

LAWS70390 Freedom of Speech

Credit Points:	12.5									
Level:	7 (Graduate/Postgraduate)									
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.									
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.									
Prerequisites:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of all the below subjects:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50028 Constitutional Law	Semester 2	12.5
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LAWS50024 Principles of Public Law	Semester 1	12.5								
LAWS50028 Constitutional Law	Semester 2	12.5								
Corequisites:	None									
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.									
Non Allowed Subjects:	None									
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.									
Coordinator:	Prof Adrienne Stone									
Contact:	<p>Lecturers</p> <p>Professor Adrienne Stone (http://www.law.unimelb.edu.au/staff/Adrienne%20Stone) (Coordinator)</p> <p>Professor Frederick Schauer (http://www.law.unimelb.edu.au/staff/Frederick%20Schauer)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p>									

	Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Freedom of speech is a widely agreed upon principle in free democratic societies. However, at the same time, it is at the centre of fierce and wide-ranging disputes. This subject will examine the rationales for protection of freedom of speech and key controversies about freedom of speech. The subject will be broadly comparative, examining the legal protection of freedom of speech in Australia, Europe, Asia and North America. Jurisdictions of particular focus (in addition to Australia) will include India, Malaysia, Germany, the United States and Canada.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Normative arguments for freedom of speech and for the regulation of speech # The legal mechanisms for protection freedom of speech in international law and selected domestic jurisdictions # The relationship between freedom of speech and laws regulating: <ul style="list-style-type: none"> # racial and religious vilification (including holocaust denial) # political protest # electoral funding # terrorism and national security.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Understand why arguments persist to regulate hate speech # Be able to elucidate how and why/why not the regulation of hate speech is consistent with international norms aimed at preserving free speech # Explain a variety of approaches to the legal regulation of hate speech # Formulate coherent arguments concerning the appropriate regulatory response to particular instances of hate speech.
Assessment:	Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (2 - 5 September) A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70390/2016
Related Course(s):	<p>Graduate Diploma in Communications Law Graduate Diploma in Government Law Graduate Diploma in Legal Studies Juris Doctor Master of Commercial Law Master of Laws Master of Public and International Law</p>