Freedoms worldwide
‘First Amendment’ not guaranteed everywhere

BY MIA.WANG AND MIKE.BROWN
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The circular icons below represent freedoms of assembly, press, speech, religion and petition. Green means they have that freedom, yellow means the freedom is limited and red means the country does not have the freedom.

**ICONs**

GERMANY

The Constitutional Court has repeatedly ruled in favor of press freedom, however, German law allows the surveillance of foreign journalists. Compared to other countries, laws regulating information access are still weak. Freedom of belief and religion are protected at the federal level, however, some parts of Germany have banned the use of headscarves for teachers and civil servants. Germany also passed legislation criminalizing hate speech in 2017. Despite these limitations, free expression is, for the most part, allowed and protected.

OMAN

Censorship has been ubiquitous for the past 45 years. The internet is an important alternative space for public opinion, so citizen journalists often become the authorities’ targets. They are often arrested and sometimes held in solitary confinement. They were sentenced to long imprisonment for insulting the head of state or the country’s cultural practices, inciting demonstrations and disrupting public order. Islam is the state religion and that Shari’a Law is the source of legislation, but discrimination toward religion is not allowed.

CHINA

The administration of Chinese President Xi Jinping aims to create a hegemonic news environment for China. More than 100 journalists and bloggers are currently detained. Social networking sites are banned and books and foreign films are subject to censorship. The Chinese Communist Party is officially atheist, but the government has been allowing more religious activities in the past 40 years. With the gradual development of China’s economic and social structure, the system is developing. The freedom of speech in China is limited and only offered to government seniors and Communist Party leaders.

NORTH KOREA

News in North Korea is almost entirely provided by the Korean Central News Agency (KCNA). Radio and television are locked to government-defined frequencies. Only a handful of foreign journalists can enter limited areas each year. No matter where they go, they must be accompanied by “guardians”.

ORGANIZED RELIGIONS

Organized religions are considered to be a potential threat to the regime. If there are reports criticizing the North Korean regime or the leadership, the person creating the criticism and his or her family might be punished and eventually end up in the political prison.
Paul Kix to speak at Iowa State

The year is 2003; Paul Kix is a senior in journalism at Iowa State.

This is before Kix would go on to be deputy editor for ESPN magazine, write for the New Yorker, GQ, New York, Men’s Journal and the Wall Street Journal, to name a few, and eventually publish his own book.

At this time, Kix, former managing editor of Ethos magazine, had been tasked to work alongside others in the Greenlee School in planning the first Feast on the First, a day celebrating the First Amendment.

But the first Feast on the First Amendment took place in front of Parks Library in the Agora, formerly known as the Free Speech Zone. Witherspoon said the idea of Feast on the First is to get people there by offering food and keeping them there by talking about the First Amendment.

One event featured faculty as speakers. This has changed over the years.

Another year Dan Barker, an atheist activist who was formally an evangelical Christian preacher and musician, came to speak at the First Amendment celebration.

While speaking in the Great Hall, someone with differing views from Barker shut off the lights and sound system 10 minutes before his lecture ended.

“Someone who disagreed vehemently with what he was saying shut him down on First Amendment Day, but we got it back up and running and it still continued,” Witherspoon said.

In 2005, after Veishea — a yearly spring concert which became chaotic in its last few years before being ended permanently in 2014 — was cancelled, First Amendment Day became an eight-day celebration.

Monday through Friday each day was dedicated to a different First Amendment freedom. There were two Feasts on the First.

On the Friday Feast on the First, the topic of religion got people discussing until long past the 1 p.m. end time.

“We finally at 2:30 said, ‘Excuse us, I’m all go can go ahead and continue the conversation all you want, but we need to take our boxes if you don’t mind,’” Witherspoon said.

First Amendment Day in recent years lasts three days. This year, the events started on Wednesday with five Depth and Dialogue sessions and a keynote by former director of Constitutional Law from the University of Saskatchewan John Whyte titled “Is Democracy Dying?”

Thursday following the Democalypse March, the creation of the Hashtag Mosaic and Feast on the First, Kix will speak about why the First Amendment is worth it.

Kix said that it is really special to come back to his alma mater to give a keynote lecture for this year’s First Amendment celebration.

One thing Kix hopes students will take away from his lecture is the fragility of the First Amendment.

“You think of the fragility of something like free speech, free expression, freedom of the press, the ability to assemble; we think that this is something that we’ll always have… if you talk to a look across other cultures and other countries, there are ways to restrict those freedoms,” Kix said.

Following the lecture and Q&A session, Kix will stick around to sign copies of his book, “The Saboteur.”

“‘The Saboteur’ tells the story of a French Aristocrat who became an anti-Nazi resistance fighter during France’s occupation during World War II.

Kix came across the story of Robert de La Rochechoucrad when reading his obituary in the New York Times.

Sticking to a strict schedule of 500 words a day and spending time in France going to the landmarks of La Rochechoucrad’s life, Kix finished his first book and now is looking for his next project.

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‘Writing the book was also very liberating in the end because I was doing it and everyday, even if the new 500 words weren’t the final form they would take, I would sort of allow myself this thought that at least I’m putting 500 new words on the page,’ Kix said.

‘It was so satisfying that by the end of this year I wanna be able to figure out what my second book will be about.’

Witherspoon calls Kix, who was also formerly a sports editor at the Daily, one of the best writers to come out of the Greenlee School.

“Ever since I’ve known him, he has been an exceptional writer and when he started becoming a reporter, you knew he was gonna go far,” Witherspoon said.

Paul Kix to speak at Iowa State

Iowa State journalism graduate, Paul Kix, returns to campus to give a keynote lecture for this year’s First Amendment celebration.

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Benton Auditorium, Scheman Building Iowa State Center

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Talk is Cheap, Free Speech Isn’t: Why the First Amendment is Worth It

Paul Kix

Paul Kix will discuss why 2018 is a critical year for defending and using these five freedoms and that universities must embrace all sorts of speech, not just messages that support consensus views.

Thursday, April 12, 2018 - 8 pm

Benton Auditorium, Scheman Building Iowa State Center

Sponsored by First Amendment Task-Force Committee, Graduate School of Journalism & Communication, Iowa Daily Reader, Iowa Daily Video Group, Leo Mores Chapter of the Icu Professional Foundation, Committee on Lectures (funded by Student Government)

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The freedom
to offend

Art and the First Amendment

BY MELANIE VANHORN
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A crucifix in a jar of urine. A disfigured angel outside a university library. A political symbol sculpted entirely out of plastic infants. How far can artists wade into controversial waters before they’ve gone too far?

There is no easy answer. But that is why artists depend on the protection of the First Amendment to create their art and express ideas that may offend or cause discomfort for the viewer. For the month of April, an exhibit in the ReACT Gallery provides a snapshot of the First Amendment and its implications for students in a university setting and beyond.

Though Nancy Gebhart, educator of visual literacy and learning for University Museums, says she hasn’t had any litigations or legal issues over the display of art, she did recall an incident from an exhibit in the fall of 2012.

The exhibit contained works by Andy Magee, who created highly sociopolitical pop art based on found objects. Within the exhibit was Magee’s “Baby Elephant”, a sculpture of a Republican-stylized elephant formed out of small plastic babies. Gebhart recalled a man who visited the exhibit and began a conversation with him about the surrounding art.

“When he saw that particular piece, he said ‘That goes way too far,’ walked out, and never came back to the exhibit,” Gebhart said.

Iowa State’s campus sculptures have also been threatened with petitions for removal, with Gebhart recalling two specific petitions.

“Left-Sided Angel” by Stephen DeStaebler, located outside of Parks Library, was requested to be removed shortly after its installation in 1986. Opponents claimed the sculpture was too depressing and horrifying for students to look at every day.

“Before, most of the art on campus had been the regionalist, agrarian art of Christian Petersen and Grant Wood. ‘Left-Sided Angel’ was kind of shocking in comparison to those works,” Gebhart said.

Another contested sculpture was “Border Crossing” by Luis Jiménez, and the petitioner claimed that the sculpture did not accurately represent the hardship and horror of those immigrating across the border. Neither petition for removal was successful.

However, Gebhart noted that campus art typically does not offend at such a strong level because of the nature of a university setting.

“Most of the time we’re searching for strong academic applications. We’re trying to be a support system for the learning that happens on campus,” Gebhart said.

When Gebhart sought to curate the First Amendment exhibit for the ReACT Gallery, she wanted to form partnerships with preexisting groups dealing with campus issues. She had heard about First Amendment Days from an honors student a few years earlier and decided to coordinate the exhibit with the April event.

The exhibit contains works of art that pertain to all five freedoms outlined in the First Amendment, with posters from last year’s women’s march representing speech, a sculpture of John the Baptist for religion, and a photo with a poem inspired by “Left-Sided Angel” to represent the freedom to petition.

Gebhart is never sure how people will respond to the ReACT Gallery, and this exhibit is no different than past exhibits.

“The comments have been half-and-half. Some I absolutely expected, and some are not at all what I expected,” Gebhart said. “People may respond in a different way than what I intended, which is great.”

Even the very existence of the ReACT gallery is dependent on the First Amendment. When Gebhart and University Museums conceptualized the space, they met with several legal professionals to outline potential issues and problems that could come with the space.

“The ReACT space invites people to contribute their interpretations, and in a way — anything goes,” Gebhart said. The ReACT Gallery exhibit on the First Amendment will remain open through April 27, and is open Mondays through Fridays from 11 a.m. to 4 p.m.
An officer initiated a suspicious activity investigation at Marigold Dr and Dotson Dr (reported at 3:06 a.m.).

An individual was given information regarding safety plan at 205 S 5th St Unit 806 - Ames, IA, was cited for non-payment of Iowa fine and out of Ames, IA, was arrested and charged with operating while intoxicated and insufficient number of headlamps at Lincoln Way and Beach Ave (reported at 1:00 a.m.).

Officers assisted another agency with a criminal investigation at 1805 Collaboration Pl (reported at 12:06 p.m.).

An officer initiated a drug related investigation at (reported at 5:38 p.m.).

An officer investigated a property damage collision at Lot 38 at 2:15 p.m.).

An officer investigated a pedestrian injury collision at Welch St at 9:32 p.m.).

Connor Reading, age 18, 221 Beyer Ct Unit 2681 - Ames, IA, was arrested on warrants for interference with official acts and possession of alcohol under age (Case Update).

Jake Morgan Wallen, age 22, of 2701 Fendale Ave Unit 6 - Ames, IA, was cited for non-payment of Iowa fine and out of state convictions at Marigold Dr and Dotson Dr (reported at 3:06 a.m.).

An individual was given information regarding safety planning at Armory (reported at 10:22 a.m.).

An individual reported being harassed at Geoffroy Hall (reported at 10:46 a.m.).

An individual was given information regarding safety plan at 2:15 p.m.).

An officer initiated a drug related investigation at (reported at 1:53 p.m.).

An officer investigated a property damage collision at Wallace Rd and Farm House Ln (reported at 5:14 p.m.).

An officer initiated a suspicious activity investigation at Pearson Hall (reported at 8:27 p.m.).

An officer checked on the welfare of an individual at Welch Hall (reported at 7:35 p.m.).
The freedom of press is essential, but it isn’t free. It is a crucial part of our democracy, but it is only as valuable as the appreciation Americans give it.

The freedom of press, granting news organizations the right to independence from government restriction, has long provided journalism the opportunity to be the fourth estate. This freedom allows journalists to pursue stories in the best interest of the people, rather than the best interest of the government. At the Daily, the freedom of press has allowed us to report on how much the university spends on lawsuits, write front-page editorials raising the issue of lagging state funding for higher education and create a series about how proposed housing laws would impact students.

Thomas Jefferson once said: “We left it to me to decide whether we should have a government without newspapers, or newspapers without a government; I should not hesitate a moment to prefer the latter.”

A lot has changed since those words were spoken. Today’s journalism and news consumption habits are vastly different than in Jefferson’s time. Yet, the freedom of press is still as important as ever.

Journalism, like many industries, is being shaped by modern technology and the rapid changes in communication. But how we view journalism is also changing. With credible news organizations being called “fake news” by our country’s highest public official nearly every day, it’s no wonder people may not have a great view of journalism. At the very least, media literacy is not common knowledge.

In my two years serving as editor in chief of the Daily, I’ve had the opportunity to speak with many diverse individuals about journalism and the purpose of news organizations. I know that the media is not always viewed favorably. I also know that I haven’t met a single person on campus who wasn’t impacted, whether directly or indirectly, in one way or another by the work we do at the Iowa State Daily. The same is true of state and national journalism.

I’m not bringing this up to say that news organizations are doing everything right because there is certainly room for improvement and we always look for feedback. Rather, I bring this up to show the importance of news organizations and the freedom of press. And whether or not you agree with every single thing a news organization does, you should support journalism because it makes a profound impact on our communities and our country.

Iowa State is in the midst of its annual First Amendment Days celebration. As we celebrate, I hope you’ll remember to appreciate the First Amendment and the rights it grants you each day with the freedoms of religion, speech, press, assembly and petition. But I also have an even more specific thing to ask of you.

I hope that you’ll take some time to imagine our country without these fundamental rights to expression, without these fundamental rights to knowledge. Imagine how different your life would be.

Now, imagine what will happen to these freedoms if we don’t fight to protect them.

You can join the fight in protecting the First Amendment and the freedom of press. Subscribe to a newspaper, support journalism, fight for transparency and advocate for freedom of information.

Actively engage with journalism to stay informed, share great the work and hold us accountable when we aren’t upholding our standards.

The freedom of press is essential, but it isn’t free. It is a crucial part of our democracy, but it is only as valuable as the appreciation Americans give it.

Yes, the First Amendment protects controversial speech

We live in an often polarized country, where many people want to hear only viewpoints like their own. Or further, some people believe that there is no place for controversial views.

But that’s not what the First Amendment, the foundation of our democracy, is about. The First Amendment — which limits government from impeding on freedom of religion, speech, press, assembly and petition — was meant to protect controversial views and discourse.

The Newsroom Institute’s State of the First Amendment from 2017 found that 43 percent of Americans felt that colleges should have the right to ban controversial campus speakers. The ISD Editorial Board believes this is dangerous.

We believe in civil discourse and we believe that any kind of prejudice is harmful to society. But limiting controversial speech does not stop oppression or prejudice ideology. And further, limiting controversial speech may set a precedent for limiting many other forms of speech.

Not all controversial views are hate speech, they just might be unpopular. At any point in history, there was unpopular opinion that turned into positive change and a better society.

Imagine women’s suffrage or the civil rights movement without the protection of the First Amendment. At the time, those movements were seen as radical. That’s why it is so important that we protect radical expression because limiting hate speech could lead to limiting voices striving for equality.

Of course, the First Amendment also protects hate speech, which often does nothing to help society. According to the State of the First Amendment, 22.5 percent of participants supported the claim that the First Amendment freedom of speech protection goes too far. That’s most likely because people don’t believe that such things like prejudice comments or slurs should be allowed.

But rather than dismissing controversial views and unpopular opinions, we believe we should use the best remedy that the First Amendment allows us: combat hate speech with more speech. If people speak out of ignorance and hate, 100 more people can speak out against them. That is the beauty of the First Amendment.

As Iowa State celebrates First Amendment Days, we hope that you will recognize the importance of the First Amendment and that you too will fight to protect the right to share controversial views about.

“First Amendment Days celebration. As we celebrate, I hope you’ll remember to appreciate the First Amendment and the rights it grants you each day with the freedoms of religion, speech, press, assembly and petition.”

- Emily Barske

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Send your letters to letters@iowastatedaily.com. Letters must include the name(s), phone number(s), majors and/or group affiliation(s) and year in school of the author(s). Phone numbers and addresses will not be published.

Online feedback may be used if first name and last name, major and year in school are included in the post. Feedback posted online is eligible for print in the Iowa State Daily.
The First Amendment in sports

One knee sparked a major discussion

BY ISD STAFF

It took a simple kneel for the First Amendment discussion to become one of the biggest discussions in sports for the past couple of years.

Former San Francisco 49ers quarterback, Colin Kaepernick, did not stand for the “Star-Spangled Banner” on August 14, 2016, in the 49ers’ first preseason game against the Houston Texans. He performed this action on Aug. 14 and then again on Aug. 20 without anyone really noticing.

Then, Kaepernick received the nod to start the third preseason game and all eyes were on him throughout the pregame. That led to the national anthem as Kaepernick sat on the bench during the song and a week later (on Sept. 5) he started kneeling.

The actions from Kaepernick have led to a back-and-forth discussion between athletes from every sport and U.S. citizens.

The discussion has continued to be brought up and it’s 2018, but it’s a prime example of First Amendment rights.

It’s not against any NFL rule to kneel during the “Star-Spangled Banner,” but it’s recommended to stand. This action of kneeling brought discussions throughout college sports, too.

Even though college football doesn’t have the teams out on the field during the national anthem, there’s been discussions about the First Amendment and how not only college football, but every college sport utilizes the First Amendment in their daily lives.

“I mean we are in a fish tank and [as athletes are] looked upon to make all these, I guess, political decisions when deep down there’s some things we would like to voice our opinion on,” said redshirt senior defensive back Brian Peavy. “With me being open-minded as I am, sometimes I got to rethink about things like should I tweet this or should I say this. I definitely feel like it’s a restriction.”

The First Amendment states that “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.”

Peavy said he’s had to rethink some Twitter posts and other opinions because he knows it would reflect poorly on Iowa State football and the athletics department.

With him being one of the big faces on the team this upcoming season, he’s a role model to many children and young football players and he wants to make sure these people can look up to him.

The redshirt senior defensive back isn’t the only one that feels this pressure as an athlete. Senior outside hitter Jess Schaben also feels restricted on what she can and cannot say on social media or in public because of the spotlight on her as an athlete.

“Just being in the spotlight, you don’t want to post anything that’s unprofessional or could be controversial,” Schaben said. “You want little kids to look up to you. Even when you’re getting a job, you want people to respect you. I think it’s good to keep it professional.”

Due to the amount of spotlight an athlete receives, some players choose to shut down or freeze their social media accounts so they can focus on the season. And it’s not just athletes that are wrestling with the the utilization of their First Amendment rights.

There are coaches that deal with these problems on a daily basis. The question of what to say and what not to say or how to handle a situation of a player on their team. Coaches like Iowa State volleyball coach Christy Johnson-Lynch has views on this particular topic centered around the First Amendment.

“For me personally, I approach it as I think my personal life and my personal views are separate from my professional life, so I keep them very separate,” Johnson-Lynch said.

It can be hard for an athlete or coach to show their true feelings on any matter because they know the spotlight is on them 24/7 and one wrong move or one bad tweet could lead them down a road of negativity from the public.

“For guys that may not know how to bite their tongues on certain things, they could get into a lot of trouble or it could be frowned upon for decisions that are in the First Amendment, which they should be able to say what they want to say,” Peavy said.

There needs to be a balance in the sports world and that comes with making smart decisions when out in public and when posting statuses on social media.

Johnson-Lynch said the hardest thing about social media is that you can’t take it back because it’s out there forever, so using common sense and being smart as an athlete and as a human being is the biggest step.

“I’ve always felt like some of those views are just more appropriate for your friends, your family, people that are close to you that know you,” Johnson-Lynch said. “I don’t think the whole world needs to know what I think about certain things.”

Brian Mozey, Noah Robfing and Spencer Suckow contributed reporting to this story.
Determining “exclusivity” in a romantic relationship is one of the more nerve-racking topics couples get to discuss. For some, exclusivity is an unspoken rule, and for others it’s not expected in a relationship.
Argentina has many of the same freedoms of expression that the United States has, but currently lacks access to information in the form of a federal law. Argentina does, however, have freedom of petition and assembly and these rights are also effective in practice. Press freedoms have been challenged in practice, although by law they are protected. Journalists have claimed to be on the receiving end of censorship depending on how they report on government. Argentina does have federal protection of freedom of speech, religion, and expression.

South Africa has freedom of expression and press written into its constitution, but faces some restrictions of freedom of speech. While these freedoms are respected, some apartheid laws are utilized to restrict reporting on institutions defined as being important to national interest by authorities. The constitution does protect the right to access information. Freedom of religion is written into the constitution and supported the government as a whole. South Africa also has freedom to assembly and petition both present in its constitution.

There are many of the facets of free speech within their constitution, but many of these rights are not seen or protected. The constitution states freedoms of expression and press are protected but journalists who speak critically of the government or cover assemblies can face threats of legal action or physical violence. There are protections for freedom of religion in the constitution but they required that religions register with the government. Freedoms of assembly and petition are in the constitution, but people who attend protests often find themselves on the receiving end of physical violence.

Prosecutors retaliate against journalists who criticize the government. Some prosecutors cited article 124a of the Penal Code. According to this section, "sedition" will be sentenced to life imprisonment. No journalist has so far been convicted to this, but the law certainly promotes self-censorship. The government has also created laws and regulations to limit international media influence. The coverage of sensitive regions (such as Kashmir) is still difficult, and there is no protection mechanism for journalists. Every citizen of India has a right to practice and promote their religion peacefully.

While Peru has freedom of press, assembly, petition, and speech, there are issues within the country involving free speech rights. The El Comercio media conglomerate owns nearly 80 percent of the media market. Attacks on journalists are common in Peru. Peru has also had difficulties observing the freedom of assembly in practice. According to Freedom House, police have used excessive force in attempts to reign in protests that have lead to civilian injury and death. Peru does, however, offer freedom of religion as well as open internet access and a lack of education restrictions.

Australia has strong public media, but its print media ownership is very concentrated. Two media groups — News Corporation and Fairfax Media — are responsible for 85 percent of newspaper sales. In general, the media enjoys great freedom, although the source of protection for journalists varies from state to state. Australia’s constitution does not have freedom of speech regulations. Citizens have the right to freedom of thought, conscience and religion, and they have the right to peacefully assemble protests.

Since 1966, Uganda has had a series of dictatorial governments. While there are freedoms of speech and expression granted by the government, they are frequently undermined. Journalists who are critical of the government have faced increasing intimidation and restriction. Freedom of religion is for the most part practiced and accepted but educators lack academic freedom. Lecturers are often subject to heavy government surveillance. Uganda has restrictions placed on assembly and petition in its constitution, but does allow for freedom of religion both in its legislation and in practice.

Canada offers many of the same freedoms that the United States does; however, there are some key differences from the United States’ First Amendment. Canada offers freedom of expression in the form of section 2b of their Charter of Rights and Freedoms. This section protects freedom of belief, religion, thought and opinion, including freedom of the press. Limitations to these rights include a lack of protection for anything considered hate speech, laws that regulate signage, and rules regarding locations for assembly and protest. Canada also offers legislative protection to freedom of petition.

Freedom of speech, assembly, press and religion are all protected by the constitution, but in practice these freedoms are less than absolute. It is illegal for authorities to ban or break up demonstrations and protests held with more than 10 people. Egypt requires that police be informed of a protest three days in advance and one cannot organize a demonstration in front of a place of worship. Many schools have state-controlled curriculums. These have been examples of censoring the press. While there is freedom of religion in the constitution, religious minority groups have experienced persecution.

Some limitations of speech are attacks on a third party or morality, disturbances to public order, and provocation of crimes. Freedom of the press in Mexico, while allowed by the government, has been censored by the stronger drug cartels of the country. Mexico is one of the most dangerous places to be a journalist, according to Freedom House. Freedom of assembly, petition, and religion are all legally protected and largely respected in practice throughout Mexico.