

State of the First Amendment 2005
Final Annotated Survey

(Percentages may not always total 100% because of rounding)

As you may know, the First Amendment is part of the U.S. Constitution. Can you name any of the specific rights that are guaranteed by the First Amendment? (PROBE: Are there any others you can name?)

	1997	1999	2000	2001	2002	2003	2004	2005
Freedom of the press	11%	12%	12%	14%	14%	16%	15%	16%
Freedom of speech	49%	44%	60%	59%	58%	63%	58%	63%
Freedom of religion	21%	13%	16%	16%	18%	22%	17%	20%
Right to petition	2%	2%	2%	1%	2%	2%	1%	3%
Right of assembly/association	10%	8%	9%	10%	10%	11%	10%	14%
DK/Ref. (to all questions/follow-ups)	N/A	N/A	37%	36%	35%	37%	35%	29%

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.

	1999	2000	2001	2002	2003	2004	2005
Strongly agree	16%	10%	29%	41%	19%	19%	13%
Mildly agree	12%	12%	10%	8%	15%	11%	10%
Mildly disagree	22%	26%	19%	15%	18%	21%	16%
Strongly disagree	45%	48%	39%	32%	42%	44%	56%
DK/Ref.	5%	5%	3%	3%	7%	5%	5%

Overall, do you think the press in America has too much freedom to do what it wants, too little freedom to do what it wants, or is the amount of freedom the press has about right?

	1997	1999	1999f	2000	2001	2002	2003	2004	2005
Too much freedom	38%	53%	42%	51%	46%	42%	46%	42%	39%
Too little freedom	9%	7%	8%	7%	8%	8%	9%	12%	10%
About right	50%	37%	48%	41%	42%	49%	43%	44%	47%
DK/Ref.	3%	2%	3%	2%	3%	1%	1%	3%	4%

Even though the U.S. Constitution guarantees freedom of religion, government has placed some restrictions on it. Overall, do you think Americans have too much religious freedom, too little religious freedom, or is the amount of religious freedom about right?

	1997	1999	2000	2001	2002	2003	2004	2005
Too much freedom	6%	8%	5%	4%	6%	8%	7%	6%
Too little freedom	21%	26%	29%	32%	20%	24%	27%	26%
About right	71%	63%	63%	62%	70%	66%	64%	65%
DK/Ref	2%	3%	3%	2%	4%	3%	3%	4%

Do you think Americans have too much religious freedom in the workplace, too little religious freedom in the workplace, or is the amount of religious freedom in the workplace about right?

	2005
Too much freedom	6%
Too little freedom	31%
The right amount of freedom	54%
DK/ref	9%

Now please tell me whether you agree or disagree with the following statements:

Some people feel that the U.S. Constitution should be amended to make it illegal to burn or desecrate the American flag as a form of political dissent. Others say that the U.S. Constitution should not be amended to specifically prohibit flag burning or desecration. Do you think the U.S. Constitution should or should not be amended to prohibit burning or desecrating the American flag?

	1997	1999	2000	2001	2002	2003	2004	2005
Should not → Go to Q12	49%	48%	51%	59%	51%	55%	53%	63%
Should --> Go to Q11	49%	51%	46%	39%	46%	44%	45%	35%
DK/Ref. → Go to Q12	2%	1%	3%	2%	2%	2%	3%	3%

[If “should”:] If an amendment prohibiting burning or desecrating the flag were approved, it would be the first time any of the freedoms in the First Amendment have been amended in over 200 years. Knowing this, would you still support an amendment to prohibit burning or desecrating the flag?

	1997	1999	2000	2001	2002	2003	2004	2005
Yes	88%	90%	87%	81%	83%	87%	82%	86%
No	9%	8%	12%	15%	15%	12%	16%	11%

DK/Ref.	3%	2%	1%	4%	2%	1%	3%	3%
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Now please tell me whether you agree or disagree with the following statements ...
 Newspapers should be allowed to freely criticize the U.S military about its strategy and performance.

	2002	2003	2004	2005
Strongly agree	33%	32%	32%	36%
Mildly agree	24%	22%	24%	23%
Mildly disagree	18%	14%	12%	12%
Strongly disagree	24%	30%	29%	26%
DK/Ref.	1%	1%	4%	4%

Overall, do you think Americans have too much, too little, or just the right amount of access to information about the federal government's war on terrorism?

	2002	2003	2004	2005
Too much access	16%	12%	15%	14%
Too little access	40%	48%	50%	52%
Just about the right amount	38%	38%	31%	30%
DK/Ref.	6%	2%	4%	4%

Overall, do you think that students in public schools have too much religious freedom, too little religious freedom, or about the right amount of religious freedom while at school?

	2001	2002	2003	2004	2005
Too much	3%	3%	4%	3%	3%
Too little	53%	53%	46%	52%	50%
About right	40%	40%	45%	41%	41%
DK/Ref.	4%	4%	5%	5%	5%

Overall do you think students in public high schools have too much freedom to express themselves, too little freedom to express themselves or is the freedom of public high school students to express themselves about right?

	2003	2004	2005
Too much freedom	13%	15%	18%
Too little freedom	28%	29%	23%
Right amount	54%	51%	51%
DK/Ref.	4%	5%	7%

Please tell me whether you agree or disagree with the following statements ...

Public school students should be allowed to wear a T-shirt with a message or picture that others might find offensive.

	1997	1999	2004	2005
Strongly agree	9%	10%	13%	13%
Mildly agree	17%	17%	11%	14%
Mildly disagree	22%	23%	21%	17%
Strongly disagree	48%	48%	51%	50%
DK/ref	4%	2%	4%	7%

As part of a classroom discussion, public school students should be allowed to express views that others might find offensive.

	2005
Strongly agree	45%
Mildly agree	30%
Mildly disagree	8%
Strongly disagree	12%
DK/ref	5%

Public schools should be allowed to prohibit the discussion of violence by students.

	2005
Strongly agree	25%
Mildly agree	16%
Mildly disagree	21%
Strongly disagree	33%
DK/ref	5%

Now, let me ask you a few questions about television programming

In your view, who should be primarily responsible for keeping inappropriate material on television away from children: Parents, Government officials or Broadcasters?

	2004	2005
Parents	87%	82%
Government officials	1%	2%
Broadcasters	10%	15%
Nobody (vol.)	0%	0%
DK/Ref.	2%	1%

The government currently has some authority to regulate content on broadcast television. Should that authority be extended to allow the regulation of programs available by subscription to cable or satellite television systems?

	2005
Yes, it should be extended	35%
No	60%
DK/ref	5%

Do you agree or disagree with the statement “the government should be allowed to restrict sexually-explicit material on broadcast television?”

	2005
Strongly agree	47%
Mildly agree	19%
Mildly disagree	13%
Strongly disagree	19%
DK/ref	3%

Please tell me whether you agree or disagree that government should be allowed to restrict each of the following on broadcast television...

Nudity

	2005
Strongly agree	43%
Mildly agree	17%
Mildly disagree	17%
Strongly disagree	21%
DK/ref	2%

Violence

	2005
Strongly agree	37%
Mildly agree	23%
Mildly disagree	17%
Strongly disagree	21%
DK/ref	2%

Curse words

	2005
Strongly agree	36%
Mildly agree	21%
Mildly disagree	20%
Strongly disagree	22%
DK/ref	2%

Scenes portraying homosexual characters and relationships

	2005
Strongly agree	32%
Mildly agree	14%
Mildly disagree	20%
Strongly disagree	31%
DK/ref	3%

Scenes portraying the use of illegal drugs

	2005
Strongly agree	41%
Mildly agree	18%
Mildly disagree	18%
Strongly disagree	20%
DK/ref	3%

Speech that might be offensive to racial groups

	2005
Strongly agree	36%
Mildly agree	22%
Mildly disagree	18%
Strongly disagree	21%
DK/ref	3%

Speech that might be offensive to religious groups

	2005
Strongly agree	28%
Mildly agree	19%
Mildly disagree	24%
Strongly disagree	25%
DK/ref	4%

Commercials that target children as consumers

	2005
Strongly agree	34%
Mildly agree	23%
Mildly disagree	21%
Strongly disagree	18%
DK/ref	4%

Currently the government imposes fines of up to \$32,500 on broadcasters who violate government rules. Do you favor or oppose allowing the government to impose fines of up to \$500,000 on broadcasters who violate rules?

	2005
Favor strongly	44%
Favor mildly	20%
Oppose mildly	13%
Oppose strongly	19%
DK/ref	5%

Now please tell me whether you agree or disagree with the following:

All “live” programming should be put on tape delay to edit out objectionable material before it is broadcast.

	2005
Strongly agree	39%
Mildly agree	19%
Mildly disagree	16%
Strongly disagree	23%
DK/ref	4%

The government should be allowed to access records of materials borrowed by public library patrons.

	2005
Strongly agree	15%
Mildly agree	18%
Mildly disagree	14%
Strongly disagree	49%
DK/ref	4%

Those who use public libraries should be informed when the government requests records of materials that they have borrowed from the library.

	2005
Strongly agree	62%
Mildly agree	15%
Mildly disagree	7%
Strongly disagree	12%
DK/ref	3%

Now please also tell me whether you agree or disagree with the following statements:

Government officials should be allowed to post the 10 Commandments inside government buildings.

	2002	2003	2004	2005
Strongly agree	52%	44%	50%	56%
Mildly agree	18%	18%	18%	14%
Mildly disagree	12%	13%	10%	8%
Strongly disagree	16%	22%	19%	20%
DK/Ref.	2%	3%	3%	2%

Government officials should be allowed to post the 10 Commandments inside public school buildings.

	2002	2003	2004	2005
Strongly agree	52%	44%	50%	50%
Mildly agree	18%	18%	18%	14%
Mildly disagree	12%	13%	10%	11%
Strongly disagree	16%	22%	19%	24%
DK/Ref.	2%	3%	3%	1%

Government officials should be allowed to post the Ten Commandments inside public buildings when they are displayed as one document among many historical documents.

	2005
Strongly agree	66%
Mildly agree	19%
Mildly disagree	4%
Strongly disagree	9%
DK/ref	2%

In your opinion, is a display of the Ten Commandments in a public building primarily an acknowledgement of God or primarily a statement about the roots of our laws?

	2005
Primarily an acknowledgement of God	36%
Primarily a statement about the root of our laws	52%
Neither (vol.)	5%
DK/ref	6%

Each December, many public schools present seasonal programs. Which of these views best represents your views about such programs:

	2005
Public schools should be allowed to put on Nativity re-enactments with Christian music.	36%
Public schools should have assembly programs in December that have music from the Christian tradition, but religious music should not dominate.	33%
Public school programs in December should be entirely secular.	20%
None of the above (Vol.)	6%
DK/ref	4%

As you may know, public schools send home information with students periodically from various community groups. Please tell me whether you agree or disagree with the following: Schools should be allowed to send home information about youth programs sponsored by religious groups?

	2005
Strongly agree	49%
Mildly agree	27%
Mildly disagree	8%
Strongly disagree	13%
DK/ref	3%

Musicians should be allowed to sing songs with lyrics that others might find offensive.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Strongly agree	23%	27%	32%	34%	31%	35%	34%	31%
Mildly agree	28%	29%	27%	27%	26%	26%	25%	25%
Mildly disagree	16%	15%	12%	9%	14%	10%	12%	14%
Strongly disagree	31%	26%	28%	28%	27%	26%	26%	24%
DK/Ref.	3%	4%	2%	2%	2%	3%	3%	7%

People should be allowed to say things in public that might be offensive to racial groups.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
Strongly agree	8%	8%	15%	16%	14%	18%	17%	21%
Mildly agree	15%	13%	17%	18%	20%	20%	18%	22%
Mildly disagree	14%	16%	15%	15%	16%	14%	14%	14%
Strongly disagree	61%	62%	52%	49%	48%	47%	49%	39%
DK/Ref.	2%	1%	1%	2%	1%	1%	1%	3%

People should be allowed to say things in public that might be offensive to religious groups.

	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2005</u>
Strongly agree	22%	25%	29%	26%	23%
Mildly agree	24%	22%	28%	23%	25%
Mildly disagree	15%	16%	14%	14%	15%
Strongly disagree	38%	35%	28%	36%	35%
DK/Ref.	1%	3%	2%	1%	4%

Teachers and other public school officials should be allowed to lead prayers in public school.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2005</u>
Strongly agree	37%	44%	48%	35%
Mildly agree	20%	21%	17%	17%
Mildly disagree	15%	15%	13%	16%
Strongly disagree	25%	18%	19%	30%
DK/Ref.	2%	2%	2%	2%

Now please tell me whether you agree or disagree:

Broadcasters should be allowed to televise the proceedings of the United States Supreme Court.

	1997	2000	2001	2005
Strongly agree	44%	48%	51%	54%
Mildly agree	29%	25%	26%	24%
Mildly disagree	11%	10%	9%	9%
Strongly disagree	12%	13%	12%	9%
DK/ref	3%	4%	1%	3%

Broadcasters should be allowed to televise the proceedings of any courtroom trial they wish.

	1997	1999	2000	2005
Strongly agree	28%	34%	22%	26%
Mildly agree	23%	33%	16%	17%
Mildly disagree	9%	13%	21%	26%
Strongly disagree	25%	17%	39%	27%
DK/ref	4%	3%	2%	3%

The First Amendment Center, in cooperation with *American Journalism Review* magazine, commissioned New England Survey Research Associates to conduct the general public survey of attitudes about the First Amendment. The survey was conducted by telephone between May 13 and May 23, 2005. The sampling error for 1,003 national interviews is about 3%. *AJR* magazine will publish a report about State of the First Amendment 2005 survey results related to news media issues in its Aug. 1 issue.