

Freedom of Expression and Information

in the Time of Globalization: Foundational Course

Description

This course will examine the norms, institutions and forces that altogether have founded a **global** system of protection for freedom of expression and information. In 1948, the Universal Declaration of Human Rights (UDHR) was promulgated, defining freedom of expression as the right “*to seek, receive and impart information and ideas through any media and regardless of frontiers.*” The technology revolution of the last two decades has given the world the means to realize this commitment. Technology has shaped, reshaped, and radically transformed the production and distribution of information, profoundly impacting whole societies and greatly influencing, if not defining, information and communication. However, as the course will demonstrate, the foundation of a global protection of freedom of protection and information largely predates the IT revolution of the last decade. This course will present and analyse the global norms that have emerged over time to enshrine the protection of freedom of expression and information, across and above national and regional differences.

It is to be followed by an Advanced Course which will focus on the complex, and often awkward, interplay of global information flows with national jurisdiction and state sovereignty, and what it means for the realization of a borderless vision for the right to freedom of expression.

The **Foundational Course** will include four main segments. It will first survey the thinking of 19th century and contemporary political theorists, Judges in the early years of the twentieth century, and economists to discover why freedom of expression and information matters, and the values and principles that are established through free speech. The second will review the emergence of an international system of protection for freedom of expression, including the international and regional institutions and standards, and the role of international courts. The third and fourth class will focus on the scope of freedom of expression and on its legitimate limits. We will provide answer two key questions: What kind of speech is protected under international standards? What kind of speech may be restricted by Governments and how can it be legally restricted?

Students enrolling for the Foundational Course will learn:

1. The principles and values behind the protection of freedom of expression and information
2. The international standards and legal tests governing freedom of expression and how courts around the world have implemented them
3. The extent and limits to freedom of expression, particularly as applied to political speech, the media, and information held by governments.

Course Format

The four-week course is comprised of videotaped lectures (4 to 7 each week) between 8 and 12 minutes each in length. Dr. Agnes Callamard, the director of Columbia Global Freedom of Expression and an eminent expert and advocate for human rights and freedom of expression, will deliver the lectures. Supplementary lectures by international experts will provide additional information on topics addressed by the main lectures or additional issues which could not be included in the core course. Students will be actively invited to consult the supplementary videos to strengthen their knowledge. Weekly readings will be assigned from classic philosophical works on the concept of freedom of expression, key texts of international human rights law, significant decisions of international and national courts, as well as relevant

news stories and video clips. The course will provide access to case analyses from Columbia University Global Case Law Database to illustrate the issues as well as for course assignments. Most readings will be freely available on the Internet.

Weekly Format

- **Introduction:** brief written overview with bullet points of what the objectives and tasks are for the week.
- **Video Lectures**
 - Related Readings
 - One question quiz for each video segment
- **Supplementary Videos – experts from around the world will add to and comment on the lessons of the week**
- **Supplementary Readings or Case Studies**
- **Online Forum:** Each week a question or problem related to the issues covered in the lectures, readings or case studies will be posted for students to comment on.
- **Weekly Wrap-up:** Summary of key points from the week’s lesson.
- **Weekly Quiz (10 questions)**

Course Activities and Tools

- **Online Forum**
 - Each week questions relating to that week’s content will be posted for students to comment on.
- **Global Map**
 - There will be a map of the world where student will be encouraged to post information each week on important freedom of expression related events, issues or court cases. This could also count towards their participation.
- **Wiki**
 - Students can create their own web pages where they can post blogs or other commentaries. The wiki could also be used as a graded assignment as part of the final assessment. A final project could be added where students would be asked to write a long blog post taking a position and analyzing a current issue. They could draw on the international legal instruments reviewed in the course as well as the cases analyses from our database.
 - We will post on the Wiki resources for additional research such as links to online databases, International Organizations, and other supplementary online materials.
- **Q & A Sessions:** Live question and answer sessions will be scheduled with Dr. Callamard and possibly some of our experts to answer questions relating to specific issue areas. These will be taped and posted online for future viewing.
- **Weekly Progress Chart:** This will allow students to view what assignments they have completed and how they have scored on the various quizzes so they understand how they are being assessed.
- **Assessment**

Participation	20%	Students will receive points for participating in the online forum each week and posting on their Wiki page.
Weekly Quizzes	60% (10% x 6 weeks)	Each video lecture will be followed by a one question quiz and each week will conclude with a short 10 question quiz covering the content from that week.

Final Exam	20%	The course will conclude with a 20 questions quiz covering all the themes from the course.
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COURSE OUTLINE

WEEK ONE: MAKING A CASE FOR FREEDOM OF EXPRESSION: VALUES

In this first class, we will discover why freedom of expression and information matters, and the values and principles that are established through free speech. For this exploration, we will survey the liberal paradigm on free speech, including the thinking of philosophers of 19th century Europe, Judges of the US Supreme Court in the early years of the twentieth century, contemporary political theorists, and the work of economists. We will link these theoretical and philosophical arguments to more recent positions on freedom of expression and information adopted by Governments, Courts and Civil Society Organisations, demonstrating the constant relevance and importance of the values and principles first debated several centuries ago, their timeliness and borderless nature.

1. Introduction and Overview of the Class

Video (5 min): Dr. Agnes Callamard introduces the broad themes for the class

Reading: Thomas Emerson, “Towards a general theory of the first amendment”, *Yale Law School Faculty Scholarship*, 1963, Section I, pp.977-886

http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=3769&context=fss_papers

2. Why Freedom of Expression matters: The search for truth

Video: Dr. Callamard

Readings:

John Stuart Mill, *On Liberty* (1859), Chapter Two, 3 ed., (London: Longman, Green, Longman Roberts & Green, 1864), accessed 19 September 2016, Gutenberg.org,

<http://www.gutenberg.org/files/34901/34901-h/34901-h.htm>

Holmes J., *Abrams v. US* (dissenting opinion), *250 US 616, 630-1 (1919)*

Vincent Blasi, “Free Speech and Good character: From Milton to Brandeis to the Present”, in *Eternally Vigilant: Free Speech in the Modern Era*, ed. Lee C. Bollinger and Geoffrey R. Stone (Chicago: The University of Chicago Press, 2002) pp.60-72

Quiz

3. Why Freedom of Expression matters: Self-Development and Tolerance

Video: Dr. Callamard (8 mns)

Readings:

Interview of Lee Bollinger, Video, June 2016

Lee Bollinger, *the Tolerant Society* (Oxford: Oxford University Press, 1986), pp.237-248

Delhi High Court, [Murugan v Tamil](#), CRL. REVISION PETITION NO.114/2007, May 2008, Par.113-116, <http://www.outlookindia.com/website/story/there-should-be-freedom-for-the-thought-we-hate/237391>

Quiz

4. Why Freedom of Expression matters: democracy and development

Video: Dr. Callamard (12 mns)

Readings:

Lee Bollinger, *the Tolerant Society*, pp 23-28

US Supreme Court decision *Whitney v. California*, 274 U.S. 357 (1927) (sections 375-378).

Amartya Sen, “Democracy as a Universal Value”, *Journal of Democracy* 10, No.3 (1999) 3-17

<http://homes.ieu.edu.tr/~ibagdadi/INT230/Amartya%20Sen%20-%20Democracy%20as%20a%20Universal%20Value.pdfFree>
Quiz

Supplementary Readings and Materials:

John Milton, *Areopagitica, A Speech of Mr. John Milton for the Liberty of Unlicenced Printing to the Parliament of England* (1 ed.) (London, 1644), accessed on 19 September 2016, archives.org
<https://archive.org/details/areopagitica00miltuoft>

Karl Marx, “On Freedom of the Press: Censorship”, *Rheinische Zeitung*, May 15, 1842, accessed 19 September 2016, <http://marxists.catbull.com/archive/marx/works/1842/free-press/ch05.htm>
Alexander Meiklejohn, *Free Speech and its Relation to Self-Government, 1948* (Harper, 1948) accessed on 19 September 2016

Jeremy Bentham, [Liberty of the Press and Public Discussion](#) (Letters), (1843), accessed on 19 September 2016

Lee C. Bollinger and Geoffrey R. Stone, *Eternally Vigilant: Free Speech in the Modern Era* (Chicago: University of Chicago Press, 2002)

ECTHR, *Handyside v. United Kingdom*, Application No. 5493/72 (1976).

South African Supreme Court of Appeal, *Hoho v. The State*, Case No. 493/05 (2008)

Amartya Sen, *Democracy as Freedom* (Anchor, 1999)

Rodney Smolla, “Speech Overview” *First Amendment Center*, October 23 2002, accessed 19 September 2016 <http://www.firstamendmentcenter.org/speech-overview>

ARTICLE 19, *A Healthy Knowledge: The Right to Information and the Right to Health* (London: ARTICLE 19, 2012) accessed on 19 September 2016

<https://www.article19.org/data/files/medialibrary/3452/12-09-12-POLICY-right-to-health-WEB.pdf>;

ARTICLE 19, *Humanitarian Disasters and information Rights* (London: ARTICLE 19 2005)

accessed on 19 September 2016 <https://www.article19.org/data/files/medialibrary/318/freedom-of-information-humanitarian-disasters.pdf>

On the importance of a free press to democracy:

European Court of Human Rights, *Lingens v. Austria*, 8 July 1986, accessed on 19 September 2016:

[http://hudoc.echr.coe.int/eng#{"fulltext":\["lingens"\],"documentcollectionid2":\["GRANDCHAMBER"\],"CHAMBER":\["CHAMBER"\],"itemid":\["001-57523"\]}](http://hudoc.echr.coe.int/eng#{)

European Court for Human Rights, *Castells v. Spain*, April 23 1992, accessed on 19 September 2016: <https://globalfreedomofexpression.columbia.edu/cases/castells-v-spain/>

Online Forum

- Weekly Question Posted

Weekly Wrap-up: Summary of key points from the week’s lesson.

Weekly Quiz (10 questions)

WEEK TWO: INTERNATIONAL NORMS ON FREEDOM OF EXPRESSION

This class will introduce and analyze the emergence of an international system of protection for freedom of expression, including binding international or regional standards, and their corresponding instruments of accountability, primarily Courts. The Class will also consider a national system of protection, that of the United States, because of the normative influence of the first amendment, beyond its borders. The class will

highlight the many commonalities between the various regional approaches to the protection of freedom of expression, contributing to founding global norms.

1. Introduction and Overview

Video: Dr. Callamard

2. Post WW2, the Universal Declaration of Human Rights and freedom of expression and Information

Video: Agnes Callamard (10 mns)

Readings:

[Universal Declaration of Human Rights, 1948](#)

1946, Resolution 59(I) on Freedom of Information, UN General Assembly

3. Article 19 of the International Covenant on Civil and Political Rights

Video: Agnes Callamard (10 mns)

Readings:

[International Covenant for Civil and Political Rights, 1967](#)

Website, 50th anniversary of the Human Rights Covenants, About the Covenants, United Nations:

<http://2covenants.ohchr.org>,

http://legal.un.org/avl/pdf/ha/iccpr/iccpr_e.pdf

4. The European Convention and Freedom of Expression (article 10)

Video: Agnes Callamard (10 mns)

Readings:

Video of Dirk Voorhoof, produced for Columbia Global Freedom of Expression MOOC on “Freedom of Expression in the Age of Globalization”, May 2016

European Convention on Human Rights, 1953

http://www.echr.coe.int/Documents/Convention_ENG.pdf

Dirk Voorhoof, *The Right to Freedom of Expression and Information under the European Human Rights System: Towards a more Transparent Democratic Society* (EUI RSCAS; Centre for Media Pluralism and Media Freedom, 2014/12) accessed on 19 September 2016 <http://diana-n.iue.it:8080/handle/1814/29871>

5. The Inter-American Convention on Human Rights and Freedom of Expression (article 13)

Video: Agnes Callamard (10 mns)

Readings:

Video of Catalina Botero, produced for Columbia Global Freedom of Expression MOOC on “Freedom of Expression in the Age of Globalization”, August 2016

American Convention on Human Rights, Organization of American States, 1969

<http://www.cidh.org/basicos/english/Basic3.American%20Convention.htm>

Inter-American Commission, Advisory Opinion OC-5, 13 November 1985, pp.1-24; accessed on 19 September 2016 http://corteidh.or.cr/docs/opiniones/seriea_05_ing.pdf

6. The African Convention of Human and People’s Rights

Video: Agnes Callamard (10 mns)

Readings:

Video of Nani Jansen, produced for Columbia Global Freedom of Expression MOOC on “Freedom of Expression in the Age of Globalization”, July 2016

African Charter on Human and Peoples Rights, Organization of African Unity, 1979

<http://www.achpr.org/instruments/achpr/>

African Commission on Human and People’s Rights, *Declaration of Principles on Freedom of Expression in Africa*, October 2002, accessed on 19 September 2016

<http://hrlibrary.umn.edu/achpr/expressionfreedomdec.html>

Agnes Callamard, “Accountability, Transparency, and Freedom of Expression in Africa” in *Social Research* Vol. 77, No.4, (Winter 2012): pp 1211-1240

7. The US first amendment

Video: Interview of Lee Bollinger, produced for Columbia Global Freedom of Expression MOOC on “Freedom of Expression in the Age of Globalization”, June 2016

Readings:

Lee C. Bollinger and Geoffrey R. Stone, *Eternally Vigilant* (Chicago, University of Chicago Press, 2002) pp.1-31;

8. Conclusion

Video: Agnes Callamard

Readings:

League of Arab States, Arab Charter on Human Rights, 2004, accessed on 19 September 2016

<https://globalfreedomofexpression.columbia.edu/law-standards-2/league-of-arab-states/>

Association of Southeast Asian Nations, ASEAN Declaration on Human Rights, 2012, accessed

on 19 September 2016 [http://www.asean.org/wp-](http://www.asean.org/wp-content/uploads/images/resources/ASEAN%20Publication/2013%20(7.%20Jul)%20-%20ASEAN%20Human%20Rights%20Declaration%20(AHRD)%20and%20Its%20Translation.pdf)

[content/uploads/images/resources/ASEAN%20Publication/2013%20\(7.%20Jul\)%20-%20ASEAN%20Human%20Rights%20Declaration%20\(AHRD\)%20and%20Its%20Translation.pdf](http://www.asean.org/wp-content/uploads/images/resources/ASEAN%20Publication/2013%20(7.%20Jul)%20-%20ASEAN%20Human%20Rights%20Declaration%20(AHRD)%20and%20Its%20Translation.pdf)

Supplementary Readings and Materials:

- Jack Donnelly, *International Human rights in Theory and Practice* (Cornell University Press, 2d edition, 2003) chapters 2 and 8.
- Steven Jensen, *The Making of International Human Rights: the 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge University Press, 2016) Chapters 1 and 2
- Stephen Hopgood, *The Endtimes of Human Rights* (Cornell University press, 2013)
- Stone, Seidman, et al. *Constitutional Law*, Seventh Edition, ISBN 9781454817574, pp. 1027-1048
- Jack Snyder and Karen Ballentine, “Nationalism and the Marketplace of Ideas,” *International Security* Vol. 21, No.2, 1996, pp.5-40, <http://www.la.utexas.edu/users/chenry/core/Course%20Materials/SnyderNat1996/0.pdf>
- D. VOORHOOF, Freedom of Expression, “Media and Journalism under the European Human Rights System: Characteristics, Developments, and Challenges,” in *Free Speech and Censorship Around the Globe*, edited by P. MOLNÁR (Central European University Press, Budapest – New York, 2016) <http://www.ceupress.com/books/html/FreeSpeechAndCensorship.htm>
- Website, 50th anniversary of the Human Rights Covenants, United Nations: <http://2covenants.ohchr.org>
- Website, African Commission, Special Rapporteur on Freedom of Expression and Access to Information, <http://www.achpr.org/mechanisms/freedom-of-expression/>
- Website, Office of the Special Rapporteur on Freedom of Expression, Organisation of American States, <http://www.oas.org/en/iachr/expression/index.asp>

Online Forum

- Weekly Question Posted

Weekly Wrap-up: Summary of key points from the week’s lesson.

Weekly Quiz (10 questions)

WEEK THREE: LEGITIMATE RESTRICTIONS TO FREEDOM OF EXPRESSION

Freedom of restriction is not an absolute right. It may be restricted under international human rights law. This class will review the legal and legitimate restrictions to freedom of expression under international standards. It will first discuss the meaning and application of the three-part test which guide many courts around the world in determining whether state-imposed restrictions to freedom of expression are legitimate or not.

1. Introduction and Overview

Video: Dr. Callamard

2. The scope of Article 19 and its regional equivalents

This first segment will introduce the overall scope of freedom of expression, as laid out by Article 19 of the ICCPR and the regional conventions.

Video: Agnes Callamard

Readings:

Human Rights Committee, *General Comment 34*, CCPR/C/GC/34, (Geneva: 11-29 July 2011), Paragraphs 1-20, accessed on 19 July 2016;

<http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

3. The Three Part Test: Legality

This and the next video will present the *three-part test*, guiding the determination of whether restrictions to freedom of expression are legitimate, namely: legality, valid grounds and necessity and proportionality.

Video: Agnes Callamard

Readings:

Human Rights Committee, *General Comment 34*, Par.21-27;

<http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

Cengiz and Others v. Turkey, No. 48226/10 and 14027/11, ECHR 2015

4. The Three Part Test: Valid Grounds

Video: Agnes Callamard

Readings:

HRC General Comment 34, Par.28-32 <http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

Svetik v. Belarus, No. 927/2000, UN Human Rights Committee, 2004,

<http://hrlibrary.umn.edu/undocs/html/927-2000.html>

5. The Three Part Test: Necessary

Video: Agnes Callamard

Readings:

Human Rights Committee, *General Comment 34*, Par.33-49

<http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

Zeljko Bodrožić v. Serbia and Montenegro, No. 1180/2003, Human Rights Committee, 2003

Quiz

WEEK FOUR: SCOPE OF FREEDOM OF EXPRESSION

During Week Four, we will focus on the nature of the right to freedom of expression as applied to specific issue or medium, including: political speech, the written press, broadcasting, and information held by the Government. This thematic survey will demonstrate the existence of a range of standards that are largely enshrined in regional practices. At national level, however, there remain countries that do not follow the practices adopted in others. Each segment will seek to identify some of the places that are particularly lagging behind in fulfilling what have become largely global standards.

Segments

1. Introduction and Overview

Video: Dr. Callamard

2. Political Speech

International human rights law provides for particularly high level of protection to political speech. This video will explore why and what it means in practice.

Video: Agnes Callamard

Readings:

UN HRC, *General Comment 34, CCPR/C/GC/34*, Par. 11,

Columbia Global Freedom of Expression, *Bahrain: A Legal Analysis of the Legitimacy of the Charges Against Maytham Al Salman*, 10 February 2016, par. 33-50

South Africa Supreme Court, *Democratic Alliance v. African National Congress*, 2015

<https://globalfreedomofexpression.columbia.edu/cases/democratic-alliance-v-african-national-congress/>

3. Speech on Public Officials

In this second segment on political expression, we will focus on the high level of protection afforded to speech, information and expression that deal with, critique or report on the role, work and life of Public Officials.

Video: Agnes Callamard

Readings:

New York Times Co. v. Sullivan, 376 U.S. 254, Supreme Court (1964):

Podcast: <http://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/new-york-times-v-sullivan-podcast> (accessed on October 14, 2016)

Decision: <https://www.law.cornell.edu/supremecourt/text/376/254> - Section III (although please feel free to review the entire decision) (Accessed on October 14, 2016)

Lingens v. Austria, Application No. 9815/82, European Court for Human Rights (1986)

<https://globalfreedomofexpression.columbia.edu/cases/lingens-v-austria/>

4. Access to Government-Held Information

Whether or not the right to freedom of expression includes the right to seek and receive information held by government has been the object of many legal debates. This segment will present the positive evolution towards a global recognition of a right to access information and some of the remaining challenges.

Video: Sandra Coliver

Readings:

Coliver, Sandra, "The Right to Information and the Expanding Scope of Bodies Covered," in *Freedom of Speech and Censorship around the World*, edited by Peter Molnar (Central University Press, 2014), <http://www.right2info.org/resources/publications/coliver-scope-of-bodies-covered-by-rti-laws/view>.

Claude Reyes v. Chile, sec C. No. 151, Inter-American Court, September 16, 2006, <https://globalfreedomofexpression.columbia.edu/cases/claude-reyes-v-chile/>

Youth Initiative for Human Rights v. Serbia, 48316/06, ECHR, 25 June 2013

<http://www.right2info.org/cases/r2i-youth-initiative-for-human-rights-v.-serbia>

Thomas Blanton, 'The World's Right to Know' [2009] November, *Foreign Policy*, 50 available at <http://foreignpolicy.com/2009/11/11/the-worlds-right-to-know/>

Additional readings

Agnes Callamard. *Towards a Third Generation of Right to information Activism, a presentation for UNESCO World press Freedom Day*. Mozambique, 2008

<https://www.article19.org/data/files/pdfs/publications/mozambique-unesco-world-press-freedom-day.pdf>

Mendel, Toby, **Freedom of Information: A Comparative Legal Survey**, 2nd Edition (UNESCO 2008). http://portal.unesco.org/ci/en/files/26159/12054862803freedom_information_en.pdf/freedom_information_en.pdf

Peled, Roy and Rabin, Yoram, **The Constitutional Right to Information**, Columbia Human Rights Law Review, Volume 42(2) (2010).

Maeve McDonagh, The Right to Information in International Human Rights Law, (2013) 13(1) HR L Rev, downloadable here:

https://www.researchgate.net/publication/271510416_The_Right_to_Information_in_International_Human_Rights_Law_Maeve_McDonagh

WEEK FIVE: SCOPE OF FREEDOM OF EXPRESSION (2)

During Week Five, we will focus on the nature of the right to freedom of expression as applied to Media, including the written press, broadcasting, and journalists. This thematic survey will demonstrate the existence of a range of standards that are largely enshrined in regional practices. At national level, however, there remain countries that do not follow the practices adopted in others. Each segment will seek to identify some of the places that are particularly lagging behind in fulfilling what have become largely global standards.

1. Press Freedom and Media Regulation

This segment will identify the key standards related to Media regulation, how these have been abused by Governments and other actors, but also protected by Courts and the Media itself.

Video: Agnes Callamard

Readings

Human Rights Committee, General Comment 34, Op. cit., Paragraphs 13-17 and Paragraphs 39-45, <http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf> (accessed on October 14, 2016)

Timothy Besley and Andrea Prat, “Handcuffs for the Grabbing Hands? Media Capture and Government Accountability”, *American Economic Review*, 96 (3). pp. 720-736

[http://eprints.lse.ac.uk/899/1/Handcuffs_for_the_grabbing_hand_\(Isero\).pdf](http://eprints.lse.ac.uk/899/1/Handcuffs_for_the_grabbing_hand_(Isero).pdf) (Accessed on October 14, 2016)

2. The Regulation of the Written Press

This video will focus on the regulation of the written Press and the key principles that have emerged over time. Not always fully enforced, they remain nevertheless the main threshold against which government behaviour is tested.

Video: Agnes

Readings:

HRC General Comment 34, Par.13-17;

ARTICLE 19, *United States: Grosjean v. American Press Co.*, accessed October 19, 2016

<https://www.article19.org/resources.php/resource/2389/en/united-states:-grosjean-v.-american-press-co>

3. The Regulation of Broadcasting

This video will focus on the regulation of broadcasters, mainly TV and Radio, and the key principles that have emerged over time.

Video: Agnes

Readings:

ARTICLE 19, *Access to the Airwaves: Principles on Freedom of Expression and Broadcast Regulations*, (London, ARTICLE 19, 2002), accessed 19 September 2016

<https://www.article19.org/data/files/pdfs/standards/accessairwaves.pdf>

RCTV v. Venezuela, Inter-American Court, (June 22, 2015)

<https://globalfreedomofexpression.columbia.edu/cases/granier-v-venezuela/> (accessed on October 14, 2016)

4. **Journalists: licensing**

This segment focuses on press freedom as applied to individual journalists. It reviews the legal means through which Governments illegitimately regulate the practice of journalism, including through licensing scheme. It will end with a discussion of the principle of protection of sources, its extent, why it is important for journalism and the circumstances under which it may be restricted.

Video: Agnes Callamard

Readings:

Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism, Advisory Opinion OC-5/85 of 13 November 1985, Series A. No. 5, available online in English at http://www.corteidh.or.cr/serieapdf_ing/seriea_05_ing.pdf.

Rolfesen and Association of Norwegian Editors v. The Norwegian prosecution Authority, HR-2015-2308-A, Norway Supreme Court, November 20, 2015, <https://globalfreedomofexpression.columbia.edu/cases/rolfsen-association-norwegian-editors-v-norwegian-prosecution-authority/> (accessed on October 14, 2016)

5. **Journalists: Protection of Sources**

This segment focuses on protection of sources, its extent, why it is important for journalism and the circumstances under which it may be restricted.

Video: Agnes Callamard

Readings:

Branzburg v. Hayes, 408 (US) 665, US Supreme Court June 29, 1972 <https://globalfreedomofexpression.columbia.edu/cases/branzburg-v-hayes/> (accessed October 14, 2016)

Rolfesen and Association of Norwegian Editors v. The Norwegian prosecution Authority, HR-2015-2308-A, Norway Supreme Court, November 20, 2015, <https://globalfreedomofexpression.columbia.edu/cases/rolfsen-association-norwegian-editors-v-norwegian-prosecution-authority/> (accessed on October 14, 2016)

Additional Materials: Supplementary Video:

- **Dirk Voorhoof**, “European Court: Whistleblower and Journalist Sources,” Video produced for MOOC Global Freedom of Expression
- **Dirk Voorhoof**, “ECtHR, Görmüş v. Turkey, 19 January 2016,” Video produced for MOOC Global Freedom of Expression

Additional Materials: Additional readings

1. Lee Bollinger – *Uninhibited, Robust, and Wide-Open: A Free Press for a New Century* (2010)
2. Owen Fiss, “The Censorship of Television,” in *Eternally Vigilant: Free Speech in the Modern Era* (2002)
3. Frederick Schauer, “Towards an Institutional First Amendment,” *Minnesota Law Review* 89 (2004-2005): 1256-1279.
4. Dirk Voorhoof, “Freedom of Expression, Media and Journalism under the European Human Rights System: Characteristics, Developments, and Challenges”, in *Central European University Press, Budapest - New York, 2015, 59-104*
5. A Mungiu-Pippidi, “Freedom without impartiality: The Vicious Circle of Media Capture” in *Media Transformations in the Post-Communist World*

6. Dirk Voorhoof, “Freedom of Journalistic Newsgathering, Access to Information and Protection of Whistle-blowers under Article 10 ECHR and the Standards of the Council of Europe,” in *Journalism at Risk. Threats, challenges and perspectives*, (Council of Europe, Strasbourg, 2015), pp.105-143 <https://book.coe.int/eur/en/human-rights-and-democracy/6675-journalism-at-risk.html>
7. Blogs by Dario Millo, on South African Media Jurisprudence: <http://blogs.webberwentzel.com/>
8. Alexander Dyck and Luigi Zingales, “The Corporate Governance Role of Media”, National Bureau of Economic Research, 2002, Working Paper 9309, <http://www.nber.org/papers/w9309>
9. Asher Schechter, The True Price of Media Capture: “We’ll Be Living in a State of Perpetual Shock and Amazement” in **ProMarket Blog**, March 19, 2016, <https://promarket.org/true-price-media-capture-well-living-state-perpetual-shock-amazement/>
10. Richard Winfield, **Exporting the Matrix: The Campaign to Reform Media Laws Abroad**, Carolina Academic Press, 2012.

Online Forum

11. Weekly Question Posted

Weekly Wrap-up: Summary of key points from the week’s lesson. **Weekly Quiz** (10 questions)