COURSE DESCRIPTION AND PURPOSE

In accordance to the official catalog description, this course provides “an in-depth examination of legal and ethical issues confronting professional communicators. Focus on the responsibilities and rights of communicators and the implications for a society in the 21st century” are also center pieces of its overall content.

The class pays special attention to the history or evolution and the contemporary challenges of communication regulation in the United States. Thus, it offers basic lessons on significant legal topics, such as, speech and press freedoms in times of numerous national security, defamation, obscenity, and privacy restrictions at federal, state, and local levels. Intellectual property, access, administrative (licensing), and major international regulatory media constraints will also be discussed. These policies will be studied in connection to ethical approaches applicable to the news and entertainment media. Lectures and class exchanges will provide contextual and critical perspectives in every major topic.

Specific learning objectives are:
1. Demonstrate a fundamental understanding of the origins, development, status, and implications of communication law and ethics in the United States, with emphasis on traditional media vis-à-vis online platforms;

2. Demonstrate basic knowledge and understanding of major legal limitations when exercising the right to freedom of expression in the United States and, when relevant, abroad. Students will learn about basic differences between the Anglo-American Law and other legal systems coexisting worldwide (e.g. the Civil Law, the Indigenous Customary Law, and others);

3. Students will show a fundamental knowledge and appreciation of the Inter American communication and its human rights system;

4. Demonstrate knowledge of global First Amendment theories and other communication approaches at constitutional levels;

5. Demonstrate critical-thinking abilities across all subject matters.

When possible, cross-country comparisons will be made. This course also encourages professional and academic perspectives to media policy, as well as both creative and intercultural approaches and solutions. It emphasizes legal concepts of practical importance for future career use. Lectures and class discussions will address ethnic, gender, and socioeconomic issues in media law.

**COURSE PREREQUISITES/ENROLLMENT REQUIREMENTS**
Fully Online Program students may not enroll in this class section.

**COURSE FORMAT AND RULES**

MMC 4200 is a seminar-type of class, combining lectures, student participation and presentations, written exercises, and class discussions on assigned readings, videos or online materials.

Active and informed participation is expected from every student (e.g. oral summaries). Participation is critical in this course and will be assessed according to the quality and accuracy of student comments/responses to assigned topics or discussions. THIS IS A FAIRLY HEAVY READING COURSE, going beyond book chapters. Remember, your book is simply a basic guide. Expect additional reading assignments in class, such as, reviews of websites and articles, current news, scholarly reports, and online commentaries. I invite you to check the news every day and look for regulatory and media policy issues. Readings not always overlap with class lectures.
Although strictly speaking, MMC 4200 is not a writing-skills class, we will have mid-semester and final written assignments. A reasonable quality of careful writing is thus expected. These class projects will be explained in separate communications.

COURSE ASSESSMENT

A pre/test, post/test written evaluation for accreditation and overall assessment purposes will be conducted at the beginning and end of this semester (a semantic differential scale plus open-ended questions). This test has no bearing on the final grade.

It is customary for accreditation entities to periodically visit campuses and evaluate student learning and school performance. And every time, appointed visitors come with various criteria to carry out such an evaluation (so-called competencies), including knowledge of history, communication law and ethics, global media, theories of communication, audience effects, research methods, and media technology, among other subject matters. With special focus on policy and media technology, this course also calls upon other topics with an interdisciplinary spirit, including basic lessons on communication theory, a subject often ignored, underestimated, or misunderstood by journalists in their reports.

TEXTBOOK AND SUGGESTED READING


*Again, this is a basic book.* For more thorough presentations, please consult other textbooks available in our Hubert or Law Library General Collection. To locate them go to [http://law.fiu.edu/library/](http://law.fiu.edu/library/). Type, for instance, communication law in any law library online to find related and relevant sources. I strongly encourage you to browse those titles.

Legal cases, available in the Internet, will be added to your textbook reading. Consult [www.findlaw.com](http://www.findlaw.com) (go to the legal professional site—upper right corner) or any other online, public, or private database to locate your cases. Cornell University Law School’s Legal Information Institute (LII) website is also user-friendly and useful. Go to [http://www.law.cornell.edu/](http://www.law.cornell.edu/)

Make sure you read full and reliable versions of assigned cases.
GRADING/EVALUATION

Two exams are scheduled below. **THERE WILL BE NO MAKE-UP TESTS**, I repeat, NO MAKE-UP EXAMS. If you have a compelling situation, contact me **AS SOON AS POSSIBLE**. Please **DO NOT** ask for extra-credit.

Grading Items

Mid-Semester Exam ...................... 20%
Mid-Semester Project …………….. 15%
Class Participation ........................ 35%
Final Project ......................... 30%

100%

Grade Scale:

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<th>Grade</th>
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<tr>
<td>A</td>
<td>95-100</td>
<td>C+</td>
<td>77-79</td>
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<tr>
<td>A-</td>
<td>90-94</td>
<td>C</td>
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<td>B+</td>
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ATTENDANCE POLICY

You cannot participate if you do not come to class. Regular attendance and active participation will be a deciding factor in the final grade. Frequent tardiness will also be a sign of poor performance. The more classes you miss, the more your participation grade suffers. For example, three (3) unexcused absences will automatically lower your final score one whole letter-grade (e.g. from B to C). Only university-approved reasons will be accepted as student absences. I will be particularly strict in checking excuses. Please make sure personal commitments (travel before holidays, routine medical appointments, family visits, etc.) do not conflict with this class, especially when there is an exam or a scheduled assignment.

HONOR CODE AND PLAGIARISM

Students enrolled in this course are expected to abide by Florida International University’s Honor Code. As FIU students, you are expected to strictly follow the honor
code regarding academic honesty. Our University outlines your responsibilities as follows:

Florida International University is a community dedicated to generating and imparting knowledge through excellent teaching and research, the rigorous and respectful exchange of ideas and community service. All students should respect the right of others to have an equitable opportunity to learn and honestly to demonstrate the quality of their learning. Therefore, all students are expected to adhere to a standard of academic conduct, which demonstrates respect for themselves, their fellow students, and the educational mission of the University. All students are deemed by the University to understand that if they are found responsible for academic misconduct, they will be subject to the Academic Misconduct procedures and sanctions, as outlined in the Student Handbook.

Misconduct includes:

Plagiarism – The taking of someone else’s ideas or means of expression and passing them off as your own efforts. For more information on this form of intellectual or academic fraud, please read “What You Need to Read About Plagiarism” by Steven M. Richman, The New Jersey State Bar Foundation, 2007 (http://www.njsbf.org/images/content/1/1/11085/Plagiarism07_final.pdf).

Cheating – The unauthorized use of books, notes, aids, electronic sources; or assistance from another person with respect to examinations, course assignments, field service reports, class recitations; or the unauthorized possession of examination papers or course materials, whether originally authorized or not. Plagiarism – The use and appropriation of another’s work without any indication of the source and the representation of such work as the student’s own. Any student who fails to give credit for ideas, expressions or materials taken from another source, including internet sources, is responsible for plagiarism.

Simply stated, academic dishonesty will not be tolerated.

Any students who fail to meet these expectations will receive an “F” for the course grade and will be reported to the Chair of the Department, as well as the Dean of the School.

**COURSE OUTLINE**

1/10  Introduction
Exceptions to Freedom of Expression
1/12  Freedom of Speech and the U.S. Legal System  
Read: Ch. 1 (F&T)

1/17  The Global History of Freedom of Expression  
Read: Ch. 2 (F&T)

1/19  The National Security Challenge: Hate Speech  
Read: Chs. 5 & 6 (F&T)

1/24  The National Security Challenge: Constitutional Theories  
Read: Ch. 3 (F&T). Cases. Online Reading.

1/26  The National Security Challenge in an Age of Terrorism  
Read: Ch. 4 (F&T)

1/31  Civil versus Criminal Defamation.  
Read: Cases. Online Reading.

2/2  Defamation of Character: Elements  
Read: Ch. 7 (F&T)

2/7  Defamation of Character: Defenses  
Read: Cases. Online Reading.

2/9  Licensing  
Read: Ch. 11 (F&T)

2/14  Another Public Interest Exception: Illegal Advertising  
Read: Cases. Online Reading.

2/16  Mid-Semester Exam

2/21  Obscenity Standards  
Read: Ch. 8 (F&T)

2/23  Indecency Regulation  
Read: Cases. Online Reading.

2/28  The State of Privacy Law  
Read: Ch. 12 (F&T)

3/2  The Privacy Debate  
Read: Cases. Online Reading.

3/7  Intellectual Property Exceptions
Read: Ch. 14 (F&T)

3/9  Copyright Law and its Practical Implications
Read: Cases. Online Reading.

3/14-3/16  No Class (Spring Break)

3/21  The Comprehensive Right of Access
Read: Ch. 13 (F&T)

3/23  International Perspectives: UN Instruments
Read: Ch. 15 (F&T)

3/28  International Perspectives: The Inter-American System
Read: Treaties and Declarations. Online Reading.

3/30  Marketplace Regulation: Antimonopoly laws
Read: Cases. Online Reading.

4/4  Marketplace Ethics: Conflict of Interests
Read: Cases. Online Reading.

4/6  Social Ethics: Philosophical Schools
Read: Cases. Online Reading.

4/11  Virtue Ethics
Read: Cases. Online Reading.

4/13  Kantian Ethics: The Categorical Imperative
Read: Cases. Online Reading.

4/18  The Utilitarian Approach
Read: Cases. Online Reading.

4/20  Modern Ethics
Read: Cases. Online Reading.

4/25  Final Exam at 5:00 p.m.
DEAR STUDENTS,

PLEASE SIGN THE FOLLOWING FORM.

I HAVE READ AND UNDERSTOOD THE SYLLABUS FOR MMC 4936 (COMPARATIVE MEDIA LAW AND ETHICS) AND I WILL FOLLOW THE INSTRUCTIONS AND RULES ESTABLISHED BY THE PROFESSOR AND THE MASTER’S PROGRAM.

Name: _________________________________ Date: ______
PID: _________________________________

Signature: