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AMENDMENT

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State of the First Amendment 2003



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On the cover: A giant American flag waves at half staff during Memorial Day services in San Rafael, Calif., Monday, May 26, 2003. (AP Photo/Marin Independent Journal, Erin Lubin)

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Foreword

Time and healing bring renewed perspective on the First Amendment

By *Kenneth A. Paulson*

Executive Director/First Amendment Center

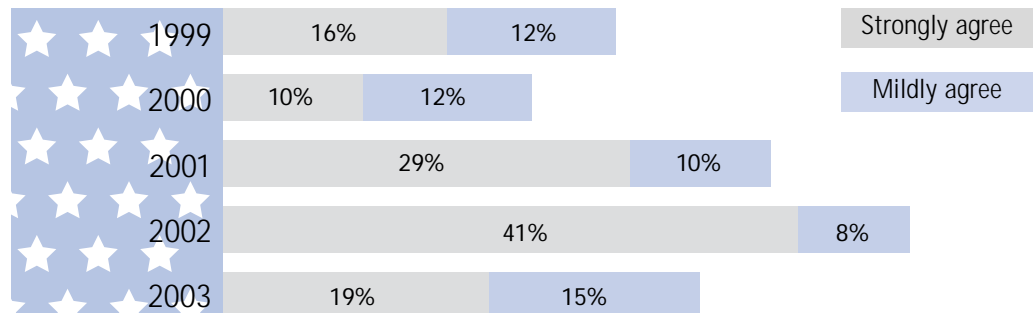
Two years after the terrorist attacks in New York and Washington, D.C., our nation appears to have caught its breath — and regained some perspective.

Those horrific assaults took a tremendous toll, in lives as well as on our collective psyche. How could we prevent this kind of attack from happening again? Did we need to limit liberties in the interest of security? Were we too free to be truly safe?

That sense of freedom as an obstacle to the war on terrorism was reflected last year in our annual survey gauging public support for First Amendment freedoms. For the first time in our polling, 49% of respondents said they believed the First Amendment gives us too much freedom.

While reaction to fear is largely reflexive, the passage of time allows us to be reflective. The 2003 State of the First Amendment sur-

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.



vey — conducted in collaboration with *American Journalism Review* — suggested that public support for First Amendment freedoms may be returning to pre-9/11 levels. About 61% of respondents indicated overall support for First Amendment freedoms, while 34% said First Amendment freedoms go too far.

While First Amendment advocates certainly can't regard it as a victory that one-third of Americans have misgivings about these fundamental freedoms, there are other signs that most Americans continue to embrace freedom of speech and religion. While respondents displayed less enthusiasm for

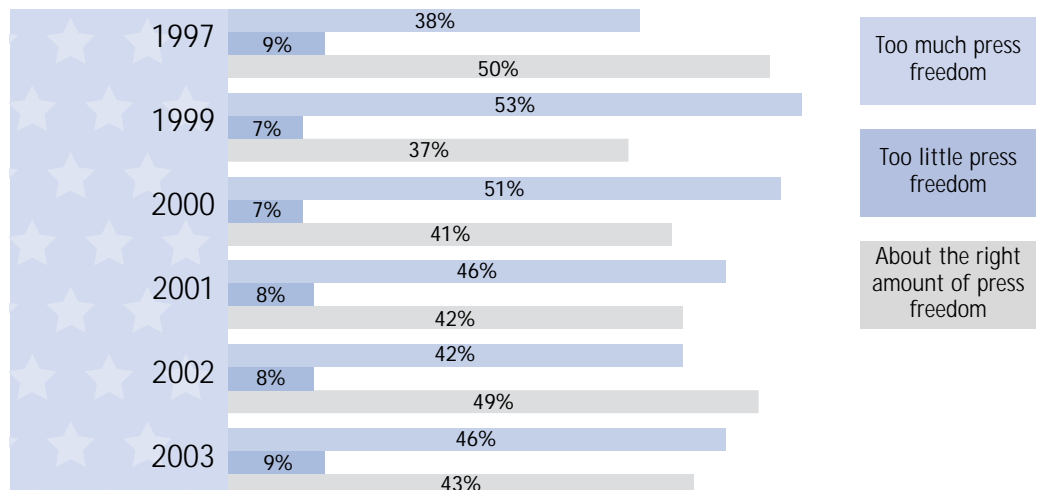
freedom of the press, they did give high marks to the news media for their work during the war in Iraq.

Among the key findings:

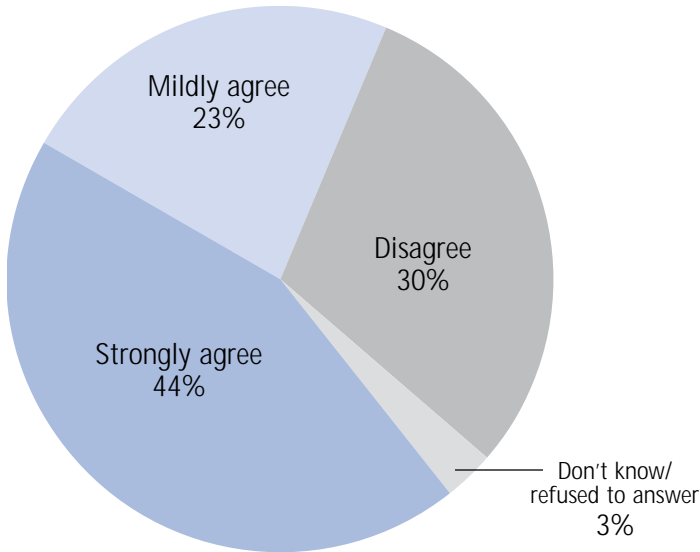
- **The least popular First Amendment right continued to be freedom of the press — 46% said the press in America has too much freedom to do what it wants, up from 42% last year.**
- **Sixty-five percent of those surveyed said they favor the policy of embedding U.S. journalists in individual combat units, and 68% said the news media did an excellent or good job in covering the war.**
- **Despite the positive perception of war coverage, more than two out of three surveyed said the government should be able to review in advance journalists' reports directly from military combat zones.**
- **Americans indicated a hunger for more information about the war on terrorism. Forty-eight percent of those surveyed said they believed that Americans have too little information about the federal government's efforts to combat terrorism.**
- **When asked whether they believe the media**

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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?



Please tell me whether you agree or disagree with the following statements: "The government should be able to review in advance what journalists report directly from military combat zones."



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have too much freedom to publish or whether there's too much government censorship, response was split: 43% said there's too much media freedom, and 38% said there's too much government censorship.

The war in Iraq put protests back on newspaper front pages and gave a number of Americans second thoughts about dissent. The war also fueled a new effort to rewrite the Constitution to ban burning of the American flag. While a majority of respondents said they supported protest rights, a significant percentage favored limits:

- Almost one-third of those surveyed said that individuals should not be allowed to protest in public against an American war during the period of active combat.
- One in three respondents said that public school officials should be allowed to prohibit high school students from expressing their opinions about the war on school property. And roughly one in two said public schools should be allowed to ban armbands or other symbolic opposition to the war during a period of combat.
- Perhaps echoing public sentiment concerning comments by the Dixie Chicks, 39% of those surveyed said they would be less likely to buy a CD from a musician who has made controversial political remarks in public that differ from their own views.
- About 55% of those surveyed opposed a constitutional amendment to ban flag-burning, up from 51% in 2002.

Last year, a three-judge panel of the 9th U.S. Circuit Court of Appeals ruled that the recitation in public schools of the phrase

“one nation under God” during the Pledge of Allegiance violated the U.S. Constitution. The outcry was immediate and angry. The 2003 State of the First Amendment survey found that most respondents were not concerned about the separation of church and state. In fact, a majority seemed comfortable with intermingling religious references with government business:

- **Almost seven in 10 said that the public school recitation of the phrase “one nation under God” in the Pledge of Allegiance does not violate the separation of church and state.**
- **About 62% of those surveyed said government officials should be allowed to post the Ten Commandments inside government buildings. Almost eight in 10 said the government’s use of the phrase “In God We Trust” on U.S. money does not violate the principle of the separation of church and state.**
- **About 60% said they favored allowing the government to give money to religious institutions to help run drug-abuse prevention programs, even if the**

institutions included a religious message in their program.

Do these responses reflect a trust in government not to go beyond symbolic references to faith? Or do the results reflect a majority who are receptive to seeing their own beliefs cited on government walls and in ceremonial references?

The answers may lie in how Americans view God in the context of government activities. Most of those surveyed regarded government references to God as civic rather than spiritual.

About 73% of those surveyed said the phrase “one nation under God” is “primarily a statement related to the American political tradition.” Fewer than 20% said they thought this reference to God was “primarily a religious statement.”

Another area spurring fierce debate over the last year has been the Federal Communications Commission’s move to loosen media ownership restrictions.

The public’s unease with extensive media ownership by large corporations and conglomerates was reflected in the survey. The majority of respondents said the quality of news reporting

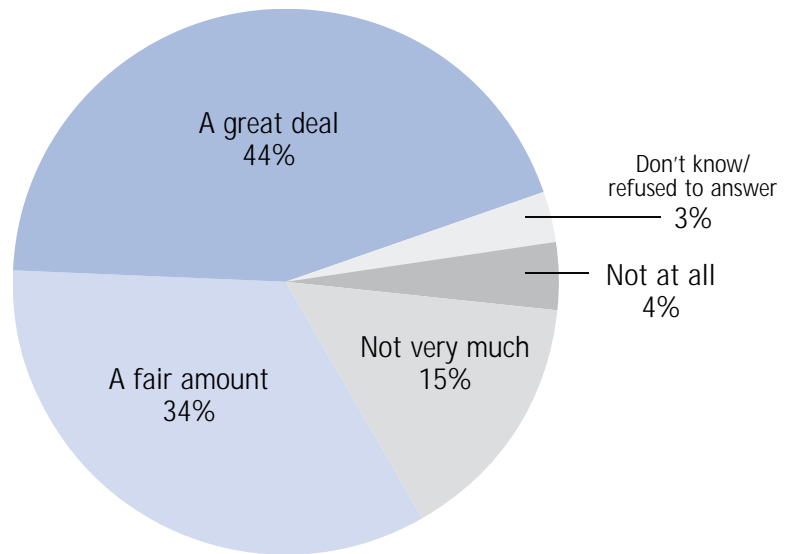
has deteriorated and opposed the removal of limits on how many media outlets may be owned by a single company:

- **Fifty-two percent of those surveyed said media ownership by fewer corporations has meant a decreased number of viewpoints available to the public. Fifty-three percent said the quality of information also has suffered.**
- **Fifty-four percent said they favor maintaining federal limits on how many radio, television and newspaper outlets may be owned by a single company, but one in two said they opposed any increased regulation.**
- **Almost eight Americans in 10 said owners exert substantial influence over news organizations’ newsgathering and reporting decisions. Only 4% said they believed there is no tampering with story selection or play.**

Overall, the 2003 State of the First Amendment survey results suggest some challenges for America’s news media.

While most respondents gave the press high marks

In your opinion, to what extent do corporate owners influence news organizations' decisions about which stories to cover or emphasize?



for Iraq war coverage and said they count on the news media to provide more information about the war on terrorism, they also said the press has too much freedom and indicated suspicion of those who own the nation's newspapers and broadcast stations.

Fortunately, Americans also recognize responsible and responsive news coverage when they see it. For all of the skepticism about news media ownership and excesses, the nation's journalists remain uniquely positioned to win support for a free press — and the First Amendment as a

whole — by living up to the watchdog role envisioned by the founding fathers.

At a time when many remain tempted to roll back civil liberties in the name of security, a free press plays a crucial role.

The nation's news media truly honor the First Amendment when they ask the tough questions, fight to keep the public's business public and provide the kind of thorough and balanced reporting that is the lifeblood of a democracy.



Analysis

American attitudes about the First Amendment

A project sponsored by the First Amendment Center and American Journalism Review

By the Center for Survey Research & Analysis at the University of Connecticut

Overview

The First Amendment to the U.S.

Constitution has long been considered a fundamental liberty and a guiding influence on American life. Most Americans, whatever their political leanings, hail the First Amendment's guarantees of individual protection from government censorship or official efforts to curb reasonable and fair dissent. Of course, the truest test of our nation's commitment to the First Amendment occurs when its provisions conflict with perceived national-security interests. In the minds of some, the terrorist attacks of Sept. 11, 2001, led federal officials to subordinate civil liberties in order to wage a war on terrorism. During the subsequent war in Iraq, the government imposed new rules on media coverage. Some of these government policies may have implications for the state of the First Amendment.

How cherished are our First Amendment guarantees? Has the war on terrorism and military battles in Iraq forced some of these rights to be downgraded in importance? To be sure, the First Amendment's status with the public remains unclear. Only a handful of comprehensive surveys on First Amendment issues have been conducted. Few, if any, of those surveys have followed the state of the First Amendment over an extended period of time. While some civil libertarians contend that First Amendment freedoms are being threatened daily, others say the First Amendment enjoys unprecedented strength.

Since 1997, the First Amendment Center has sought to discover American attitudes toward the First Amendment by asking questions designed to evaluate both general and specific First Amendment issues. For the second year, *American*

Journalism Review joined the First Amendment Center to commission the Center for Survey Research & Analysis at the University of Connecticut to conduct this year's survey. Along with asking a number of important new questions, the 2003 survey sought to trace trends in public attitudes over time.

This report presents the findings from the 2003 survey and includes noteworthy comparisons from six earlier polls (one from 1997, two from 1999, and three more conducted annually over the last three years). Although the First Amendment encompasses numerous specific rights (including the right of people to peaceably assemble and to petition the government), we targeted for intensive study the freedoms of speech and press, as well as the freedom of religion. The study pays extra attention to the tensions placed on these rights by government initiatives in the current war on terrorism and the war in Iraq.

The study also focused on the recent loosening of standards on corporate media ownership. What has been the impact of increased corporate ownership? Does this development threaten citizens' access to critical public information? Even more

important, how does the concentration of U.S. media outlets into the hands of just a few corporations affect the quality of information?

Finally, as religion continues to play an influential role in society, issues surrounding the free-exercise clause and the establishment clause of the First Amendment continue to arise. What is the role that religion should play, if any, in public education?

The 2003 survey addressed the following issues:

- **Do Americans know the freedoms guaranteed to them by the First Amendment?** Does the American educational system do a good enough job teaching students about these freedoms?
- **Are Americans generally satisfied with the current levels of First Amendment freedoms afforded to individuals, or is there a sense that there is too much or too little of these freedoms?** Should people be allowed to freely express themselves in certain scenarios?
- **Should people be allowed to say offensive things in public?** Should musicians be allowed to sing offensive songs? When musicians make controversial statements, does it affect individuals in their decisions concerning whether or not to patronize their music?
- **During wartime, should members of the media be allowed to travel wherever they want and report freely from the battlefield?** Are Americans receiving too little access to information about the war on terrorism? Did the media perform their job well in covering the 2003 war in Iraq?
- **Should high school students be allowed to protest on school property?**
- **What role should religion play in public schools?** Can students be made to recite the Pledge of Allegiance? Should government officials be allowed to post the Ten Commandments inside government buildings?

The First Amendment Center/*American Journalism Review* poll on the First Amendment was conducted under the supervision of the Center for Survey Research & Analysis at the University of Connecticut. A random sample of 1,000

national adults ages 18 and over were interviewed between June 3 and June 15, 2003. Sampling error is $\pm 3\%$ at the 95% confidence level. For smaller groups the sampling error is slightly higher. Weights were assigned to reflect the characteristics of the adult U.S. population. A more detailed description of the methodology is located in Section IV of this report.

Summary of findings

From most indications, more and more Americans appear to be accepting the war on terrorism as a routine feature of political life. This fact has manifested itself in different ways. On one hand, a majority of citizens continue to express willingness to sacrifice broad applications of the First Amendment in support of some military actions. But citizens are not willing to forego all freedoms in pursuit of those aims, especially when the federal government couches its demands under the more general “war on terrorism.”

Perhaps the most significant finding in the 2003 survey concerns the degree to which Americans believe the First Amendment goes

“too far” in the rights it guarantees. Last year, in the first State of the First Amendment survey conducted after the events of Sept. 11, 2001, nearly half of those surveyed indicated that the First Amendment went too far. As memories of the horror of Sept. 11 begin to fade, support for civil liberties — including the First Amendment — appear to be making a comeback. This year, 34% said the First Amendment goes too far in the rights it guarantees, bringing the response closer to previous years’ findings.

As was true in all previous surveys, the public continued to lend strong support in the abstract to two freedoms set forth by the First Amendment: the freedom of speech and the free exercise of religion. A substantial majority of Americans said that the First Amendment gives about the right amount of freedom of speech and freedom of religion in our society. At the same time, Americans continued to be wary of giving the press too much freedom, as more than four in 10 Americans said the press in America has too much freedom to do what it wants — more than five times the number who said the press has “too little freedom.”

Overall support for freedom of speech remains generally high. Still, Americans did draw some crucial distinctions among the levels of freedom accorded to specific applications of free speech. Less than half of those surveyed said that people should be able to say things in public that might be offensive to religious groups; and less than four in 10 agreed with the premise that people should be allowed to say things that might be offensive to racial groups. As was the case in 2002, nearly half favored amending the constitution to prohibit flag-burning.

Musicians also were held to complicated standards: While more than six in 10 respondents said that musicians should be allowed to sing songs that might be considered offensive, nearly four in 10 indicated they would be less likely to patronize entertainers who made controversial political remarks that were contrary to the respondents’ views.

Americans also drew a fine distinction between their right to find out information about the more abstract “war on terrorism” and their right to learn about specific military operations. Nearly half of those surveyed said they have too little access to information on the war on terrorism,

and almost six in 10 disagreed that the U.S. press has been too aggressive in asking government officials for information about the subject. At the same time, two-thirds of those surveyed said the government should be able to review in advance what journalists report from battle zones, and about two-thirds favored the practice of “embedding” reporters in individual combat units.

Judging from the survey results, the recent decision by the federal government to loosen restrictions on corporate ownership of the media was not popular. More than half opposed that decision, although half would oppose any increase in regulation as well. A majority of respondents seemed especially fearful that the concentration of media outlets in the hands of a few corporations would decrease the quality and quantity of information and viewpoints. And nearly eight in 10 said that corporate owners influence news decisions either “a fair amount” or “a great deal.”

Finally, more than half of those surveyed said they were satisfied that students in public schools have the right amount of freedom to express themselves. Large majorities also said that the Pledge of Allegiance is primarily a political state-

ment, and that its recitation in public schools does not violate the principle of separation between church and state. At the same time, more than six in 10 supported the use of educational vouchers, which would give parents the option of sending their children to parochial schools, and nearly the same number favored faith-based charity programs that allow religious institutions to run drug abuse-prevention programs.

The First Amendment continues to generate a mix of emotions among Americans. The war on terrorism may have exacerbated these tensions in the wake of Sept. 11, but the findings suggest that Americans’ opposition to the aggressive exercise of First Amendment freedoms is softening. Respondents continued to lend strong abstract support for the constitutional right of freedom of speech, as well as for the free exercise of religion. As in past years, the study’s findings should be regarded as a tool to conceive new methods of raising awareness of First Amendment issues and fostering a better appreciation for the freedoms it represents.

Here are some specific findings from the 2003 study:

- **34% of those surveyed agreed that the First Amendment goes too far in the rights it guarantees, a drop of 15 percentage points from the sentiment expressed in the 2002 survey. More than six in 10 said they have the right amount of freedom of speech (63%) and freedom of religion (66%). Less than half said the same about the freedom of the press.**
- **31% judged the American educational system as doing either an excellent or good job of teaching students about First Amendment freedoms. Younger adults were especially likely to be critical — 35% of those aged 18-30 rated the system as poor in this regard.**
- **Nearly all respondents (95%) agreed that people should be allowed to express unpopular opinions in this country, and two-thirds said they support the right of any group to hold a rally for a cause, even if it may be offensive to others. More than half (54%) said that controversial political remarks from a musician that do not reflect their views would**

make no difference in deciding whether to purchase a CD or to attend a performance by that entertainer.

- 48% of those surveyed said that Americans have too little access to information about the war on terrorism, up 8% from the 2002 survey. Thirty-eight percent said there is too much government censorship, up 6% from 2002.
- 54% supported the right of the press to freely criticize the military, and 65% favored the policy of “embedding” journalists in U.S. combat units in Iraq. Indeed, 37% strongly favored that policy, even if it might limit reporters’ movements in the field.
- More than half (54%) indicated satisfaction with the freedom students in public schools have to express themselves. Sixty-five percent of those surveyed would not allow public school officials to prohibit students’ expression of their opinions about war.
- 78% said that corporate owners influence news organizations’ decisions about which stories to

cover or emphasize either by “a fair amount” or “a great deal.” More than half of those surveyed said that concentrated corporate media ownership decreases the quality of information for citizens, and decreases the number of viewpoints available to the public.

- Less than half (45%) said the amount of religious freedom students enjoy in public schools is about right, almost the exact same percentage as those (46%) who said students have too little religious freedom in public schools. Americans overwhelmingly (73%) viewed the reference to “one nation under God” in the Pledge of Allegiance as primarily a statement related to the American political tradition.
- Certain school voucher programs (62%) and faith-based drug-abuse programs (62%) also garnered approval from respondents.

General orientations toward the First Amendment

HIGHLIGHTS

- In 2003, 34% of those surveyed said the First Amendment goes too far in the rights it guarantees, down 15% from the 2002 survey, the first one conducted after Sept. 11, 2001.
- Among the 60% who disagreed that the First Amendment goes too far in the rights it guarantees, 73% said that newspapers should be allowed to publish freely without government approval of a story, and 60% said newspapers should be allowed to freely criticize the U.S. military. Those less skeptical of the First Amendment also were far more likely to indicate that individuals should be allowed to protest publicly against U.S. military involvement during a time of active combat.
- More than six in 10 respondents said they have the right amount of freedom of speech and religious freedom. Less than half said the same about the freedom of the press.

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- **More than six in 10 (62%) rated the American educational system as either fair or poor in teaching about First Amendment freedoms, while 31% rated its job as either good or excellent.** Thirty-five percent of respondents aged 18-30 rated the system as poor.

The First Amendment is a cornerstone of American democracy. It was ratified in 1791 out of fears that the new central government in the United States might have too much discretion to curb dissent and otherwise abuse its newfound powers. As usual, the survey asked respondents if they could name any of the specific rights guaranteed by the First Amendment.

In every year this survey has been conducted, including this year, the freedom of speech was the only right named by more than a third of those surveyed. And for a fourth year in a row, about six in 10 named that specific right within the First Amendment. As was the case in the past, the freedom of religion received the second-highest level of recognition at 22%. More than a third of those surveyed (37%) were unable to name any of the specific rights guaranteed by the First Amendment, no mat-

ter how many times they were asked.

Of course the public's attitudes toward the First Amendment are of even greater concern, and this year's survey marked a shift in popular feeling toward this part of the Constitution. Since 1999, the survey has shown a definitive increase in support for the proposition that the First Amendment goes "too far" in the rights it guarantees: from the less than 30% who agreed with the statement in 1999 and 2000, to the 39% who supported that statement in early 2001, and then peaking with the 49% who said the First Amendment went too far in 2002. This year, as the memory of Sept. 11, 2001, fades a bit, the public has apparently increased its tolerance for the aggressive exercise of First Amendment rights. In 2003, 34% said the First Amendment goes too far, more reminiscent of levels witnessed before the Sept. 11 terrorist attacks.

Although it is difficult to determine precisely why the surge in negativity toward the First Amendment has subsided, the sense that our nation has averted the immediate danger of ongoing terrorist attacks may be a factor. Upon closer examination of the subgroup of 60% who

disagreed that the First Amendment goes too far in the rights it guarantees, this subgroup (34%) was considerably less likely than its peers (43%) to think that the American press has been too aggressive in asking for information about the war on terrorism. This subgroup also was more likely (73%) to indicate that newspapers should be allowed to publish freely without government approval of a story (63% of the other respondents felt that way), and they were much more likely (60%) to think newspapers should be allowed to freely criticize the U.S. military than the other respondents (47%). Apparently the reduced level of opposition to the First Amendment in general has been spurred in part by Americans who seek a more aggressive role for the press in monitoring government activities, even during wartime.

Tolerance for First Amendment activities extends beyond the press as well. Those who disagreed that the First Amendment goes too far were far more likely (75%) than their peers (52%) to indicate that individuals should be allowed to protest in public against America's involvement in war during a period of active military combat.

In considering attitudes toward more specific constitutional rights, rights of free speech and the free exercise of religion continue to fare well in this year's survey. Sixty-three percent said Americans have the right amount of freedom to speak, as compared to 23% who said there is too little freedom and 12% who said there is too much freedom. The freedom of religion fared even better, as two-thirds (66%) said we have "about the right amount" of such freedom, almost three times the percentage (24%) who said we have too little such freedom. Eight percent said we have too much religious freedom in this country.

Freedom of the press does not fare nearly as well in the abstract, no matter how the question is worded. Less than half of those surveyed said that the amount of freedom the press has is about right (43%), or that the amount of press freedom Americans have is about right (48%). A noteworthy percentage of respondents (46%) said the press has too much freedom to do what it wants in the United States. Moreover, not once in the past six years has as much as 10% of the public indicated that there was too little freedom of the press. Thus not only does support for press freedom trail behind that

expressed for other rights, but there seems to be little or no concern that press freedom is endangered.

Finally, many respondents continued to give low marks to the job the American educational system is doing in teaching students about First Amendment freedoms. For the third consecutive year, more than six in 10 of those surveyed rated the system as either fair or poor in this regard. By comparison, 31% said the educational system is doing an excellent or good job in this respect, matching past survey's numbers almost exactly. Of all the subgroups surveyed, younger adults (aged 18-30) were more likely than the other respondents to rate the system as poor, with 35% of that group doing so (as compared to approximately 27% of the others surveyed). Respondents with children under the age of 12 were most likely to rate the system either excellent or good, with 39% doing so (as compared to 28% from those who did not have young children).

Freedom of speech

HIGHLIGHTS

- **95% said people should be allowed to express unpopular opinions, with 74% strongly supporting this right.** (In 2002, 67% strongly supported it.)
- **67% said they support the right of any group to hold a rally for an issue, even if it may be offensive to others.** By contrast, 49% said that people should be allowed to say things in public that might be offensive to religious groups, and 38% said they supported the right to say things in public that might offend racial groups. Non-whites (73%) were especially likely to disagree with such a right.
- **A majority of those surveyed (55%) said they oppose allowing people to display in a public place art that has potentially offensive content.**
- **61% indicated that they support the right of musicians to sing songs with potentially offensive lyrics. If an entertainer makes controversial political**

remarks, even those who don't agree said they would be unlikely to stop patronizing that entertainer — 54% said such remarks would make no difference in the decision to purchase the musician's CD, while 57% said the remarks would make no difference in the decision to attend a performance by the musician.

Support for freedom of speech in the abstract remained robust. For the fourth year in a row, more than nine in 10 agreed that people should be allowed to express unpopular opinions. The intensity of support for this right — which diminished somewhat in the wake of the events of Sept. 11— rebounded sharply. As in the 2001 survey, 74% said they strongly agree with this right, up 7% from 2002. Indeed, overall support for unpopular expression (95%) has now equaled the highest total ever recorded for this survey.

Yet when considering more specific forms of speech, the level of support fluctuated, depending on the circumstances. As in past years, about two-thirds (67%) of respondents said they support the right of any group to hold a rally for a cause or issue even if

it may be offensive to others in the community. (Fifteen percent said they strongly disagree with this right, the lowest such figure since 1997.) By contrast, respondents were almost exactly split on whether people should be allowed to say things in public that might be offensive to religious groups. (Forty-nine percent agreed with the right, while 50% opposed it). Males and females were divided on this issue. Fifty-five percent of men agreed with the right to say things in public that might be offensive to religious groups, while 43% of women would support this same right. (Fifty-six percent of women said they disagree with the right, and 44% said they strongly oppose the right).

Despite high support for free-speech rights in general, specific scenarios engendered opposition. For example, 61% said they disagree with free speech in public that might offend certain racial groups, as compared to 38% who support it. Of the subgroups surveyed, non-whites (73%) and females (68%) were likely to disagree with the right to say things in public that might be offensive to racial groups. Apparently, while non-whites are generally more supportive than whites of other forms of free speech, they draw a

line when it comes to racially charged expression.

As in all our previous surveys, a slight majority opposed allowing people to publicly display art that might be offensive to others. This year, 55% disagreed with this right, compared to 44% who supported it. And while a majority (55%) said the U.S. Constitution should not be amended to specifically prohibit flag-burning or desecration, that number is hardly overwhelming. Meanwhile, the 44% who do favor amending the Constitution in that way are adamant in their positions — 87% would support the amendment even after being told that it would be the first time any of the freedoms in the First Amendment had been amended in more than 200 years.

The right of musicians to sing songs with potentially offensive lyrics garnered high levels of support in the past, and this year's survey was no different. Sixty-one percent said they agree with this right, up slightly from the 57% who supported it last year. Males (69%) and those who live in the Western part of the United States (72%) were particularly likely to agree. And while females' (54%) and Southerners' (59%) support for the right was more

tepid, the majority of all subgroups favored it.

The recent furor surrounding criticism of President Bush by the lead singer of the popular music group, the Dixie Chicks, led to further inquiry about the often-uneasy relationship between entertainment and politics. Does the public support musicians who speak out on controversial political issues? And if not, are they willing to stop patronizing musicians who makes such remarks?

For a majority of those surveyed, controversial remarks by entertainers that do not reflect one's views appear to make little difference in consumer decisions. In particular, 54% said that controversial remarks from a musician would make no difference in the decision to purchase a CD by that musician, and 57% said such remarks would make no difference in the decision of whether to attend the musician's performance. Fewer than four in 10 said such remarks would make them less likely to purchase a CD (39%) or attend a performance by the entertainer (38%).

The age of respondents appeared to play a significant role in determining the extent to which such remarks makes a difference in consumer decisions.

Seventy-two percent of those aged 18-30 said controversial remarks would make no difference in their decision to purchase a CD by the musician in question, as compared to nearly half of all the other respondents who said the same. Similarly, 71% of the respondents aged 18-30 said such remarks would make no difference in their decision to attend a concert by the entertainer, as compared to less than six in 10 of all the other respondents who felt that way.

An even higher percentage of respondents said that agreeing with an entertainer's political remarks also makes no difference in their consumer decisions. In all, 71% say that those remarks would make no difference in their decision to purchase a CD by the musician, and 72% say those remarks would make no difference in the decision to attend a performance by the entertainer.

Civil liberties during wartime

HIGHLIGHTS

- **Nearly half of those surveyed said Americans have too little access to information about the war on**

terrorism, an increase of eight percentage points from those who expressed that same sentiment in 2002.

Additionally, 38% said there is too much government censorship in this country.

- **67% disagreed with law enforcement attempts to monitor which books or other materials patrons check out of public libraries; 30% agreed.**
- **54% supported the right of newspapers to freely criticize the military; 44% disagreed with such criticism.**
- **68% rated the job the news media performed in covering the 2003 war in Iraq as excellent or good.**
- **Respondents strongly supported the U.S. military's policy of embedding journalists in individual combat units on the battlefield; 65% favored the policy, as compared to 31% that opposed it.**
- **67% agreed that individuals should be allowed to protest in public against America's involvement in war during a period of active combat, but nearly half (48%)**

would support the power of public school officials to prohibit high school students from wearing T-shirts, armbands, or other insignia expressing their opinions about the war on school property.

Last year's survey presented stark evidence that the tragic events of Sept. 11 had an impact on the public's support for civil liberties. Americans were willing to put up with sacrifices in the name of the government's new war on terrorism, and nearly half the public said that the First Amendment had gone too far in the rights it guaranteed. Yet the terrorist attacks were becoming a more distant memory by the time of the 2003 State of the First Amendment survey. Although a war on terrorism was still being waged, the government had turned its attention to the war in Iraq. Where do Americans stand in the conflict between civil liberties and the government's interest in controlling access to information during wartime?

The 2003 survey results presented a mixed picture on the state of public attitudes in this context. To be sure, Americans have become less willing over the last year to accept blan-

ket government restrictions on information in the name of the more general war on terrorism. In this year's survey, 48% said Americans have too little access to information about the federal government's war on terrorism, an increase of 8% from a year ago. Additionally, while more than four in 10 Americans (43%) still said there is too much media freedom in this country, 38% said there is too much government censorship, a rise of 6% from last year's figure.

Two-thirds (67%) of the public disagreed — 48% disagreed strongly — with law enforcement attempts to monitor which books or other materials patrons check out of public libraries. And respondents were more eager than last year to have the press aggressively ask questions about the Bush administration's war on terrorism. In the 2003 survey, 38% said the American press had been too aggressive in asking officials for information about that overall war, a drop of 10 percentage points from those who felt that way in the 2002 survey.

In terms of more general freedom of the press issues, 70% said newspapers should be allowed to publish freely without govern-

ment approval of a story. (Forty-eight percent felt strongly that such a right to publish freely should exist.) However, in regard to publishing details about military actions, respondents were more tolerant of government restrictions on the First Amendment. For the second year in a row, the public was somewhat torn on the question of whether newspapers should be allowed to freely criticize the military about its strategy and performance: 54% agreed with this right, while 44% disagreed. Education was a factor in people's opinions — those with a college degree (76%) were far more likely than those who did not progress past high school (42%) to support the right to criticize the military in this way.

More than two-thirds of those surveyed (68%) rated the news media's coverage of the war in Iraq as excellent or good; 8% rated it poor. The U.S. military adopted a policy of "embedding" journalists in individual combat units. Although the policy limited journalists' movements on the battlefield, 65% of those surveyed favored that policy, with 37% saying they strongly favored it. Even more telling, 67% said that the government should be able to review in advance what journalists

report directly from combat zones (44% strongly agreed with such a power). Together, these two responses created the sense that the public will put up with limitations on access to information about the war on Iraq, even as it expresses frustration about access to information in general about the war on terrorism.

Individual protest is part of the American tradition, and may be expected whenever America extends its military power overseas. The question is, how much protest will Americans tolerate? Two-thirds (67%) said quite a lot, agreeing that individuals should be allowed to protest in public against America's involvement in war during a period of active military combat. Westerners (77%) were especially willing to support such a right, while those in the Midwest (61%) expressed support in fewer numbers.

During wartime, another battle over the limits of the First Amendment may be waged in public schools, where school officials come under increasing pressure to stamp out student dissent, especially where it may prove disruptive. Does the public support the same rights of protest for public school students that it affords to individuals in

general? More than half of those surveyed (54%) indicated satisfaction with the freedom students in public schools have to express themselves. Meanwhile, 13% said students have too much freedom.

As a general matter, 65% opposed allowing public school officials to prohibit high school students from expressing their opinions about the war on school property. At the same time, 48% of those surveyed support the power of public school officials to prohibit high school students from wearing T-shirts, armbands or other insignia expressing their opinions about the war, even during a period of active military combat. (Half disagreed with granting officials that power). Thus while the public may be more satisfied than not about the state of student freedom in public high schools, its understanding of what that freedom entails remains the source of fierce debate.

Corporate ownership of the media

HIGHLIGHTS

- **A clear majority of the public (78%) said that corporate ownership of the media influences those news organizations' decisions by "a great deal" or "a fair amount."**
- **Concentrated ownership of media entities by a handful of corporations is a source of particular concern.** More than half of those surveyed (52%) said this development will decrease the number of viewpoints available to the public, and 53% said it will decrease the quality of information.
- **Despite public frustrations about concentrated corporate ownership of the media, there appeared to be no clear public support for changes in how this matter should be regulated.** While 54% opposed the federal government's new policy removing most limits on how many outlets may be owned by a single company, 50% also opposed government increases in regulation of those outlets.

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- **Democrats (47%) were much more likely than Republicans (37%) to favor increased regulation of outlets owned by just a few corporations.**

In recent years, there has been increased attention paid to corporate ownership of media entities, and the ways in which such ownership may be influencing the exercise of First Amendment rights. Attention to this issue was heightened even further in June when the Federal Communications Commission announced plans to relax the rules governing corporate ownership of broadcasters and newspapers in the United States. This year's survey sought in part to gauge public attitudes concerning the impact corporate ownership of media may be having on citizens' access to information.

A clear majority were apparently convinced that corporate ownership may be subtly affecting media entities. In particular, 34% of those surveyed said that corporate owners influence news organizations' decisions by a fair amount, and 44% said they thought there was a great deal of such influence on decision-making.

Government regulators have focused most of their attention on the problem of concentrated ownership of media entities: just a few corporations today own a significant percentage of radio stations, television stations and newspapers, including many located in the same market. Fifty-two percent of those surveyed said that this development would decrease the number of viewpoints available to the public, and about the same number said the development would decrease the quality of information available. Less than a quarter said the development would have no effect at all.

Those who graduated from college were far more likely (63%) than those who never attended college (44%) to indicate that concentrated corporate media ownership will lead to a decrease in the number of viewpoints available to the public.

A central question remains: How does the public want the government to address this development? The survey inquired as to whether respondents supported the federal government's decision to remove most limits on how many radio, television and newspaper outlets may be owned by a single company. Given the responses to the questions

mentioned above, reaction to the new policy was somewhat predictable: 38% favored the less restrictive policy, as compared to 54% who said they opposed it.

More surprising was the finding that increased government regulation is just as unpopular as its less-restrictive alternative. Forty-one percent said they favor recent proposals that the government increase its regulation of news media ownership, while half oppose this policy. Thus, at least statistically speaking, there appeared to be little difference between public support for increased or decreased government intervention. Democrats (47%) were more likely than Republicans (37%) to favor increased regulation. But the public overall seemed to be lukewarm about the idea.

Freedom of religion and the establishment clause

HIGHLIGHTS

- **45% of respondents said they are satisfied with the amount of religious freedom students enjoy in public schools.** Nearly the exact same percentage (46%) said there is too little religious freedom for such students.
- **68% of those surveyed said that the policy of requiring public school teachers to lead the Pledge of Allegiance does not offend the Constitution.** Seventy-three percent said the phrase “one nation under God” within the pledge is primarily a “statement related to the American political tradition.”
- **More than six in 10 said that government officials should be allowed to post the Ten Commandments inside government buildings.** Forty-four percent strongly supported this power.
- **62% supported school voucher programs and nearly the same percentage (60%) favored**

faith-based drug-abuse prevention programs.

As a general matter, most respondents (66%) said they’re satisfied with the amount of religious freedom they have in the United States. They were less satisfied, by contrast, with the state of religious freedom that students have in public schools. In fact, less than half (45%) said the amount of religious freedom students have is about right, almost exactly the same percentage (46%) that felt there was too little such freedom. Although this split represented a greater level of satisfaction than that found in previous years, it still contrasts sharply with the overall satisfaction citizens feel for religious freedom in society.

The Pledge of Allegiance has caused a furor in recent years, as at least one court invalidated the required recitation of the pledge as a violation of the establishment clause of the First Amendment. By contrast, the public apparently was more tolerant of the practice. Nearly seven in 10 of those surveyed said that public schools’ requirement that teachers lead students in the pledge does not violate the Constitution, even though the pledge includes the phrase, “one nation under God.” This phrase in particular appeared to cause

no problem because the vast majority of respondents did not view it as a religious statement. In fact, 73% of those surveyed said they view it primarily as a statement related to the American political tradition.

Outside of public schools, support for accommodating religious expression in public places continues unabated. In this year’s survey, 62% said that government officials should be allowed to post the Ten Commandments inside government buildings, with 44% saying they *strongly* supported that power for officials. (Eighty-one percent of fundamentalist/evangelicals and 69% of Protestants agreed with the posting of the Ten Commandments, as compared to 58% of Catholics who favored the practice).

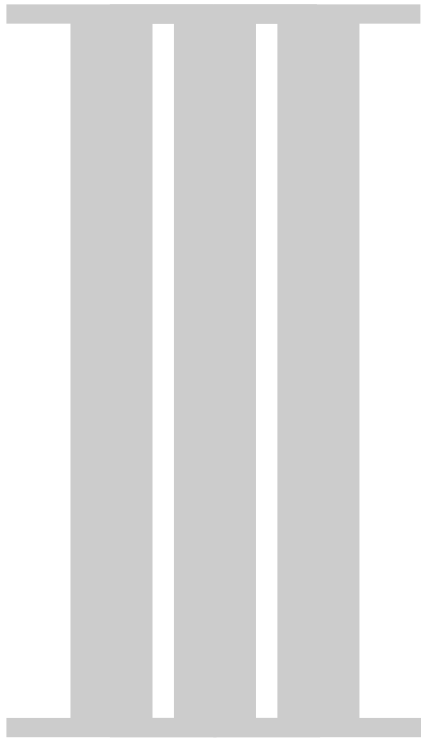
Nor did the public seem concerned about the government’s use of the phrase “in God we trust” on U.S. money and coins. Nineteen percent of those surveyed said they thought the use of the phrase on currency violated the U.S. Constitution, as compared to 78% who said there was no constitutional violation.

Voucher programs and faith-based charitable initiatives also have garnered attention recently, as politi-

cians, interest groups and in some cases the courts have weighed in on the constitutionality of such programs. As for the public, the majority seemed to favor the initiatives. Sixty-two percent of those surveyed said that parents should have the option of sending their children to non-public schools, including those with a religious affiliation, using vouchers or credits provided by the federal government that would cover some or all of the costs. (Forty percent agreed strongly.) This type of voucher program was

avored by Republicans (73%) to a far greater degree than it was by Democrats (55%) or Independents (55%).

Some types of faith-based charities also garnered measured support from the general public. Sixty percent said they favor allowing the government to give money to religious institutions to run drug abuse prevention programs, even if the religious institutions would be allowed to include a religious message. More than a third (36%) opposed such programs.



State of the First Amendment Survey 2003

Weighted Data (N=1,000)

Due to rounding and/or open-ended questions, percentages may not always equal 100.

21

1. 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
Freedom of the press	11%	12%	12%	14%	14%	16%
Freedom of speech	49%	44%	60%	59%	58%	63%
Freedom of religion	21%	13%	16%	16%	18%	22%
Right to petition	2%	2%	2%	1%	2%	2%
Right of assembly/association	10%	8%	9%	10%	10%	11%
Other	7%	6%	12%	14%	19%	21%
Don't know/ refused to answer	N/A	N/A	37%	36%	35%	37%

2. 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	2003
Strongly agree	16%	10%	29%	41%	19%
Mildly agree	12%	12%	10%	8%	15%
Mildly disagree	22%	26%	19%	15%	18%
Strongly disagree	45%	48%	39%	32%	42%
Don't know/ refused to answer	5%	5%	3%	3%	7%

(Rotate questions 3-6 below:)

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

	1999	2000	2001	2002	2003
Too much freedom	31%	40%	36%	33%	36%
Too little freedom	17%	14%	13%	13%	13%
Right amount of freedom	49%	43%	47%	51%	48%
Don't know/ refused to answer	4%	3%	4%	2%	2%

4. 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	1999	2000	2001	2002	2003
Too much freedom	38%	53%	42%	51%	46%	42%	46%
Too little freedom	9%	7%	8%	7%	8%	8%	9%
About right	50%	37%	48%	41%	42%	49%	43%
Don't know/ refused to answer	3%	2%	3%	2%	3%	1%	1%

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

	1997	1999	2000	2001	2002	2003
Too much freedom	10%	12%	11%	12%	10%	12%
Too little freedom	18%	26%	25%	26%	21%	23%
About right	68%	59%	62%	61%	67%	63%
Don't know/ refused to answer	4%	3%	2%	2%	1%	2%

6. 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
Too much freedom	6%	8%	5%	4%	6%	8%
Too little freedom	21%	26%	29%	32%	20%	24%
About right	71%	63%	63%	62%	70%	66%
Don't know/ refused to answer	2%	3%	3%	2%	4%	3%

23

7. A significant percentage of radio stations, television stations and newspapers today are owned by just a few corporations. In your opinion, has this development led to an increased number of viewpoints available to the public, a decreased number of viewpoints available to the public, or has the number of viewpoints available not been affected by this development?

	2003
Increased number of viewpoints	17%
Decreased number of viewpoints	52%
Number of viewpoints not affected	24%
Don't know/ refused to answer	7%

-
8. In your opinion, has the ownership of a significant percentage of radio stations, television stations and newspapers by just a few corporations increased the quality of information available to citizens, decreased the quality of information available to citizens, or has the quality of information not been affected by this development?

2003

Increased number of viewpoints	19%
Decreased number of viewpoints	53%
Number of viewpoints not affected	24%
Don't know/ refused to answer	4%

9. In your opinion, to what extent do corporate owners influence news organizations' decisions about which stories to cover or emphasize?

2003

A great deal	44%
A fair amount	34%
Not very much	15%
Not at all	4%
Don't know/ refused to answer	3%

10. The federal government has adopted a policy removing most limits on how many radio, television and newspaper outlets may be owned by a single company. Do you favor or oppose such a policy? (Probe: Do you agree/disagree strongly or mildly?)

2003

Strongly favor	19%
Mildly favor	19%
Mildly oppose	23%
Strongly oppose	31%
Don't know/ refused to answer	7%

11. Because a significant percentage of radio stations, television stations and newspapers are owned today by just a few corporations, some have proposed that the government increase its regulation of the operation of those news media outlets. Do you favor or oppose such a policy? (Probe: Do you agree/disagree strongly or mildly?)

	2003
Strongly favor	17%
Mildly favor	24%
Mildly oppose	25%
Strongly oppose	25%
Don't know/ refused to answer	8%

12. How concerned are you, if at all, that corporations which own a significant percentage of radio stations may decide to restrict their employees from playing on the air the music of performers who make controversial statements? Are you very concerned, somewhat concerned, not too concerned, or not concerned at all?

	2003
Very concerned	33%
Somewhat concerned	33%
Not too concerned	19%
Not concerned at all	14%
Don't know/ refused to answer	1%

25

Now please tell me whether you agree or disagree with the following statements. . . . (In each case, probe: Do you agree/disagree strongly or mildly?)

13. People should be allowed to express unpopular opinions.

	1997	1999	2000	2001	2002	2003
Strongly agree	68%	58%	69%	74%	67%	74%
Mildly agree	22%	28%	26%	19%	27%	21%
Mildly disagree	5%	8%	2%	3%	4%	3%
Strongly disagree	4%	5%	3%	2%	2%	2%
Don't know/ refused to answer	1%	1%	*	1%	0%	1%

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

	2000	2001	2002	2003
Strongly agree	22%	25%	29%	26%
Mildly agree	24%	22%	28%	23%
Mildly disagree	15%	16%	14%	14%
Strongly disagree	38%	35%	28%	36%
Don't know/ refused to answer	1%	3%	2%	1%

(Rotate questions 15-18 below:)

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

	1997	1999	2000	2001	2002	2003
Strongly agree	23%	27%	32%	34%	31%	35%
Mildly agree	28%	29%	27%	27%	26%	26%
Mildly disagree	16%	15%	12%	9%	14%	10%
Strongly disagree	31%	26%	28%	28%	27%	26%
Don't know/ refused to answer	3%	4%	2%	2%	2%	3%

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

	1997	1999	2000	2001	2002	2003
Strongly agree	8%	8%	15%	16%	14%	18%
Mildly agree	15%	13%	17%	18%	20%	20%
Mildly disagree	14%	16%	15%	15%	16%	14%
Strongly disagree	61%	62%	52%	49%	48%	47%
Don't know/ refused to answer	2%	1%	1%	2%	1%	1%

17. People should be allowed to display in a public place art that has content that might be offensive to others.

	1997	1999	2000	2001	2002	2003
Strongly agree	20%	17%	22%	24%	22%	22%
Mildly agree	24%	24%	24%	26%	24%	22%
Mildly disagree	22%	24%	17%	16%	22%	20%
Strongly disagree	31%	33%	34%	31%	30%	35%
Don't know/ refused to answer	4%	2%	4%	3%	2%	1%

18. 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
Should not (<i>go to question 20</i>)	49%	48%	51%	59%	51%	55%
Should (<i>go to question 19</i>)	49%	51%	46%	39%	46%	44%
Don't know/ refused to answer (<i>go to question 20</i>)	2%	1%	3%	2%	2%	2%

19. 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 had 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
Yes	88%	90%	87%	81%	83%	87%
No	9%	8%	12%	15%	15%	12%
Don't know/ refused to answer	3%	2%	1%	4%	2%	1%

27

Now please tell me whether you agree or disagree with the following statements: (Probe: Do you agree/disagree strongly or mildly?)

20. Newspapers should be allowed to publish freely without government approval of a story.

	1997	1999	2000	2001	2002	2003
Strongly agree	56%	38%	54%	53%	43%	48%
Mildly agree	24%	27%	22%	22%	26%	22%
Mildly disagree	11%	14%	9%	10%	16%	13%
Strongly disagree	6%	18%	11%	13%	11%	15%
Don't know/ refused to answer	3%	3%	3%	2%	3%	3%

(Rotate questions 21-23 below:)

21. Newspapers should be allowed to freely criticize the U.S military about its strategy and performance. (Probe: Do you agree/disagree strongly or mildly?)

	2002	2003
Strongly agree	33%	32%
Mildly agree	24%	22%
Mildly disagree	18%	14%
Strongly disagree	24%	30%
Don't know/ refused to answer	1%	1%

22. Some people believe that the media have too much freedom to publish whatever they want. Others believe there is too much government censorship. Which of these beliefs lies closest to your own?

	2001	2002	2003
Too much media freedom	41%	42%	43%
Too much government censorship	36%	32%	38%
Neither (<i>volunteered</i>)	12%	15%	10%
Both (<i>volunteered</i>)	7%	8%	4%
Don't know/ refused to answer	4%	4%	5%

23. 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
Too much access	16%	12%
Too little access	40%	48%
Just about the right amount	38%	38%
Don't know/ refused to answer	6%	2%

24. Please tell me whether you agree or disagree with the following statement: "In covering the war on terrorism, the American press has been too aggressive in asking government officials for information." (Probe: Do you agree/disagree strongly or mildly?)

	2002	2003
Strongly agree	29%	23%
Mildly agree	19%	15%
Mildly disagree	23%	29%
Strongly disagree	26%	29%
Don't know/ refused to answer	3%	3%

25. During the 2003 war in Iraq, the U.S. military adopted a policy of "embedding" American journalists in individual combat units. This means that journalists were invited to report directly from the combat zone as long as they remained with one particular combat unit throughout the military operations. Do you favor or oppose this policy of embedding journalists in individual military units during a war? (Probe: Do you favor/oppose strongly or mildly?)

	2003
Favor strongly	37%
Favor mildly	28%
Oppose mildly	12%
Oppose strongly	19%
Don't know/ refused to answer	4%

29

26. How would you rate the job the news media did in covering the 2003 war in Iraq?

	2003
Excellent	28%
Good	40%
Fair	21%
Poor	8%
Don't know/ refused to answer	3%

(Rotate questions 27-31 below:)

Please tell me whether you agree or disagree with the following statements. . . . (In each case, probe: Do you agree/disagree strongly or mildly?)

27. The government should be able to review in advance what journalists report directly from military combat zones.

	2003
Strongly agree	44%
Mildly agree	23%
Mildly disagree	15%
Strongly disagree	15%
Don't know/ refused to answer	3%

28. Public school officials should be allowed to prohibit high school students from expressing their opinions about the war on school property during a period of active military combat.

	2003
Strongly agree	19%
Mildly agree	14%
Mildly disagree	27%
Strongly disagree	38%
Don't know/ refused to answer	3%

29. Public school officials should be allowed to prohibit high school students from wearing T-shirts, armbands or other insignia expressing their opinions about the war on school property during a period of active military combat.

	2003
Strongly agree	31%
Mildly agree	17%
Mildly disagree	19%
Strongly disagree	31%
Don't know/ refused to answer	3%

30. Individuals should be allowed to protest in public against America's involvement in war during a period of active military combat.

	2003
Strongly agree	38%
Mildly agree	29%
Mildly disagree	9%
Strongly disagree	22%
Don't know/ refused to answer	1%

31. As part of its war on terrorism, the government should be allowed to monitor certain religious groups even if that means infringing upon the religious freedom of those groups' members.

	2003
Strongly agree	27%
Mildly agree	23%
Mildly disagree	18%
Strongly disagree	27%
Don't know/ refused to answer	5%

31

32. In light of the government's war on terrorism in response to the World Trade Center attacks, some people think that the government should have more power to monitor the activities of Muslims legally living in the United States than it has to monitor other religious groups. Others say that monitoring Muslims more closely than others would violate the Muslims' right to free exercise of their religion. Which of these comes closest to your own opinion?

	2002	2003
Government should have more power to monitor Muslims than others	42%	39%
Treating Muslims differently violates their free-exercise rights	50%	52%
Don't know/ refused to answer	8%	9%

(Rotate questions 33-34 below:)

Please tell me whether you agree or disagree with the following statements. . . . (In each case, probe: Do you agree/disagree strongly or mildly?)

33. As part of the war on terrorism, law enforcement agencies should be allowed to monitor which books or other materials patrons check out of public libraries.

	2003
Strongly agree	16%
Mildly agree	14%
Mildly disagree	19%
Strongly disagree	48%
Don't know/ refused to answer	2%

34. Any group that wants to should be allowed to hold a rally for a cause or issue even if it may be offensive to others in the community.

32

	1997	1999	2000	2001	2002	2003
Strongly agree	38%	30%	34%	40%	33%	34%
Mildly agree	34%	32%	32%	25%	34%	33%
Mildly disagree	10%	16%	12%	11%	13%	15%
Strongly disagree	15%	20%	19%	22%	18%	15%
Don't know/ refused to answer	3%	3%	4%	2%	2%	3%

35. Overall, how would you rate the job that the American educational system does in teaching students about First Amendment freedoms?

	2001	2002	2003
Excellent	5%	5%	6%
Good	25%	26%	25%
Fair	39%	35%	33%
Poor	24%	28%	29%
Don't know/ refused to answer	7%	6%	7%

36. 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
Too much	3%	3%	4%
Too little	53%	53%	46%
About right	40%	40%	45%
Don't know/ refused to answer	4%	4%	5%

37. 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
Too much freedom	13%
Too little freedom	28%
Right amount	54%
Don't know/ refused to answer	4%

33

38. Many public schools require teachers to lead students in recitation of the Pledge of Allegiance, which includes the phrase "one nation under God," although students are generally permitted to opt out of reciting the pledge if they so choose. In your opinion, does that school practice violate the constitutional principle of separation of church and state?

	2003
Yes, it violates the constitutional principle	26%
No, it does not	68%
Don't know/ refused to answer	5%

39. When you say or hear the Pledge of Allegiance, which includes the phrase “one nation under God,” do you think of that phrase as primarily a religious statement, or as primarily a statement related to the American political tradition?

	2003
Primarily a religious statement	18%
Primarily a statement related to the American political tradition	73%
Both (<i>volunteered</i>)	5%
Neither (<i>volunteered</i>)	1%
Don't know/ refused to answer	2%

40. Are you more or less likely to purchase a CD by a musician who has made controversial political remarks in public that do not reflect your own views, or does it make no difference?

	2003
More likely	4%
Less likely	39%
Makes no difference	54%
Don't know/ refused to answer	3%

41. Are you more or less likely to purchase a CD by a musician who has made controversial political remarks in public that are in agreement with your own views, or does it make no difference?

	2003
More likely	17%
Less likely	10%
Makes no difference	71%
Don't know/ refused to answer	2%

42. Are you more or less likely to attend a performance by an entertainer who has made controversial political remarks in public that do not reflect your own views, or does it make no difference?

2003

More likely	3%
Less likely	38%
Makes no difference	57%
Don't know/ refused to answer	2%

43. Are you more or less likely to attend a performance by an entertainer who has made controversial political remarks in public that are in agreement with your views, or does it make no difference?

2003

More likely	18%
Less likely	9%
Makes no difference	72%
Don't know/ refused to answer	2%

35

(Rotate questions 43-46 below:)

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

2002 2003

Strongly agree	52%	44%
Mildly agree	18%	18%
Mildly disagree	12%	13%
Strongly disagree	16%	22%
Don't know/ refused to answer	2%	3%

45. The government's use of the phrase "In God We Trust" on U.S. money and coins violates the constitutional principle of separation of church and state.

2003

Strongly agree	10%
Mildly agree	9%
Mildly disagree	21%
Strongly disagree	57%
Don't know/ refused to answer	3%

46. Parents should have the option of sending their children to non-public schools, including those with a religious affiliation, using vouchers or credits provided by the federal government that would pay for some or all of the costs.

2003

Strongly agree	40%
Mildly agree	22%
Mildly disagree	12%
Strongly disagree	23%
Don't know/ refused to answer	4%

47. Do you favor or oppose allowing the government to give money to religious institutions or churches to help them run drug-abuse prevention programs, even if the religious institutions would be allowed to include a religious message as part of their program?

2003

Strongly favor	34%
Mildly favor	26%
Mildly oppose	15%
Strongly oppose	21%
Don't know/ refused to answer	4%

Now I'd just like to ask a few questions for classification purposes only.

48. In what year were you born (recoded into age)?

18-30 years old	24%
31-44 years old	29%
45-61 years old	26%
62+ years old	19%
Don't know/ refused to answer	3%

49. What was the last grade of school you completed?

Grade school or less	2%
Some high school	7%
High school graduate	40%
Trade school (<i>volunteered</i>)	2%
Some college	25%
College graduate	14%
Post-graduate school	10%
Don't know/ refused to answer	1%

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50. Are you white, black, Hispanic, Asian or something else?

White	78%
Black	9%
Hispanic	5%
Asian	1%
Biracial (<i>volunteered</i>)	2%
Other	3%
Don't know/ refused to answer	3%

51. For classification purposes only, is the total yearly income of all the members of your family now living at home \$40,000 or more, or would it be less than \$40,000?

Less than \$10,000	7%
\$10,000 to \$20,000	13%
\$20,000 to \$30,000	12%
\$30,000 to \$40,000	11%
\$40,000 to \$50,000	12%
\$50,000 to \$75,000	17%
\$75,000 to \$100,000	9%
\$100,000 or more	11%
Don't know/ refused to answer	7%

52. Are you Catholic, Protestant, Jewish or some other religion?

Catholic	23%
Protestant	25%
Jewish	2%
Other (specify)	34%
None (<i>volunteered</i>)	11%
Don't know/ refused to answer	6%

53. Would you describe yourself as either a fundamentalist or evangelical Christian, or would you not describe yourself that way?

Fundamentalist/evangelical	22%
Neither	70%
Not sure (<i>volunteered</i>)	5%
Don't know/ refused to answer	3%

54. In politics today, are you a Democrat, a Republican, an Independent or what?

Democrat	30%
Republican	27%
Independent	26%
No preference (<i>volunteered</i>)	8%
Other (<i>volunteered</i>)	4%
Don't know/ refused to answer	4%

55a. Do you have any children under the age of 18?

Yes	37%
No	62%
Don't know/ refused to answer	1%

55b. (*Follow-up if "Yes":*) Do you have any children under the age of 12?

Yes	28%
No	72%

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55c. (*Follow-up if "Yes":*) Do you have any children under the age of 6?

Yes	18%
No	82%

Respondents' sex:

Male	48%
Female	52%

Thank you very much for your time; you have been very helpful and we appreciate your cooperation.

N Methodology

The First Amendment Center and *American Journalism Review* commissioned the Center for Survey Research & Analysis at the University of Connecticut to conduct a general public survey of attitudes about the First Amendment. The questionnaire was a national survey developed jointly by the First Amendment Center and the University of Connecticut, in consultation with editors at *American Journalism Review*. At the University of Connecticut, Chris Barnes, April Brackett, Chase Harrison, Katie Stargardter, Professor David Yalof and Professor Kenneth Dautrich directed the project. Ken Paulson and Gene Policinski of the First Amendment Center provided overall direction. The survey was conducted by telephone between June 3 and June 15, 2003.

Interviews were conducted under the supervision of the Center for Survey Research & Analysis in Storrs, Conn., using a Computer Assisted Telephone Interviewing (CATI) system. All CSRA surveys are conducted by professional survey interviewers who are trained in standard protocols for administering survey instruments. Interviewers assigned to this survey participated in special training conducted by senior project staff. The draft survey questionnaire and field protocols received thorough testing prior to the start of the formal interviewing period. Interviews were extensively monitored to insure CSRA standards for quality were continually met.

The national sample used for this research project included residential telephone numbers in the 48 contiguous states. The sam-

ple was stratified to insure that broad geographic regions were represented in proportion to their share of the total adult population in the United States.

Within each of these regions, telephone numbers were generated through a random-digit-dial telephone methodology to insure that each possible residential telephone number had an equal probability of selection. Telephone banks that contain no known residential telephone numbers were removed from the sample selection process. Once selected, each telephone number was contacted a minimum of four times to attempt to reach an eligible respondent. Households where a viable contact was

made were called additional times. Within each household one adult was randomly selected to complete the interview.

The sampling error for 1,000 national interviews is $\pm 3.1\%$ at the 95% level of confidence. This means that there is less than one chance in 20 that the results of a survey of these respective sizes would differ by more than 3.1% in either direction from the results, which would be obtained if all adults in the appropriate area had been selected. The sample error is larger for subgroups. CSRA also attempted to minimize other possible sources of error in this survey.

