INDEX CHAPULTEPEC Freedom of Expression and Press

United States of America Strengths, weaknesses, opportunities, treats

STRENGTHS	Thanks to the First Amendment of its Constitution, the United States has solid statutes protecting freedom of expression and the press. This body of law sets boundaries to the restrictions and limits that can be imposed by the government. The Supreme Court has also issued precedent-setting rulings regarding protection of news sources, ban on prior censorship, and stringent criteria for defamation lawsuits. With the rise of the Internet and social media, new outlets have emerged to enrich consumers' news choices.
WEAKNESSES	An issue of concern in the United States is the rise of media outlets that promote extreme, racist, and neo-Nazi views. There is no legal framework to effectively regulate or limit the spread of such views, and it is a subject of academic debate. The freedoms enshrined by the First Amendment to the Constitution also make it difficult to regulate some types of opinion that promote racism and violence against minority groups in the United States. Additionally, there is no legal framework to prevent the dissemination of inaccurate information on social media. Since social media are private companies, it is extremely difficult for the State to enact regulations, thereby resting with these companies the responsibility for restricting the spread of fake news. So far, such companies as Facebook have put in place some guidelines that have been partly effective in limiting the spread of false information.
OPPORTUNITIES	With the rise of misinformation on social media, there are also opportunities to analyze the most efficient ways to restrict the dissemination of fake news, as a form of false information. With respect to freedom of the press, there has also been an expansion of a business model whereby media outlets operate as a nonprofit organization. Such media as ProPublica, Center for Investigative Reporting, The Marshall Project, Texas Tribune, to mention a few, represent a new way of doing journalism without being bound to commercial interests.

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THREATS	Freedom of expression and the press has been threatened by political leaders such as the president of the United States, who has used his position to discredit the media, as well as criticize and threaten journalists by fueling a notion among the public opinion that sheds doubt on the veracity of news. The term fake news is used to label information that does not conform to the president's political interests. This strategy has been successful to some extent, since the president's followers – such as politicians and even ordinary citizens – use this argument to intimidate and undermine journalists in the fulfillment of their duties. The term has even been adopted by authoritarian leaders in other countries, who use it for the same purpose – to attack the press and journalists. In addition, both the president and his political allies have filed lawsuits against specific communications corporations, media outlets, and journalists, which, far from succeeding, represent attempts at preventing the dissemination of information and news.

