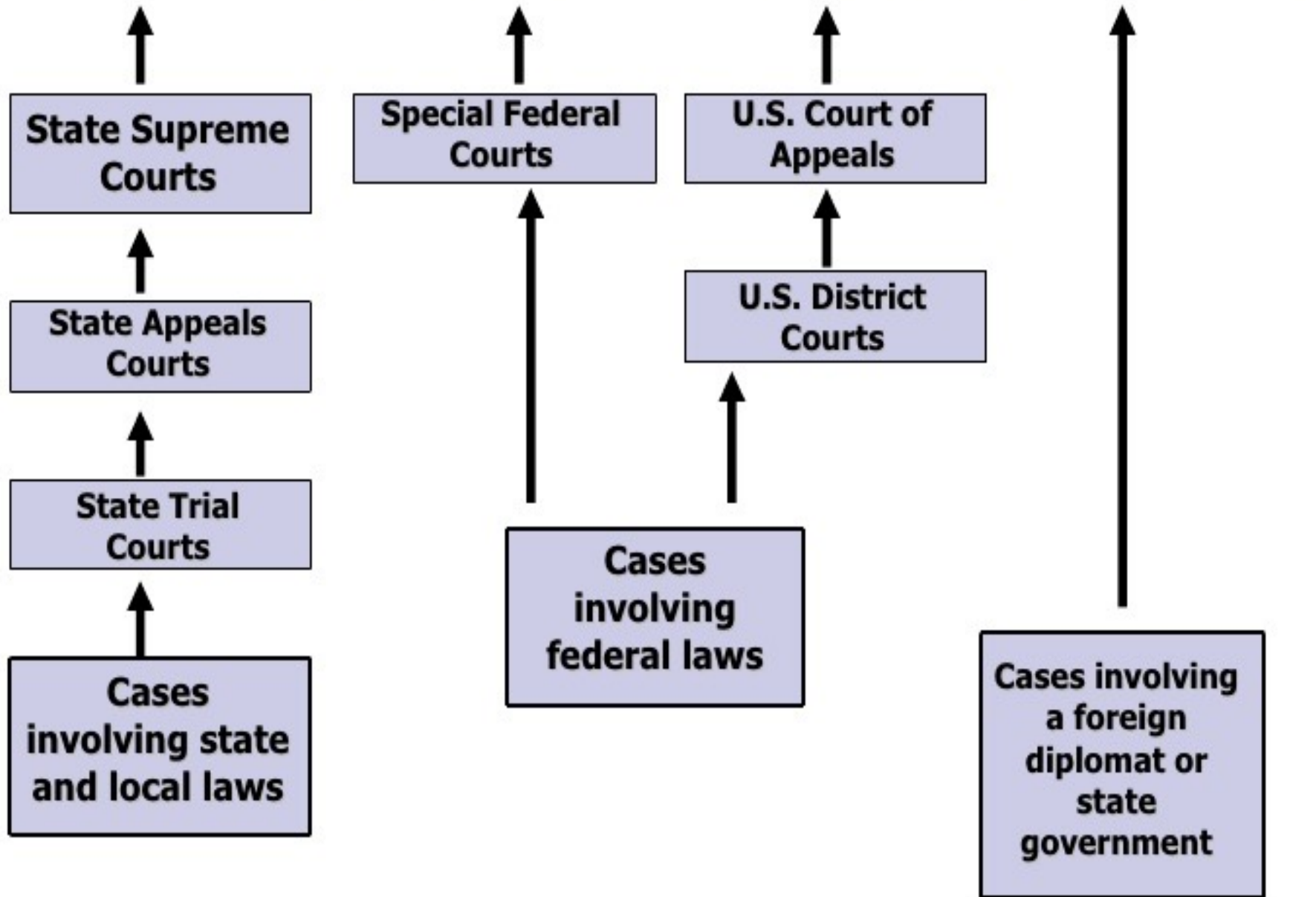
- Criminal charges or indictment brought by police or prosecutor
- Penalties in criminal law range from small fines to jail terms /execution
- Almost all media law is civil (not criminal)
  - Exception: public relations misrepresentations of medical or securities information
- Civil law (note different meaning here) involves lawsuits between individuals
- Penalties include fines and sometimes remedial action, but never jail



# Federal vs state systems

- Upper and lower division courts
  - (in Va, circuit vs district court)
- Circuit courts handle large criminal and civil cases
- District courts handle traffic, misdemeanors, small claims,
- State verdicts may be appealed through state appeals courts and then to a state supreme court
  
- Federal courts have trial and appeals courts and usually involve charges concerning federal laws
- Federal courts may also try cases with participants from different states (diversity jurisdiction)
- Federal verdicts may be appealed through federal appeals courts and then to the US Supreme Court
- The US Supreme Court also hears cases appeals from state supreme courts

# The United States Supreme Court



**United States  
Supreme Court**

Guam

Puerto Rico

Virgin Islands

Federal Circuit

D.C.

Armed Forces

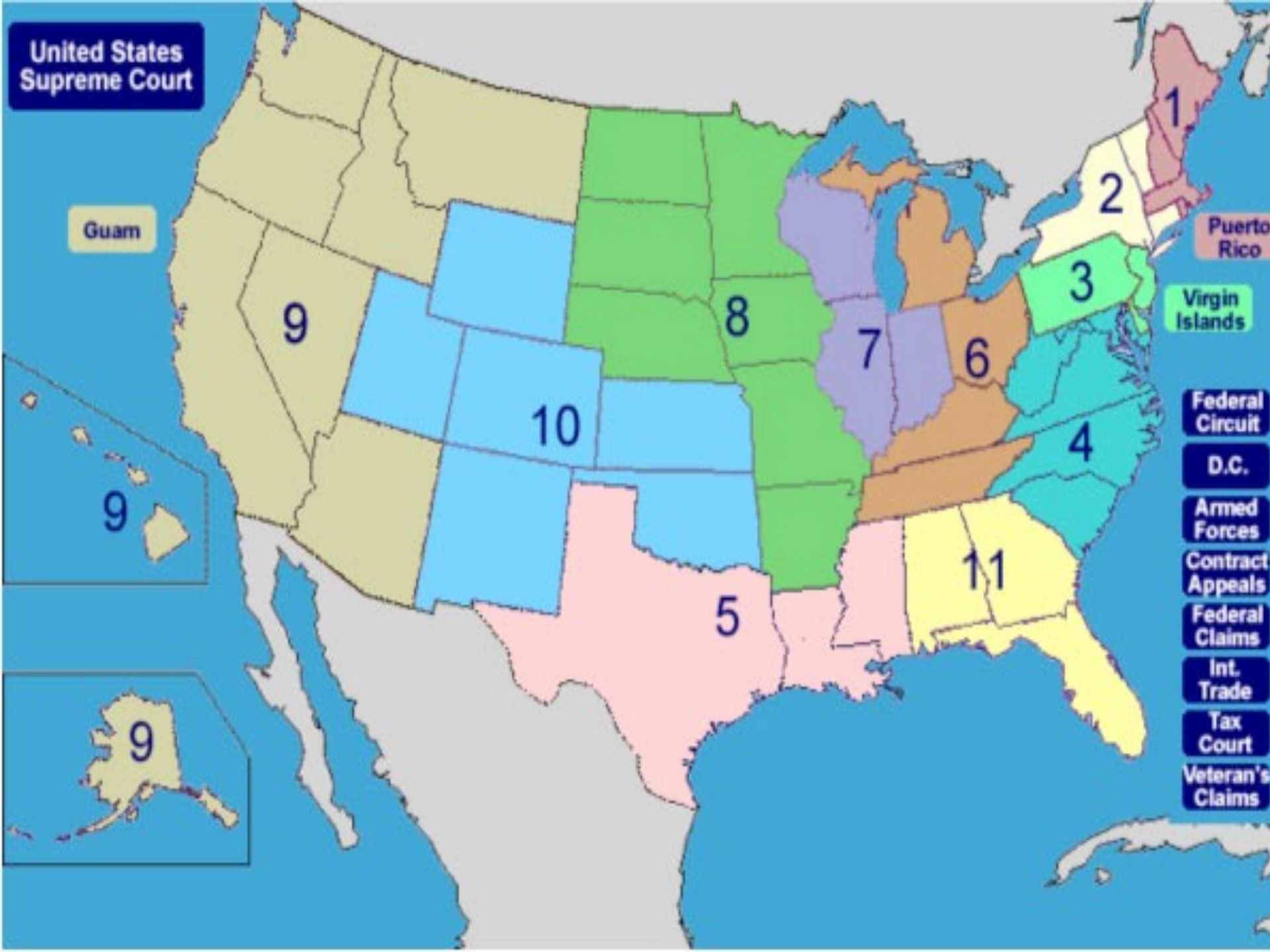
Contract Appeals

Federal Claims

Int. Trade

Tax Court

Veteran's Claims



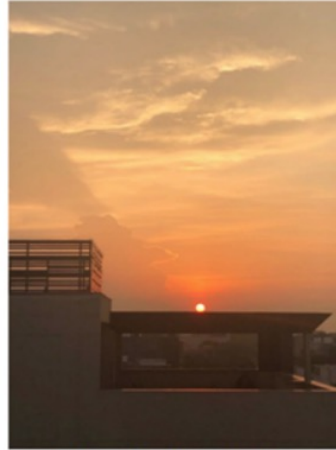
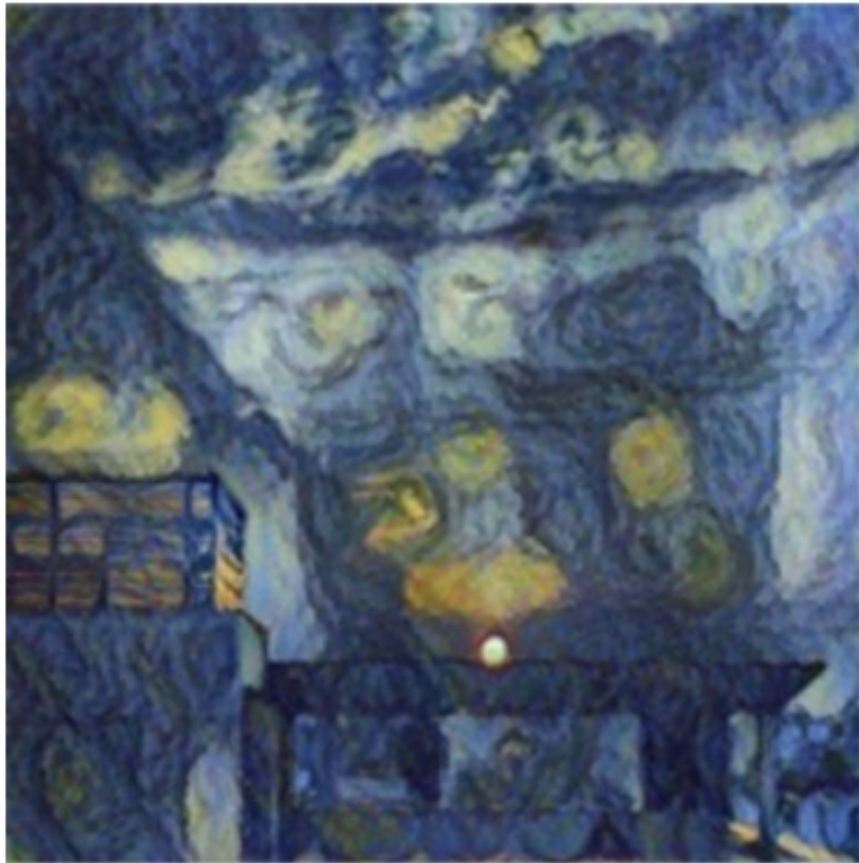
# Jan 23

- Finish reading Section I
- In class –
  - Finish introductions
  - Discuss key principles of democracy
    - What would we miss if we lived in China?
- Recent stuff
  - AI copyright controversies

# Recently ...

- Today – Lawsuit over outright wholesale copying books via AI - (Wired magazine)
- Dec 11 copyright denied painting in style of Starry Night by Van Gogh
- Oct NY Times suit vs OpenAI & MS
  - - LLM (large language models) train on NYT
- July Sarah Silverman case vs AI (training)

# Copyright denied for AI image



Mr. Sahni's Original  
Photograph  
(base image)



Vincent Van Gogh's *The Starry Night*  
(style image)

**“The Work Does Not Contain Sufficient Human Authorship to Qualify for Copyright Protection”** -- December 11, 2023 [decision](#) by the US Copyright Office (L of C) Copyright Review Board

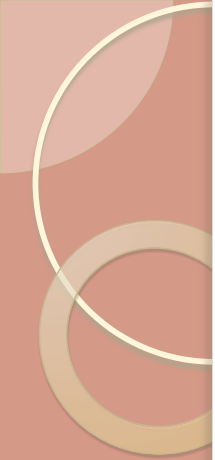
# AI newsroom / Nieman (Harvard)





**Al Gutenberg**







## 4-5. Legal principles

This is a very general introduction to some legal terms and important concepts.

You're probably familiar with many of them, such as the standard (or burden) of proof test in a criminal case ...

# Legal terms & concepts

- **Internal principles** of the law and legal systems, especially equal justice under law, stare decisis, and due process.
- **External issues** involving the interaction between the law and social institutions within a larger context. We may be concerned, for example, with questions such as the “original intent” of the framers of the Constitution, as opposed to the idea of a “living constitution” in which definitions of human rights may expand to meet new social conditions.
- We may also be concerned, as was Justice Anthony Kennedy (in July, 2015), with the reservoir of trust that people place in the courts, and the way that socially challenging decisions like same-sex marriage, flag burning, school prayer and abortion can draw down that reservoir of trust.

# Legal terms & concepts

- **Equal Justice and the Rule of Law** -- This is an ancient concept and one of the most important and hard-fought ideas in human history. The principle is that no one — not even a king — is above the law.
- **Due Process of law** -- Respect for individual rights through legal procedures originated in the Magna Carta of 1215. Due process for all American citizens is the main point of the 14th Amendment.
- **Constitutionality** – The requirement that a law is in harmony with the Constitution.
- **Stare decisis** -- Let the precedent stand. (Respect prior court decisions)

# Legal concepts – Supremacy

- **Federal supremacy** — Federal law is superior to state law: The Supremacy clause in U.S. Constitution (Article 6 ) means that states are bound by the U.S. Constitution, federal law and federal agency regulations.
- **Fourteenth Amendment** (passed in 1868) makes the US Bill of Rights applicable to the states. However, this did not happen all at once. Instead, a gradual process called Constitutional Incorporation took place.



# Legal concepts – Burden of Proof

- In a criminal case, innocence is assumed until guilt **beyond a reasonable doubt** is proven.
- In a civil case, the standard is the **preponderance of evidence**, (51% vs 49%)
- However, in Constitutional cases, there are **strict or intermediate scrutiny** tests to be applied.

# Legal terms & concepts

- **Scrutiny** When courts review laws that curtail free speech, one of the first concerns is to determine the level of scrutiny (or burden of proof test) that will be applied
  - **Content specific – strict scrutiny**
    - A law must a) be necessary; b) advance a compelling government interest; c) harm First Amendment rights as little as possible (least restrictive)
  - **Content neutral – intermediate scrutiny**
    - Law must a) be within power of gov't; b) advance a government interest; c) Unrelated to suppression of free speech; d) narrowly tailored e) leave open alternative options for communication
  - **Routine regulation – rational basis review**

# Intermediate Scrutiny

- **Example: Central Hudson test**
- Four part test for appropriate regulation of advertising:
  - 1) is the product legal?
  - 2) is there a compelling government interest?
  - 3) does the regulation further the interest?
  - 4) is the regulation narrowly tailored?



# Intermediate Scrutiny

- **Example: Central Hudson test**
  - 1) Legal? (Yes, advertising)
  - 2) Compelling government interest? (Yes, save energy)
  - 3) further the interest? (No, not advertising doesn't necessarily mean energy conservation)
  - 4) narrowly tailored? (No, its overly broad; it affects all company speech in one narrow interest)

# Legal terms – Overbreadth

- If a law is vague, or can be selectively administered, it may violate Constitutional rights.
- A good law is not **overly broad**, but rather, is **narrowly tailored** to meet compelling interests.
- *Example: In US v Stevens, 2010, the Supreme Court said that a law banning videos depicting cruelty to animals was overly broad and should have been more narrowly tailored. Although the intent of the law was good, the way the law was written could have led to problems.*

# Legal terms – Forum

- **Public forum –**
  - *Parks, streets, traditional areas for free speech*
  - No content restrictions
  - Limited **time place manner** restrictions
- **Limited purpose public forum**
  - *City council, university lecture halls*
  - Time, place, manner restrictions allowed
  - Need not be least restrictive
- **Non- public forum.**
  - *Military bases, airports, private property*
  - Content based restrictions OK

# Legal terms & concepts

- Certiorari (cert.), — A writ granted by the US Supreme Court agreeing that they will hear a case.
- Diversity jurisdiction — Case where petitioners and respondents are in different states, and the case should be heard in federal court not state court
- Demurrer—The legal equivalent of “so what?” Even if the facts are as stated, the the legal context is not so serious that the case should proceed.
- En banc — More than one judge in an appeals court
- Motion for summary judgement, or motion to dismiss — A pre-trial motion stating that there is so little evidence that there is no point in going on with a trial.
- Petitioner and respondent, or plaintiff and defendant — Parties to the case.
- Opinion — A judge’s findings in a case, as opposed to a verdict. An opinion may uphold or reverse a lower court.
- Venue – Location where case is heard
- Verdict — A jury’s findings in a civil or criminal trial.
- Voir dire— Jury selection



# Legal terms - civil law

Brief, certiorari, concur, demurrer, discovery, dissent, distinguish, ex parte, injunction, interrogatories, motion, opinion, petitioner (plaintiff), quash, remand, reverse, respondent (defendant), subpoena duces tecum, summary judgment, stare decisis, tort, uphold, venue, voir dire



## 6. Course of a lawsuit

We'll follow a hypothetical case to get an idea of procedure and terminology

# The course of a lawsuit



Smith      sues      →      Jones

The initial complaint is called Smith v Jones. It is filed in the office of the clerk of the circuit court and papers are served on the respondent.

Preliminary motions are filed (motion to dismiss, demurrer, change of venue)

Trial date is set, attorneys start discovery process; jury is empaneled (voir dire) and judge instructs jury on law

# The course of a lawsuit 2



## Appeal: Jones sues Smith

Now the suit is called Jones v Smith

Appeals court reads briefs, hears oral arguments, Jones wins, appeals court decides to remand to lower court

But Smith appeals to the Supreme Court



# The course of a lawsuit 3



## Appeal: Smith sues Jones

Now the suit is called Smith v Jones again

The Supreme Court grants certiorari, reads the briefs, hears oral arguments, and later issues an opinion in the case.

Jones wins again. Smith has nowhere else to go.

There are several dissenting opinions issued by judges who think Smith should have won. But Smith v Jones is now an established precedent.



## 7. Jurisprudence

What do we think that the law should do?

*Normative, rather than descriptive, approach to law*

**Jurisprudence** is the broad term for the history, theory and philosophy of law. It is where questions about the purpose of law are addressed.

Used in a sentence, you might say that the a certain decision was important in First Amendment jurisprudence, or that a lawyer's grasp of jurisprudence was legendary.

# Examples of issues in Jurisprudence

- Should the government regulate political speech (and money) in elections, or should anyone be allowed to participate in any way they like? Is spending money in itself a form of free speech?
- Should the law protect national symbols (eg, the American flag), or should the law protect a deeper principle in protecting the right to burn a flag?
- Should the law protect the reputations of public people, or should the law protect the ability to criticize public people? And who is public?
- Should the law boost civic virtue (and how can we be sure what that is), or should the law facilitate individualism (and what limits, if any, should there be)?
- Should the law enhance copyright protections or should it enlarge the public domain?
- How do we measure the equity and effectiveness of the law?

# 1<sup>st</sup> Amendment Jurisprudence

- Debate about freedom of religion, press, speech, assembly and petition is constant constant in most civilizations. We'll look at this in [Section 2](#) (history).
- In the US, the underlying theory of a federal First Amendment law doesn't start to take shape until the 1920s, as part of the Constitutional incorporation process of the US Bill of Rights ( the first ten amendments to the US Constitution).
  - Incorporation was the process under which state law was subordinated to federal law after the US Civil War.
- First Amendment jurisprudence (religion, press, free speech, etc.) involved state laws until the World War I era.
- Remember, "Congress shall make no law..." didn't mean that state legislatures could not make law, at least, before the incorporation process.

# 1<sup>st</sup> Amendment Theories

- **Balancing — Zechariah Chafee** wrote his foundational book **Freedom of Speech** (1920) in the context of the WWI Seditious Act, the anti-Red “Palmer Raids” by the attorney general and especially the **Schenck v US** ‘clear and present danger’ decision of 1919, which he found ill-advised.

# 1<sup>st</sup> Amendment Theories

- **Absolute protection for free speech**  
— Alexander Meiklejohn argued that nothing is more important to a democracy than freedom of speech. For example, see Free Speech and its Relation to Self-Government, 1948.

# 1<sup>st</sup> Amendment Theories

- **Libertarianism — Action vs Expression — Thomas I. Emerson** The underlying theory of the First Amendment should distinguish between action and expression. Also, freedom of expression includes the right to form and hold beliefs on any subject and to communicate those beliefs to others by whatever medium, along with the right to hear the opinions of others, and the right to inquire, to have reasonable freedom of access to information

# 1<sup>st</sup> Amendment Theories

- **Context — Franklyn S. Haiman** –  
Trying to distinguish between expression and action causes more harm than good, Haiman argues. All expression and action is in effect communication. It's the context, the potential for harm, that the law has to consider.



# 1<sup>st</sup> Amendment Theories

- **Social Justice — Robert W. McChesney —**  
**The New Theology of the First**  
**Amendment, Monthly Review, March 1, 1998.** —  
McChesney discusses freedom of speech in the context of corporate and commercial intrusion on political speech issues.
- If the rights to be protected by the First Amendment can only be effectively employed by a fraction of the citizenry, and their exercise of these rights gives them undue political power and undermines the ability of the balance of the citizenry to exercise the same rights and/or other constitutional rights, then it is not necessarily legitimately protected by the First Amendment.”

# 1<sup>st</sup> Amendment Theories

- “Code” versus law — Lawrence Lessig Digital media is already balanced between the a) code of laws written by elected officials and, b) the computer code written by digital media companies who structure the media experience.
- Individuals (pathetic dots) are regulated by four forces: the law, social norms, the market, and architecture (technical infrastructure).

# 1<sup>st</sup> Amendment Theories

- **Human Dignity law**
  - The marketplace of ideas is broken. It cannot correct false, harmful and hateful speech due, in part, to the complexities of new media.
  - Karl Popper's Paradox of Tolerance – A society can be too tolerant. It can open the door to its own destruction by being overly tolerant to destructive ideas.



# Jurisprudence and Constitutional interpretation

1. Originalist (very conservative)
2. Literalist (conservative)
3. Modernist (liberal)
4. Instrumentalist (very liberal)



# Jurisprudence and Constitutional interpretation I

- **Originalist / Original Intent**
- Interpret the Constitution to mean what the framers intended it to mean at the time. The Constitution is a legal document, they argue. It's a contract. Originalists often refer to the Federalist Papers and other contemporary writings to understand the original meaning of the Constitution. (Antonin Scalia and Clarence Thomas)



# Jurisprudence and Constitutional interpretation 2

## **Literalist / Strict Constructionist**

- Strict constructionists read the law according to the literal definitions of the words involved. They do not try to infer the Framers' intent behind the words, but stick to the meanings of the actual words used.

( John Roberts, William Rehnquist)



# Jurisprudence and Constitutional interpretation 3

- **Modernist / Living Constitution**

The Constitution is a "living" document. As civilization changes, the Constitution may also need to change with times. The Framers had no ability to foresee the needs of the future. Judges have the responsibility to "fill in the gaps." Courts may strike down laws that restrict fundamental human rights.



# Jurisprudence and Constitutional interpretation 4

- **Instrumentalist / Living Constitution**

Apply the Constitution in the way that is most practical for contemporary society, regardless of the original intent of the document or strict definitions of its words.

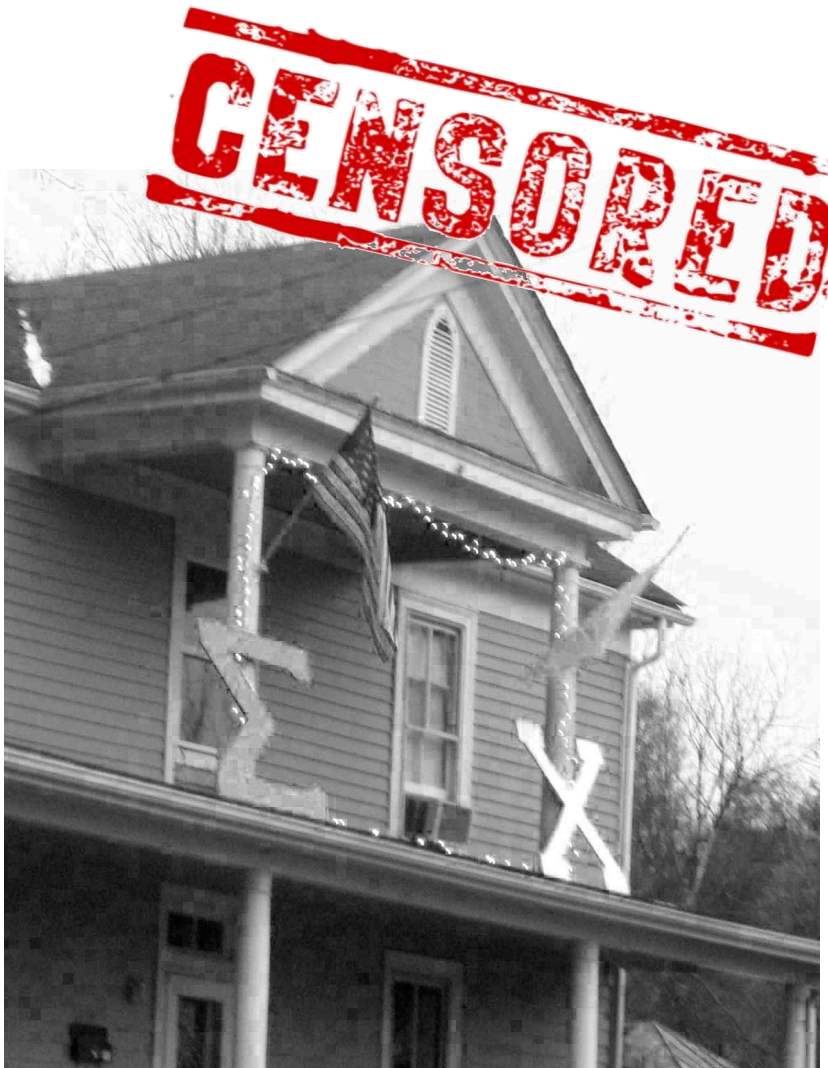
(John Paul Stevens, David Hackett Souter, Ruth Bader Ginsburg and Stephen Breyer)



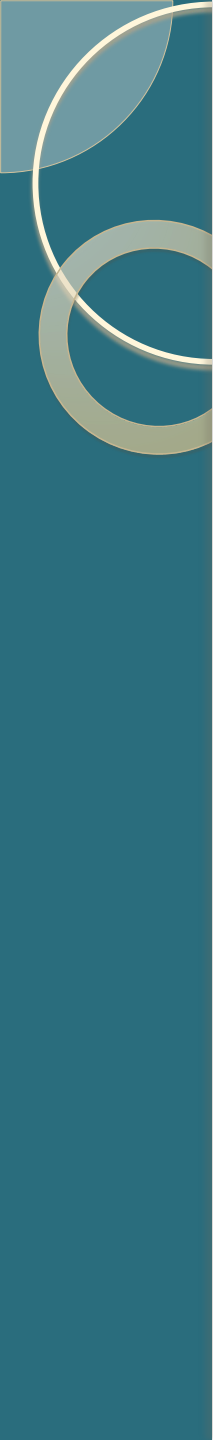


- Review:
  - Six components of 1<sup>st</sup> Amendment
  - Five sources of law
  - Federal / state court system
  - Standards of evidence
    - Criminal – guilt beyond \_\_\_\_\_ ?
    - Civil – preponderance of \_\_\_\_\_ ?
    - Constitutional – strict \_\_\_\_\_ ?
  - Legal terms & concepts
    -

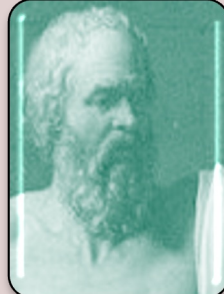
# Radford vs Lexington



See [ruspeechless.com](http://ruspeechless.com)



# Comm Law & Ethics Course Map



## 1 Intro

First Amendment

Structure of the Court System

Jurisprudence

## 2 History

Enlightenment

Bill of Rights

3 Censorship  
Prior Restraint

Hate speech

Obscenity

## 4 Libel & Defamation

5 Privacy & surveillance

Right to be forgotten

## 6 Ethics

virtue, duty, consequence, justice & bioethics

Ethics in the professions

Social responsibility

## Professional Comm & Law

7 Ad-PR  
FTC

8 Radio TV  
FCC

9 News,  
FOIA

## 10 Digital media

Antitrust law

11 Copyright

12 Int'l media law

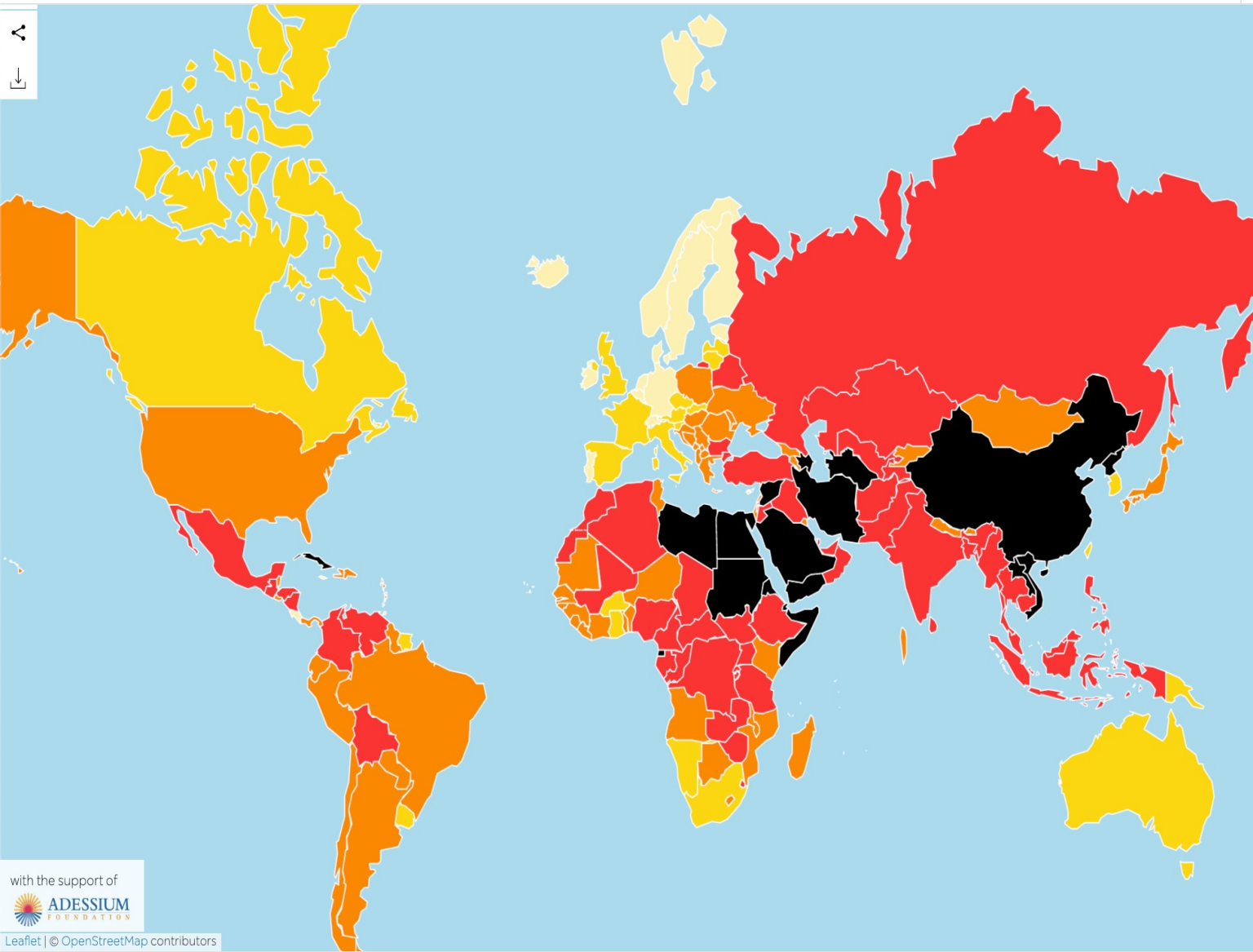
## Court cases

Laws & treaties

Legal research

Writing a brief

Moot Court



<b>1</b>	Norway	782
<b>2</b>	Finland	790
<b>3</b>	Sweden	831
<b>4</b>	Netherlands	863
<b>5</b>	Denmark	987
<b>6</b>	Switzerland	1052
<b>7</b>	New Zealand	1075
<b>8</b>	Jamaica	1113
<b>9</b>	Belgium	1207
<b>10</b>	Costa Rica	1224
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