

COMEDY
and
FREEDOM
OF SPEECH



A survey conducted by
the First Amendment Center
and the University of Connecticut
with the U.S. Comedy Arts Festival

Comedy and Freedom of Speech

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I was about to go through security at Reagan National Airport not long ago when another passenger turned to me with a puzzled look. “No jokes?” he said, referring to a sign on the wall.

He was clearly prepared to take off his shoes or surrender his nail clippers, but he saw this old sign with new eyes. In navigating all the new travel restrictions, this passenger had forgotten the granddaddy of them all: You can’t joke about bombs as you’re about to board a plane.

Few quarrel with the policy. You don’t hear anybody asserting their free speech rights as they go through the metal detector. There’s a consensus that we’re willing to suspend our right to joke at a very specific time in a very specific place if it means we’ll all enjoy greater security.

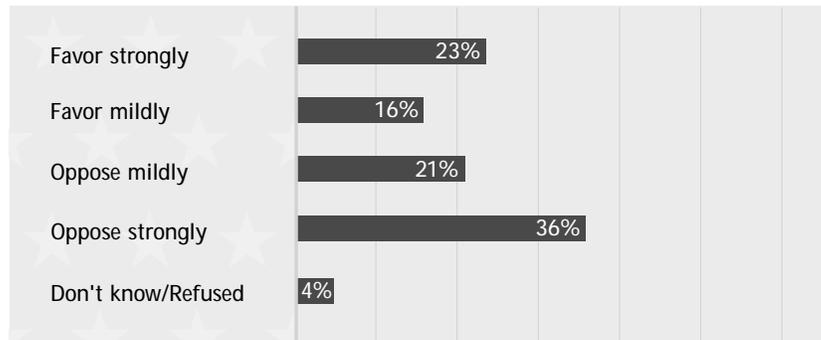
The events of Sept. 11 give rise to a new question: If we’re willing to accept some restrictions on speech so we won’t feel unsafe, how willing are we to curtail speech if it simply makes us uncomfortable?

Is there a figurative “no jokes” sign hanging over the United States these days? Have terrorist attacks chilled our sense of humor?

A new survey, released by the First Amendment Center and conducted by the Center for Survey Research and Analysis at the University of Connecticut, suggests that almost 40% of Americans would like the government to step in to block tasteless comedy routines. In addition, a majority would ban public comments — funny or not — that might offend racial or religious groups.

In the immediate aftermath of tragedies such as the World Trade Center attack or the Oklahoma City bombing, would you favor or oppose government involvement to restrict the public performances of comedy routines that make light of or trivialize such tragedies?

2002



Percentages may not always equal 100, due to rounding.

Among the findings:

- 39% of those surveyed said they favor government restrictions on public performances of comedy routines that might make light of or trivialize tragedies like the World Trade Center attacks or the Oklahoma City bombing.
- 37% favored government restrictions on the performance of these comedy routines on television.
- 63% said that people should not be allowed to say things in public that might be offensive to racial groups.
- 58% said that people should not be allowed to say things in public that might be offensive to religious groups.
- Americans apparently are most comfortable with potentially offensive humor when it's presented to a select audience that pays for the privilege. For example, 78% of those surveyed said that comedians should be able to perform potentially offensive comedy routines on subscription cable channels like HBO, Cinemax and Showtime. This level of support drops sharply to 58% if the same routines would be broadcast on networks like NBC, CBS or ABC.

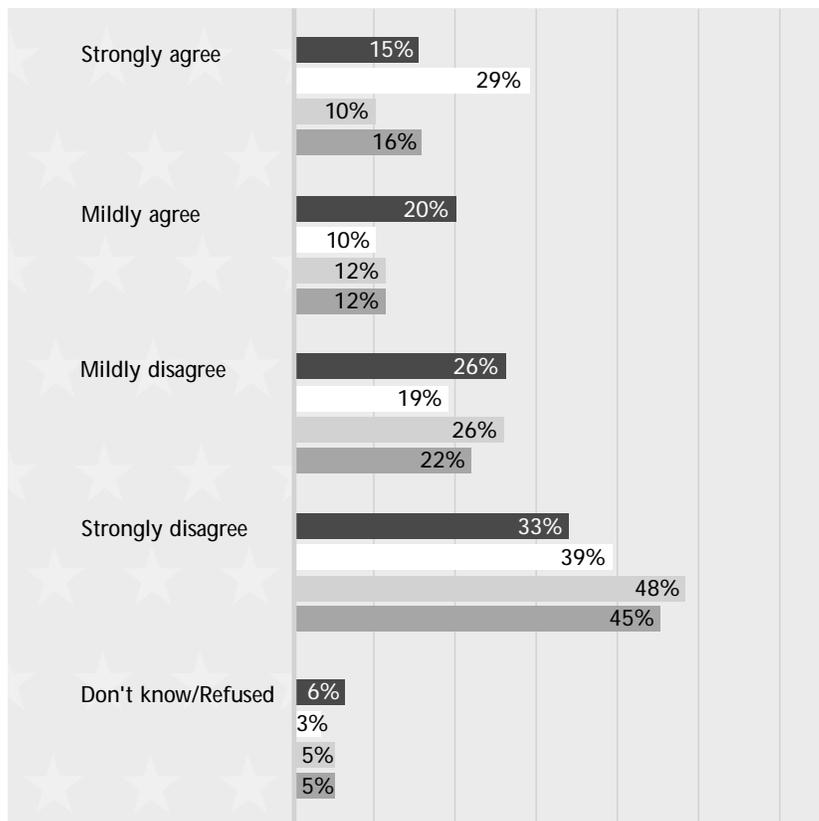
All of this suggests that a significant percentage of Americans are reluctant to give full First Amendment protection to comedic speech, art or performances that could potentially insult or offend others. There appears to be a willingness to give up a little liberty in exchange for fewer hurt feelings.

If that's the case, we're selling art and comedy short. Throughout the history of this country, satire, humor, music and theater have helped shape public thought, and in turn influenced public policy. From the satire of Ben Franklin and Mark Twain to the biting cartoons of Thomas Nast, from the comedy routines of Lenny Bruce to the scalding skits of "Saturday Night Live," Americans have used humor to puncture the pompous and challenge the powers that be.

The right to tell a joke that may offend others is as critical to our way of life as it is to stand on the proverbial soapbox and raise one's voice in protest.

The good news in the survey is that most Americans continue to embrace these fundamental freedoms, even if they have some misgivings about how they're applied. Fifty-nine percent said they believe that the First Amendment gives us an appropriate level of freedom, comparable to the level of support reported just before the Sept. 11 tragedies. Still, the flip side is a little unsettling: One American in three now believes that the First Amendment goes too far.

Do you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees.



Percentages may not always equal 100, due to rounding.

Former New York Mayor Rudy Giuliani offered some perspective and lampooned his own authoritarian image at a comedy fundraiser less than a month after the terrorist attack on the city. Giuliani took the stage at Carnegie Hall and urged the audience to loosen up.

“I’m here to give you permission to laugh. And if you don’t — I’ll have you arrested,” Giuliani said.

In the wake of Sept. 11, a society already awash in political correctness needs to resist the temptation to legislate laughter.

In the words of Franklin D. Roosevelt, “The conditions for democracy and art are one.”

That’s no joke.

First Amendment Center/ U.S. Comedy Arts Festival Survey

Annotated Questionnaire
Final Weighted Data (N=1001)
Feb. 12, 2002

Hello, my name is _____ and I am calling from the University of Connecticut. We are conducting a survey on important issues facing the nation. To determine whom I need to speak with, could you please tell me which person in your household age 18 or older who has had the most recent birthday? (If not respondent ask to speak with him or her).

1. The First Amendment became part of the U.S. Constitution more than 200 years ago. This is what it says: '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.' Based on your own feelings about the First Amendment, please tell me whether you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees. **(Probe: Do you agree/disagree strongly or mildly?)**

	1999	2000	2001	2002
Strongly agree	16%	10%	29%	15%
Mildly agree	12%	12%	10%	20%
Mildly disagree	22%	26%	19%	26%
Strongly disagree	45%	48%	39%	33%
Don't Know/Refused	5%	5%	3%	6%

2. Do you agree/disagree with the following statement?:
 “The government should regulate what appears on television.”

	1999	2002
Strongly agree	20%	21%
Mildly agree	25%	22%
Mildly disagree	21%	22%
Strongly disagree	32%	35%
Don't Know/Refused	2%	1%

3. Do you agree/disagree that people should be allowed to say things in public that might be offensive to racial groups?

	1997	1999	2000	2001	2002
Strongly agree	8%	8%	15%	16%	16%
Mildly agree	15%	13%	17%	18%	18%
Mildly disagree	14%	16%	15%	15%	14%
Strongly disagree	61%	62%	52%	49%	49%
Don't Know/Refused	2%	1%	1%	2%	2%

4. Do you agree/disagree that people should be allowed to say things in public that might be offensive to religious groups?

	2000	2001	2002
Strongly agree	22%	25%	19%
Mildly agree	24%	22%	21%
Mildly disagree	15%	16%	16%
Strongly disagree	38%	35%	42%
Don't Know/Refused	1%	3%	2%

5. Do you think the federal government should/should not be involved either directly or indirectly in requiring the rating of entertainment television programs?

	1999	2000	2002
Should	59%	54%	47%
Should not	40%	43%	50%
Don't Know/Refused	3%	3%	3%

6. Some people believe that the media has too much freedom to publish whatever it wants. Others believe there is too much government censorship. Which of these beliefs lies closest to your own?

	2001	2002
Too much media freedom	41%	51%
Too much government censorship	36%	33%
Neither	12%	8%
Both	7%	4%
Don't Know/Refused	4%	4%

Now I'm going to read you some ways that people might attempt to exercise their First Amendment right of free speech. For each, please tell me if you agree or disagree that someone should be allowed to do it.

7. People should be allowed to publish material intended as humor in books, even though many may consider the material offensive.

	2002
Strongly agree	41%
Mildly agree	31%
Mildly disagree	13%
Strongly disagree	13%
Don't Know/Refused	2%

8. People should be allowed to publish material intended as humor on the Internet, even though many may consider the material offensive.

	2002
Strongly agree	33%
Mildly agree	29%
Mildly disagree	14%
Strongly disagree	23%
Don't Know/Refused	2%

9. Comedians and other performers should be allowed to perform comic routines on free broadcast networks like NBC and CBS, even though many may consider their routines offensive.

	2002
Strongly agree	29%
Mildly agree	29%
Mildly disagree	14%
Strongly disagree	27%
Don't Know/Refused	1%

10. Thinking specifically about premium subscription cable channels like HBO, Cinemax and Showtime, do you agree or disagree that comedians and other performers should be allowed to perform comic routines on those channels, even though many may consider their routines offensive?

	2002
Strongly agree	50%
Mildly agree	28%
Mildly disagree	5%
Strongly disagree	14%
Don't Know/Refused	3%

11. In the immediate aftermath of tragedies such as the World Trade Center attack or the Oklahoma City bombing, would you favor or oppose government involvement to restrict the performances of comedy routines on television that make light of or trivialize such tragedies?

	2002
Favor strongly	25%
Favor mildly	12%
Oppose mildly	23%
Oppose strongly	38%
Don't Know/Refused	2%

12. In the immediate aftermath of tragedies such as the World Trade Center attack or the Oklahoma City bombing, would you favor or oppose government involvement to restrict the public performances of comedy routines that make light of or trivialize such tragedies?

	2002
Favor strongly	23%
Favor mildly	16%
Oppose mildly	21%
Oppose strongly	36%
Don't Know/Refused	4%



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